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Journal of the Senate

DURING THE

FORTIETH SESSION

OF THE

Legislature of the State of California

1913

Began on Monday, January sixth, and ended on Monday, May twelfth, nineteen hundred and thirteen

SACRAMENTO
FRIEND WM. RICHARDSON, : : : SUPERINTENDENT OF STATE PRINTING
1913

CALIFORNIA LEGISLATURE—SENATE

FORTIETH SESSION

IN SENATE

SENATE CHAMBER,
Monday, January 6, 1913.

The hour of twelve o'clock m. having arrived, Hon. Albert J. Wallace, Lieutenant Governor and President of the Senate, called the Senators and Senators-elect to order, and announced that the fortieth session of the Legislature of the State of California was about to convene, and informed the Senators that the following officers of the Senate during the thirty-ninth session of the Legislature were in their respective places in the Senate Chamber, as required by Section 237 of the Political Code: Walter N. Parrish, Secretary; R. H. Jackson, Minute Clerk, and Joseph L. Coughlin, Sergeant-at-Arms.

PRAYER.

By invitation of the President, prayer was then offered by the Rev. Father H. H. Wyman of San Francisco.

CERTIFICATE FROM SECRETARY OF STATE.

The President directed the Secretary to read the certificate received from the Secretary of State.

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over Senators, together with those duly elected at the general election, held on the 5th day of November, A. D. 1912, and at a special election held in the Twenty-eighth Senatorial District, in the county of Santa Clara, in said State, on the second day of January, A. D. 1913, to represent the people of the State of California at the fortieth session of the Legislature of the said State of California, as appears from the statement of vote received from the county clerks of the county or counties and the Registrar of Voters of the city and county of San Francisco, comprising the several senatorial districts of the State of California, said statement of vote being a record of and on file in my office, viz:

HOLD-OVER SENATORS.

Name.	Number of district.	County or counties comprising district.
T. W. H. Shanahan	Second	Modoc, Lassen, Siskiyou, Shasta.
J. B. Sanford	Fourth	Lake, Mendocino, Colusa, Glenn.
Albert E. Boynton	Sixth	Butte, Sutter, Yolo, Yuba.
Louis W. Juilliard	Eighth	Sonoma.
A. Caminetti	Tenth	Alpine, Amador, Calaveras, El Dorado, Mono.
J. B. Curtin	Twelfth	Madera, Mariposa, Merced, Stanislaus, Tuolumne.
George J. Hans	Fourteenth	Alameda.
Edward J. Tyrrell	Sixteenth	Alameda.
Daniel P. Regan	Eighteenth	San Francisco.
Edward F. Bryant	Twentieth	San Francisco.
John J. Cassidy	Twenty-second	San Francisco.
Dominick J. Beban	Twenty-fourth	San Francisco.
Geo. W. Cartwright	Twenty-sixth	Fresno.
John L. Avey	Thirtieth	Inyo, San Bernardino.
S. O. Larkins	Thirty-second	Kern, Kings, Tulare.
Lee C. Gates	Thirty-fourth	Los Angeles.
Leslie R. Hewitt	Thirty-eighth	Los Angeles.
Leroy A. Wright	Fortieth	San Diego.

SENATORS-ELECT.

Name.	Number of district.	County or counties comprising district.
William Kehoe	First	Del Norte, Humboldt, Trinity, Tehama.
E. S. Birdsall	Third	Plumas, Sierra, Nevada, Placer, El Dorado.
B. F. Rush	Fifth	Napa, Solano.
P. C. Cohn	Seventh	Sacramento.
James C. Owens	Ninth	Marin, Contra Costa.
William R. Flint	Eleventh	San Mateo, San Benito, Santa Cruz.
Edw. K. Strobridge	Thirteenth	Alameda.
A. H. Breed	Fifteenth	Alameda.
A. E. Campbell	Seventeenth	Monterey, San Luis Obispo.
Edwin E. Grant	Nineteenth	San Francisco.
Fred C. Gerdes	Twenty-first	San Francisco.
Thos. F. Finn	Twenty-third	San Francisco.
D. W. Mott	Twenty-fifth	Ventura, Santa Barbara.
Frank H. Benson	Twenty-seventh	Santa Clara.
Herbert C. Jones	Twenty-eighth	Santa Clara.
Henry H. Lyon	Twenty-ninth	Los Angeles.
Edwin M. Butler	Thirty-first	Los Angeles.
Prescott F. Cogswell	Thirty-third	Los Angeles.
Newton W. Thompson	Thirty-fifth	Los Angeles.
William J. Carr	Thirty-sixth	Los Angeles.
William E. Brown	Thirty-seventh	Los Angeles.
John N. Anderson	Thirty-ninth	Riverside, Orange, Imperial.

Witness my hand and the Great Seal of the State of California, at my office in the city of Sacramento, this 6th day of January, A. D. 1913.

FRANK C. JORDAN,
Secretary of State.

[SEAL.]

Certificate and list of names read and ordered on file.

The President directed the Secretary to call the roll of the hold-over Senators.

RESOLUTION.

The following resolution was offered by Senator Boynton:

Resolved, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read and adopted.

ROLL CALL OF HOLD-OVER SENATORS.

The Secretary called the roll, and the following answered to their names:

Senators Avey, Beban, Boynton, Bryant, Caminetti, Cassidy, Curtin, Gates, Hans, Hewitt, Juilliard, Larkins, Regan, Shanahan, Tyrrell, and Wright—16.

The President directed the Secretary to call the roll of Senators-elect:

ROLL CALL OF SENATORS-ELECT.

The Secretary called the roll of Senators-elect, and the following answered to their names:

Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Jones, Lyon, Mott, Owens, Rush, Strobridge, and Thompson—21.

The President announced that the roll call disclosed twenty-one Senators-elect present.

The President requested the Senators-elect to immediately present themselves at the bar of the Senate in order that the oath of office might be administered to them, and that they might subscribe to the same.

OATH OF OFFICE ADMINISTERED.

The members-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by the Hon. Albert J. Wallace, Lieutenant Governor, President of the Senate:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

The President announced the qualification of all the Senators, and the Senators having assumed their seats, declared that a quorum of all the Senators was present.

APPOINTMENTS BY SECRETARY.

The Secretary of the Senate announced, by virtue of the authority vested in him by Section 237 of the Political Code, that he had made the following appointments of attachés for the temporary organization of the Senate:

Postmistress—Miss Carrie Garrison.
Pages—Tevis Paine, George Steers, Frank F. Branch.

APPOINTMENT BY SERGEANT-AT-ARMS.

The Sergeant-at-Arms of the Senate announced, by virtue of the authority vested in him by Section 237 of the Political Code, that he had made the following appointment of attaché for the temporary organization of the Senate:

Assistant Sergeant-at-Arms—William McSorley.

TEMPORARY ORGANIZATION EFFECTED.

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate?"

RESOLUTION.

The following resolution was introduced by Senator Hans:

Resolved, That the Senate do now proceed to the election of the following statutory officers, in the order named:

President pro tem.
Secretary of Senate.
Sergeant-at-Arms.
Minute Clerk.
Chaplain.

Resolution read and adopted.

NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEM. OF THE SENATE.

The President thereupon declared nominations for the office of President pro tem. of the Senate in order.

Senator Gates placed in nomination for the office of President pro tem. of the Senate the Hon. A. E. Boynton of Butte County, State Senator from the Sixth District.

Senator Juilliard placed in nomination for the office of President pro tem. of the Senate the Hon. J. B. Curtin of Tuolumne County, State Senator from the Twelfth District.

The President put the question, "Are there any other nominations for President pro tem. of the Senate?"

There being no response, the nominations were declared closed.

The roll was called, with the following result:

For Hon. A. E. Boynton—Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Larkins, Lyon, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—29.

For Hon. J. B. Curtin—Senators Boynton, Caminetti, Campbell, Cohn, Grant, Juilliard, Owens, and Shanahan—8.

Whereupon the President declared Senator A. E. Boynton duly elected President pro tem. of the Senate for the fortieth session of the California Legislature.

NOMINATION FOR AND ELECTION OF SECRETARY OF THE SENATE.

The President declared nominations for Secretary of the Senate in order.

Senator Thompson placed the name of Walter N. Parrish of San Joaquin County in nomination for Secretary of the Senate.

The President put the question, "Are there any further nominations for the office of Secretary of the Senate?"

There being no response, nominations were declared closed.

The President directed the Minute Clerk, R. H. Jackson, to call the roll.

The roll was called, with the following result:

For Walter N. Parrish—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Whereupon the President declared Walter N. Parrish duly and unanimously elected Secretary of the Senate.

NOMINATION FOR AND ELECTION OF SERGEANT-AT-ARMS.

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Tyrrell placed the name of Joseph L. Coughlin of Alameda County in nomination for Sergeant-at-Arms of the Senate.

The President put the question, "Are there any further nominations for the office of Sergeant-at-Arms of the Senate?"

There being no response, nominations were declared closed.

The roll was called, with the following result:

For Joseph L. Coughlin—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Whereupon the President declared Joseph L. Coughlin duly and unanimously elected Sergeant-at-Arms of the Senate.

NOMINATION FOR AND ELECTION OF MINUTE CLERK OF THE SENATE.

The President declared nominations for Minute Clerk of the Senate in order.

Senator Rush placed the name of J. W. Kavanagh of Solano County in nomination for Minute Clerk of the Senate.

The President put the question, "Are there any other nominations for the office of Sergeant at Arms of the Senate?"

There being no response, nominations were declared closed.

The roll was called, with the following result:

Yeas 46: Mr. Kavanaugh, Senators Anderson, Ayres, Baker, Barnett, Bellmon, Blood, Bowen, Bryant, Burris, Chambers, Channell, Cox, Crawford, Crutcher, Davis, Dunlap, Fahm, Flint, Gibson, Gordon, Gray, Hess, Howell, Jones, Kirkpatrick, Lamons, Lowe, Mann, Owens, Rogers, Rood, Shumaker, Simmons, Thompson, Trent, and Wright—46.

Whereupon the President declared J. W. Kavanaugh duly and unanimously elected Master Clerk of the Senate.

NOMINATIONS FOR CHAPLAIN OF THE SENATE

The President announced nominations for the office of Chaplain of the Senate as order.

Senator Pittenger placed the name of Rev. B. Dale Taylor of Arcadia County in nomination for Chaplain of the Senate.

The President put the question, "Are there any further nominations for the office of Chaplain of the Senate?"

There being no response, the nominations were declared closed.

The roll was called, with the following result:

Yeas 46: B. Dale Taylor—Senators Anderson, Ayres, Baker, Barnett, Bellmon, Blood, Bowen, Bryant, Burris, Chambers, Channell, Cox, Crawford, Crutcher, Davis, Dunlap, Fahm, Flint, Gibson, Gordon, Gray, Hess, Howell, Jones, Kirkpatrick, Lamons, Lowe, Mann, Owens, Rogers, Rood, Shumaker, Simmons, Thompson, Trent, and Wright—46.

Whereupon the President declared Rev. B. Dale Taylor duly and unanimously elected Chaplain of the Senate.

RESOLUTION

The following resolution was offered by Senator Thompson:

Resolved, That the Standing Rules of the Senate of the sixty-ninth session of the Legislature of the State of Oklahoma be and they are hereby adopted as the rules governing those of the Senate of the fortieth session, excepting Rule 3, and amending Rule 1 to read as follows:

"The session of the Senate shall be daily, Sundays excepted, beginning at the o'clock a.m., unless otherwise ordered by vote of the Senate."

The roll was called on the adoption of the resolution offered by Senator Thompson, with the following result:

Ayes—Senators Anderson, Ayres, Baker, Barnett, Bellmon, Bowen, Bryant, Burris, Chambers, Channell, Cox, Crawford, Crutcher, Davis, Dunlap, Fahm, Flint, Gibson, Gordon, Gray, Hess, Howell, Jones, Kirkpatrick, Lamons, Lowe, Mann, Owens, Rogers, Rood, Shumaker, Simmons, Thompson, Trent, and Wright—38.

Nays—None.

PERTINENT RULES OF THE SENATE

Time of Meeting of Senate.

1. The session of the Senate shall be daily (Sundays excepted), beginning at ten o'clock a.m.

Calling to Order.

2. The President, President pro tem, or senior senator present, shall call the Senate to order at the hour fixed, and if a quorum be present, proceed with the order of business.

3. Order of business:

1. Roll Call.
2. Reports by the Chairman.
3. Reading and Approving of the Journal of the Preceding Day.
4. Presentation of Petitions.

5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions, and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossed and Enrolled Bills shall at all times be in order; *provided*, that messages from State officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

President—His Powers and Prerogatives.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and [illegible] of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

President May Order Lobbies Cleared.

5. In case of a disturbance or disorderly conduct in the lobbies, the President or Chairman of the Committee of the Whole shall have power to order the same cleared.

President May Call Senator to Chair.

6. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question, while so presiding.

Appointment to Committee.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

President pro tem.—His Powers and Privileges.

9. The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

The Duties of Secretary.

10. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attachés and employes of the Senate. To certify to and transmit to the Assembly all bills, resolutions, and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

6. To assign, reassign, or transfer all attachés and employees to their respective duties.

No Records or Papers to be Taken from Desk.

11. The Secretary of the Senate shall not suffer any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take their receipt therefor.

Sergeant-at-Arms.

12. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the con-

[illegible] [illegible] [illegible] [

Printing.

24. Seven hundred and fifty copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Copies to be Printed.

22. Five hundred copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Number of Copies to be Printed of Journal.

23. The Superintendent of State Printing shall print five hundred copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

What Shall be Printed in the Journal.

24. Messages from the Governor (other than biennial messages and inaugural addresses), titles of bills, joint and concurrent resolutions, and constitutional amendments shall be printed in the Journal in full.

Record of Votes and Petitions.

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

When Not in Committee of the Whole, Proceedings Must be Entered in the Journal.

26. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Printing for the Senate.

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

Introduction and Reading of Bills.

28. 1. Any Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the same, and the title shall be announced from the Secretary's desk, shall be read the first time, when it shall be referred to a standing committee; *provided*, that no bill shall be introduced in the Senate forty days after the commencement of the session without the consent of three fourths of the members thereof. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two thirds of the Senate shall, by vote of ayes and noes, dispense with this provision), and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). Joint and concurrent resolutions shall be treated the same as bills, provided they shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise directs.

2. The titles of all bills, when introduced, shall be inserted in the Journal.

3. When a bill amending an existing law is introduced, the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill from which portions of the law are proposed to be omitted, if any, shall be indicated by closed brackets; *provided, however*, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole the matter repealed need not to indicated.

All bills reported favorably or for consideration, if reported with amendments, shall have the new matter, if any, underscored, and the place of omission of parts of the law proposed to be omitted, if any, shall be indicated by brackets. All bills reported with amendments shall be immediately reprinted.

All matter underscored in the draft or amendment of any bill shall be printed by the Printer in italics, and all brackets shall be reproduced.

Order of Engrossing and Enrolling Bills.

29. All bills ordered engrossed shall be delivered to the Engrossing and Enrolling Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing and Enrolling Clerk, taken therefor; and all said bills shall be engrossed in the order of their receipt by said Engrossing and Enrolling Clerk. And all Senate bills

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Instruction When to be Obtained and Deposited.

...

Proceedings if Locality Bills.

...

Petitions of Bills to Private Committee.

...

Committee Instruction: How Made.

...

Committee: When to Report.

...

Standing Committee, Quorum in: When Constituted.

...

Lapse of Orders by Prorogation.

...

Orders on Unstamped Fund Sent to the Committee on Unstamped Expenses.

...

Executive Communication and Nomination to Committee.

...

The General Plan to be Shown Against Items of Bills on File.

...

Bills Passed on Plan Placed at Foot of File.

...

Unreasonable Bill's Have Precedence.

11. All bills upon the second reading of the same to not committed, upon being reported, shall be placed upon a special list and shall be taken up for consideration and passing in the order of their being placed on file.

Order of Questions on Motions to Refer.

12. When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Order in Questions Under Debate.

13. When a question is under debate, no motion shall be received but the following, which shall have precedence in the following order:

1. To adjourn.
2. To take a recess.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Motions Not to Be Debated Until Seconded and Announced.

14. No motion shall be debated until the same be seconded and declared announced by the President, and it shall be reduced to writing if desired by the President or any Senator, and read to the Senators, before the same shall be debated.

Questions of a Divisible Character Divided.

15. When the reading of a report is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate.

Amendments and Substitutes—When in Order.

16. No amendment shall be offered to any other motion than a bill or resolution to which pending questions of postponement, and when adopted shall take the place of the motion, bill or resolution, and shall be open to amendment.

Amendments and Substitutes Shall not be Discussed.

17. No speech or argument on any amendment offered from the floor, unless explanation shall be allowed unless such amendment or substitute.

Every Vote and Question Open to Every Member.

18. No Senator may be excused from voting except when he has a personal interest in the question.

When a Second Reconsideration Not Allowed—Exception in Favor of Committee.

19. When [illegible] reconsideration, or any bill [illegible] the majority of the Senators [illegible] shall not be entertained [illegible] committee, or consulting on the pending, shall not be [illegible].

Manner of Reconsidering.

20. On the day succeeding that on which a final vote on any bill, resolution or motion is reconsidered, or reconsidered any time, which will have been given to Senators entered on the opening of each Secretary's succeeding session of reconsideration which have been given on the day on which such final vote, was taken, by a Senator voting with the prevailing side; and if said time be not given to reconsider on the day on which such final vote was taken, by a Senator voting with the prevailing side, such motion for reconsideration shall [illegible] Senator voting with the prevailing side to call up said motion for reconsideration, and it shall [illegible] reconsideration and voting for taking the motion to reconsider the vote be taken upon [illegible] reconsideration on final vote, unless the same shall have been passed on subsequent days, which motion to reconsider the vote on which any [illegible] reconsideration has been passed on subsequent days, which motion to reconsider the vote on which any [illegible] reconsideration has been passed on subsequent days. No motion for reconsideration shall be in order on any day succeeding the one day of the session.

Reconsideration of Bills Sent to Assembly.

21. When a bill, resolution, memorandum, which [illegible] shall have been [illegible] shall have been sent to the Assembly, and have concurred in the Assembly, a motion to reconsider the vote by which such bill, resolution, memorandum, [illegible] shall be entertained unless [illegible] and of reconsideration by the Senate shall be a [illegible] reconsideration of the motion to reconsider.

Standing Legislative Committees, Each to Report Bill on Specialty.

52. If a Senator gives notice that he intends to move a consolidation, the Secretary shall not record the bill concerned or give consideration to supplementary notice prior to the Assembly, but the recommendation be discussed at the time the meeting the notice was received, failing this, any consideration have been suspended by the Assembly.

Motion to Reconsider Vote Be Debated.

53. A Senator, after a motion or resolution in favor, as provided in Rule 50, may, if the recommendation be agreed, propose the same motion or resolution, and the notice must be delivered by the Senate, provided that the motion is not debated.

Amendment to Original Question.

54. 1. An amendment may be laid on the table without question, as per 50. When an amendment proposed to any pending question shall be laid on the table, it shall not carry with it the question itself, necessarily.

2. If the Secretary or Senate withdraws pending amendments may demand that have the amendment remain in motion to further and may cancel the amendment. Also the withdrawal of a motion by another may cancel the amendment. Also the withdrawal of a motion by another may cancel the amendment. Also the withdrawal of a motion by another may cancel the amendment.

Special Orders.

55. Any subject may, by vote of two-thirds of the Senators present, be made a special order, and when the time fixed for its consideration arrives, the pending question shall be postponed.

Every Question Decided by Ayes and Noes.

56. The final question on the second reading of every bill proposing to the Senate, and imposing taxes, and on the question of every question, shall be taken by the Secretary, and the names of the Senators voting for and against the question, and those who are present and not voting, shall be entered on the Journal.

Secret Orders.

57. Any subject may, by vote of two-thirds of the Senators present, be made a secret order, and when the time fixed for its consideration arrives, the pending question shall be postponed.

Every Question Decided by Ayes and Noes.

58. The final question on the second reading of every bill proposing to the Senate, and imposing taxes, and on the question of every question, shall be taken by the Secretary, and the names of the Senators voting for and against the question, and those who are present and not voting, shall be entered on the Journal.

Ayes and Noes: Members Must Answer; If Any Absent Unnecessarily to Vote.

59. When the ayes and noes shall be called for, the Secretary shall call the names of the Senators in the order in which they are placed, and each Senator, when his name is called, shall rise and state his vote or decision, which shall be entered on the Journal. No Senator shall be excused from voting except when he is personally interested in the question, or when excused by the Senate. Any Senator who shall refuse to vote when his name is called, unless excused, shall be considered in contempt, and may be punished accordingly.

Rules to Govern and Committee of the Whole.

60. The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times a Senator may speak, and except that the yeas and nays shall not be taken.

Suspending and Changing Rules.

61. No standing rules or order of the Senate shall be rescinded or changed unless one day's notice of the proposed rescission or change shall be given, nor unless two-thirds of the Senators present shall concur therein. But a rule or order may be suspended temporarily by a vote of two-thirds of the Senators present. Upon the question of suspending the rules, the ayes and noes shall be taken and recorded.

Executive Sessions.

62. On a motion made and seconded to close the doors of the Senate on the consideration of any business which may, in the opinion of any Senator, require secrecy, the Presiding Officer shall direct all persons except the Secretary, Sergeant-at-Arms, Stenographer of the Senate, Messengers, and Doorkeepers to withdraw; and during the discussion of such motion the doors shall remain closed, and such business shall

officer of the Senate shall keep secret all such matters, proceedings, and things whereof secrecy shall be enjoined by order of the Senate.

Messengers, When Introduced.

62. Messengers may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a Senator is addressing the Senate.

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

San Francisco Delegation.

64. Members of the Senate from the city and county of San Francisco shall constitute a standing committee to be known as the San Francisco Delegation.

Leaves of Absence of Members of the Senate Visiting Public Institutions.

65. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may, by a two thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the Chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the Chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the names of the committeemen designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions to report upon the same on the next legislative day. Said members shall be allowed their actual expenses.

Cases Not Provided for, Cushing to Govern.

66. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Cushing's Law and Practice of Legislative Assemblies.

RESOLUTION.

The following resolution was introduced:

By Senator Gates:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

President pro tem.—Hon. A. E. Boynton.
Secretary of the Senate—Walter N. Parrish.
Sergeant-at-Arms—Joseph L. Coughlin.
Minute Clerk—J. W. Kavanagh.
Chaplain—Rev. B. Dent Naylor.

Resolution read and adopted.

Also:

By Senator Tyrrell:

Resolved, That the President of the Senate appoint a special committee of three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read and adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President appointed Senators Tyrrell, Shanahan, and Butler to call upon the Governor and notify him of the organization of the Senate and its readiness to receive his communications.

LEAVES OF ABSENCE.

Senator Cartwright was, on motion of Senator Juilliard, granted leave of absence until January 8, 1913.

Senator Sanford was, on motion of Senator Curtin, granted leave of absence for this day.

APPOINTMENT BY THE SECRETARY

The following communication was received and read:

Mr. President: I had hoped to report that I have had the honored W. H. Wright, Assistant Secretary and Clerk of the Committee on Printing, to act pro tem of time before and preceding the session of the Senate Senate.

W. H. PARKHURST, Secretary of State.

Senator Boynton moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment

The roll was called, with the following result:

Ayes: Senators Anderson, Ayer, Bevan, Bowen, Boyd, Boynton, Bevan, Brown, Burgess, Campbell, Case, Connelly, Cornwall, Cross, Curtis, Dow, Dixon, Dunlop, Gamel, Haig, Heath, Johns, Kellogg, Lawton, Lyon, Mott, Nelson, Rogers, Reed, Scrimger, Thompson and Wright—33.

Noes—None.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Reed, the President declared the Senate to recess for ten minutes.

AFTER RECESS.

At twelve o'clock and forty minutes p.m. the Senate reconvened. Lieutenant Governor Albert J. Wilson, President of the Senate, in the chair.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 6, 1913.

Mr. President: Your committee appointed to notify the Governor of the organization of the Senate and that the Senate is now ready to receive any communication he may have, or make, respectfully reports that it has communicated with the Governor as directed and that His Excellency replied that communication that he would communicate with the Senate at the earliest opportunity.

CUTTEN, Chairman.

The committee was discharged.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Heath, the following Executive message from the Governor was read and ordered printed in the Journal:

FIRST BIENNIAL MESSAGE OF GOVERNOR HIRAM W. JOHNSON.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
January 6, 1913.

To the Senate and Assembly:

In accordance with custom and the requirement of the Constitution, I herewith lay before you, and through you to the people, information touching the condition of the State, and recommend for your consideration such measures as I deem necessary and expedient.

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been achieved, to carry forward as well as possible what remains incomplete, and to do what in your wisdom you deem yet essential.

After only two years it is difficult to realize that we are so short a time removed from a system which had grown up by many years of acquiescence. The system of the domination of the public service by special interests was so all-pervasive and so familiar that it was accepted even by many excellent men as part of an unchangeable order of things. Yet it was a system which was of course fatal to true popular government and to administrative efficiency, and which offered constant temptation and opportunity to worse than inefficiency. An incident in the government of the water front of the city of San Francisco vividly illustrates how far this system of private dominance of public service extended. The Harbor Commission of San Francisco are required by law to fix the rentals to be paid to those who occupy space belonging to the State. The schedule of rentals just prior to the present administration was really fixed by the very corporation which was the principal tenant of the State at the harbor, and was adopted only after consent of that company. This is perhaps a minor example of a condition which was then regarded as a matter of course, but which has now become, let us hope forever, impossible.

In the effort to eliminate that sort of influence, and to require of every public servant and governmental agency an undivided allegiance to the people, of course there was resistance to be overcome in almost every direction. The service of the State was filled with men many of whom had been accustomed to look, as the source of their power, to a particular outside agency, rather than to the government and the people of the State. But after two years of continuous effort, and with the tremendous aid rendered by the last Legislature, without which it could not have been accomplished, it may be to-day asserted that the public service of California is maintained solely for the public benefit, and that the allegiance of every official is now wholly to the State of California. It is not asserted that all the needed administrative reforms are yet complete; it is not claimed that every public institution in this State is as well managed as ultimately it may be; but it is confidently insisted that the management of almost every public institution in this State to-day has improved in method and efficiency, and that in none to-day is permitted fealty or allegiance to any other power than the power of the people of the State.

The platform to which a majority of you subscribed at the recent legislative convention, and I quote it as a concise statement and not in partisan spirit, contained the following summary of the accomplishments of the past two years, the majority of which, it may be added, were due to the enactments of your immediate predecessors in the Legislature, and to the favorable vote of the people on propositions submitted to them:

> "A new spirit has entered the public life of the State. In two years, California has made greater progress in legislation and government than was ever before made in a like period by an American state, and has set a new standard for other States and the Nation. Political power has been taken from the political bureau of a private corporation and restored to the people; boss rule has been made permanently impossible by direct nominations, direct legislation and the recall. The suffrage has been extended to women. The ballot has been made shorter and less partisan, and judicial nominations have been made nonpartisan. Public servants have been appointed and retained for efficiency and faithfulness; the business administration of the State Department has been reformed through the activities of the State Board of Control, corruption and favoritism have been eliminated, and economy and efficiency enforced. The Railroad Commission is for the first time exercising the powers over railroads intended to be conferred upon it when it was established in 1879, and has extended a like control to other public service corporations. The laws of criminal procedure have been simplified, a reformatory for first offenders is assured by the purchase of a site therefor, the prisons have been made self-supporting and prisoners are being taught useful trades without injurious competition with free labor. Much beneficial legislation for social and industrial justice has been passed, including a workmen's compensation act and an eight-hour day for woman, a full crew and sixteen-hour trainmen's bill, bills against the pay check evil, and repealing the sailors' enticement law, prohibiting night work for minors under eighteen years, and protecting electrical workers. Laws for the better conservation of the natural resources of the State were passed and an inventory of those resources is being made by the Conservation Commission as a basis for the intelligent enactment of needed additional legislation. Counties have been given a larger measure of local self-government and a local option law has been passed. A state system of good roads has been inaugurated. Race track gambling has been effectively suppressed. These and many other beneficial measures are the achievements of the administration and the Legislature of California in the past two years."

This is the record, made by your predecessors and approved by yourselves, which it is now yours to emulate, and to supplement and complete.

The general policy that has characterized the present state government is one that has not been partisan in character, and to which men of all political predilections, and particularly those of different parties in the Legislature, have contributed

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was less work done by the Railroad Commission of the State of California than has been done by the present Railroad Commission in any one month of its existence. Probably during the thirty-two years of the existence of the Railroad Commission prior to 1911, approximately one hundred complaints were presented to that Commission, and in less than two years, to the new Commission, approximately two thousand complaints have been presented. The Commission has acted with such justice, fairness and ability, that it has won the respect and regard of nearly all of those whose interests have come within its jurisdiction. It is impossible even to recapitulate the accomplishment of this Commission. It has investigated express rates, readjusted railroad rates to accord with the long and short haul clause, reduced freight rates into and out of the San Joaquin Valley, between Los Angeles and San Pedro, Los Angeles and Imperial Valley, between Bakersfield and the oil fields, reduced Pullman seat fare between San Francisco and Los Angeles, reduced demurrage, restored lower telephone rates in one hundred and two towns, reduced many thousand passenger, freight and express rates upon informal complaints, improved train service, reduced rates on raisins and dried fruits from San Joaquin and from Sonoma and Mendocino counties, given all children the benefit of half fare on all street railways, previously extended only to school children; required the erection of new depots, examined and authorized stock and bond issues approximating thirty millions of dollars, and at last has become the arbiter between the people on the one hand and the great public service corporations upon the other, dealing justly with each, but with firmness insisting upon the performance of the duties of each.

It may be said that the Public Utilities Act of the State of California compares favorably with any similar act in the Union, and it may be said of this Commission, now as well a Public Utilities Commission, that its record, as demonstrated by its accomplishments, is second to no similar commission in all this Nation. There are older commissions in some of the states, dealing with these subjects—commissions that in the past have been suggested as models—but to-day, throughout the United States, the Railroad Commission or Public Utilities Commission of the State of California is recognized as among the foremost, and in the amount of work and efficiency, I doubt if any compare with it. The object of one of the constitutional amendments adopted in 1911 by the people, was, as stated during the campaign, to maintain for the longest possible time the present attitude of the State toward the railroad and public service corporations, and to give ample opportunity for the demonstration of a system of regulation, of just, speedy and summary determination, where individuals were concerned on the one hand and great corporations on the other. When the amendment to the Constitution was submitted only a little over a year ago, it was thought doubtful if all that was contemplated as the work of the Railroad Commission could be so far advanced in the brief term of one executive as to have demonstrated to the people the efficacy of such a Commission, and its necessity for the protection of the people. Happily the personnel of the Commission has been such, its industry has been so indefatigable and its ability so pronounced, that in the very brief period that has elapsed the people probably already fully understand not only its value to them, but its absolute necessity.

I feel that I need not bespeak for this Commission your co-operation.

II.

BOARD OF CONTROL—CENTRALIZATION OF SUPERVISION.

Best results are obtained governmentally when the head held responsible is in closest touch with all that transpires. After a careful survey, it was determined at the last session of the Legislature that there should be some centralized authority in constant touch with the various institutions of the State and their business policy, and which should be one of the arms of the executive head of the State. Accordingly, was created the Board of Control. It was hoped that through this Board immediately at hand would be available all information concerning the business management of the various state institutions. The Board was designed to exercise a supervisory control and management over the fiscal affairs of public institutions and to install a uniform system for the management of the State's business. The Board of Control was duly appointed, and entered upon its duties. It has more than justified itself. In a brief period it has modernized and immensely improved the business management of all of the institutions. It has acquired an experience now invaluable to the State which will enable it to go forward with its duties in the future with even greater precision than in the past. It has enabled the government of the State to be in immediate touch with the business management of each particular institution. It has saved the State hundreds of thousands of dollars, has put in operation, where possible, uniform systems of accounts, and to-day the business of the State in its public institutions, for the first time in the history of the State, is being conducted on a business basis, exactly as would be desired by any private enterprise. When you recall that the accounts of our state hospitals had not been audited in fourteen years until the installation of the Board of Control, the laxity of former methods will be apparent. The accounts of all of these institutions have now been audited, a uniform system of accounting has been instituted in four, and in the others will be at the earliest possible moment. It is no exaggeration to

III.

INDUSTRIAL ACCIDENT BOARD.

The policy adopted by the State two years ago that the burden of accident should not fall wholly upon him who is least able to bear it, but should be wisely distributed, has come now to be the policy in many states of the Union, and the Federal Government itself. Neither the desirability nor the righteousness of this policy is longer questioned, and while, in specific instances, it is difficult thoroughly to work out the purpose and design of such acts, they are now accepted by every modern and humane state.

One of the chief difficulties that has arisen in California has been because of the rapacity of insurance companies. The rates of insurance seem to have been extortionate, and in many instances, prohibitive. In this sort of greed, however, insurance companies have over reached themselves because, if we are to continue the policy that we have adopted in respect to industrial accidents, it will be necessary for the State itself to provide the necessary insurance. The Industrial Accident Board reports to me that the Washington scheme of insurance is not approved by them, but that they do approve the creation of a state insurance fund, in order that the State may furnish insurance to those who desire it for their protection. I strongly urge upon you, if the industrial accident law is to continue to be a part of the policy of the State of California, that you take the necessary means for providing for a state insurance fund.

Complaints have been numerous in relation to the law, and mainly from one source—the farmers. It has been argued by the farmers that they ought not to be within the purview of the law because, first, the very nature of their work renders it impossible for them to discriminate in employing individuals, and the very nature of those who engage in their work renders discrimination impossible. Farmers think, therefore, inasmuch as they must have labor at a particular time, hastily, that they should not be subject to liability for accident; and again they insist that they cannot distribute the cost of protection, insurance, etc., in their business, because they do not, and can not fix the price of their commodities, the price being fixed in other markets and, therefore, that the theory by which the burden of the accident shall be cast upon the business and ultimately upon the community is untenable as applied to them. I find, however, that this latter argument may be made in favor of some other business as well. Thoroughly do we believe in the policy of this law, and rather than sacrifice that policy, we would be willing to eliminate the farmers from its provisions. Nevertheless, I cannot but believe that this elimination will be a step backward, and particularly do I think this will be so if the State furnishes cheap insurance.

IV.

CONSERVATION COMMISSION.

The Conservation and the Water Power commissions have practically concluded their work, and have presented a most valuable report of their investigations within the past two years. Their recommendations are embodied in certain bills which will be presented to you. The data which has been supplied to the State by the conservation commissions will be of great and lasting value. The bill relating to water and water power presented by the conservation commissions is a measure of very great importance concerning which, in the future, if deemed advisable, I shall again communicate with you.

V.

IMMIGRATION COMMISSION.

With the opening of the Panama Canal, now so near at hand, new problems will confront us. If the expectations of the transportation companies and of those familiar with the subject are realized, much of the immigration which now wholly finds itself upon the Atlantic shore will be distributed to the Pacific coast, and there will be brought to the State of California an extraordinary increase in population, presenting new and difficult questions. It has ever been the boast of our State that we have not within it any real, pressing want. We have never had the awful problems presented to us that the congested centers of the East have there presented. A wise forethought would endeavor to pervent such conditions in the West, and the experience of to-day of the congested centers of the East should be sufficient warning to all who are charged with the duty of providing for the future. With those of us who have dealt at all with the subject, our hope and our dream are that we may prevent in California the human congestion that has occurred in the populous centers of the East, and that by the adoption of those measures which experience and wisdom shall dictate, we may be relieved of the dread and the misery of the problem of the East. Accordingly, in August of this year, I appointed what we termed an Immigration Commission, composed of members who had had experience with the subject and who had devoted many years of thought to the solution. This Commission, of course, serves

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VIII.

BLUE SKY LAW.

Hon. Max Thelen, one of the members of the Railroad Commission, recently investigated the Blue Sky law of Kansas, and the efforts being made in various states for similar enactments. His report has been filed with the Railroad Commission in which he says:

> "The Blue Sky law of Kansas is a law designed to put out of business in Kansas, the promoters whose promises were as limitless as the blue sky. Under this law, with certain exceptions, no corporation may sell stocks, bonds or other securities in Kansas without having first secured a certificate stating that the provisions of the law have been complied with and granting permission to do business in the State."

The object of the law, of course, is to prevent wild-catting, and to protect the gullible part of our public from investing in those stocks or bonds which have no real foundation, but which hold out to the investor the hope of impossible returns. In conversation with Governor Stubbs of Kansas not long since, he stated that the law had been of inestimable value to his state and had saved many hundreds of thousands of dollars, and had saved it, too, to those who most needed the saving. I recommend to you a similar law for California, the administration of which, however, shall be placed under the Railroad Commission.

IX.

BUREAU OF LABOR STATISTICS.

This Bureau was established in 1883, but, until a recent date, was of little or no service. It is now in reality a bureau for labor. Working men and working women seek and obtain now advice and assistance there. The laws relating to children and to women, and to conditions surrounding toilers generally, are rigidly enforced. Those without funds to pay can obtain, through this Bureau, the wages due them, and the wage collection agencies have been practically driven out of existence by the Bureau. The Bureau, during the past year, has compelled the payment of sums from sixty cents to three hundred dollars, in the aggregate, $25,000. It has compelled employment agencies to refund in the aggregate $1,500 to those who were treated unjustly by such agencies. The child labor laws have received the strictest attention, and children have been practically eliminated from the factory, workshop and store, and school attendance, as a consequence, increased. During the past year more than thirty-three thousand complaints were filed with the Bureau, investigated and acted upon.

Some agitation has been indulged in in relation to a State Employment Bureau. If you should establish such a Bureau, it should be, in my opinion, under the jurisdiction of the Labor Commission.

X.

STATE HIGHWAY COMMISSION.

The Legislature of 1911 provided for the appointment of three additional members of the Advisory Board, for the purpose of expending the eighteen millions of dollars voted for good roads in this State. So far as was possible these three additional members were constituted a Highway Commission, and they have had practically the sole charge of the construction of roads under the bond issue. The task, of course, is a very great one, and so extraordinary care was taken in the selection of the members of the Commission and of the Engineer. An organization, perhaps the most efficient ever created in this State by public or private enterprise, has been formed by the Highway Commission, and is actively engaged in the present work. The experts who examined this organization stated that it was the most efficient organization, with less overhead cost, of any organization they had ever before examined. The first duty of the Highway Commission, of course, was to determine the exact routes of the proposed new roads. This rendered innumerable hearings necessary, and occasionally a determination, as between particular localities. Decisions in particular instances were made after the most careful investigations and consideration and the exercise of the most conscientious judgment. With these decisions, of course, the Advisory Board, of which the Governor is the chairman, has not interfered. Appeals in some instances have been made, and some of the appeals have been quite persuasive, but in order that the highest degree of efficiency should be maintained, I have been compelled to adhere to the almost inflexible rule, that where commissions composed of men of high repute, in matters within their jurisdiction, after careful deliberation, have reached a conclusion, that conclusion should be final, and should not be interfered with by the Executive of the State, save in the most exceptional cases. Any other course would destroy the independence and initiative of Commissioners and would be substituting the judgment of the Executive for that of the Commissioners. The highest interests of the State have required that I should acquiesce, even though I should not hold the same view, in the determination of any commission entrusted with a specific duty who in the

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this Legislature may keep the appropriations of the State at an extremely low figure, even as low as the Controller estimates those expenditures in his report, but to maintain the expenditures at such an amount will probably be done at the expense of the progress and advancement of the State, and to the detriment of those the duty of caring for whom devolves upon the State.

I take it, of course, that if it can be shown to the Legislature that the small householder is paying a larger percentage of taxes proportionately than the public service corporations, there will be no hesitancy in doing what may be just in the premises. If due investigation shall convince you that many of the public service corporations under the new system are not paying their just proportion of taxes, it will follow, of course, that the rates charged these corporations should be increased. Investigations of the justice or injustice of the present rates are now being conducted by the State Board of Equalization. These investigations, the Controller informs me, will, within a few days, be concluded, and will then, at once, be transmitted to you.

The question has arisen whether a legislative act increasing taxes can take effect at once or must await the period prescribed by the referendum requirements. This matter I have submitted to the Attorney General of the State, and he holds that an act increasing the rates would come within the exceptions stated in the referendum constitutional provision and could take effect at once. The concluding portion of the Attorney General's opinion is as follows:

> "For the foregoing reasons I am of the opinion that any act passed by the coming session of the Legislature changing, in accordance with their authority, the percentages designated in section 14 of article XIII of the Constitution would not be subject to the referendum clause of section 1 of article IV of said Constitution, but could be made effective the day of its adoption."

It is suggested to you, therefore, that you begin at once your investigations respecting the rates of taxation now fixed, and if, after due investigation, you find the situation to be as indicated herein, forthwith the rates now fixed be increased so that the corporations of the State will be required to pay their just share of taxes.

I have carefully refrained from suggesting any particular increase in rates or from even giving you the opinion we may have as to the increase in rates which should immediately be made. The reason I do not make to you a distinct recommendation of increase, specifically indicating the corporations and the amount of increase applicable to each, is because the Attorney General advises me that it is your duty to fix these rates only after due investigation and deliberation, and has suggested that increases in rates should be left to your adjudication without specific recommendation by me.

CORPORATION LICENSE TAX.

The recent decision of the Supreme Court of our State in *Mulford* vs. *Curry* very seriously interferes with the revenue heretofore derived from the corporation license tax by the State. The point involved in the particular case was whether or not as to foreign corporations the exaction of the corporation license tax was constitutional. The decision, however, apparently goes very much beyond the one point that seems involved in the particular action. The court, doubtless, felt constrained to hold under recent decisions of the United States Supreme Court, that our law in the instance referred to was unconstitutional. Contemporaneously with this decision the Supreme Court of Massachusetts in a similar case took the contrary view. The matter, however, presents itself from two angles: first, the necessity for the reformation of a law declared by our highest court invalid; and, secondly, and, from the more serious point, of the impairment of the revenue of the State.

I invite your attention to this particular subject in the hope that in some fashion, just to all, the amount denied to us by the decision may be supplied.

INHERITANCE TAX.

The Controller strongly presents the difficulties encountered in the administration of the law relating to the tax upon inheritances. He concludes his report on this subject thus:

> "And finally, it cannot be emphasized too strongly, that the real problem of inheritance tax laws is one of administration and not one of rates. Until the administration is made so efficient that the taxes legally due can be collected, to increase the rates would tend to reduce the revenues rather than increase them."

I suggest such legislation as will remedy the faults of administration suggested by the Controller, but I suggest in addition that the rates be increased in such proportion as you may determine to be just. The present tax has not been found to be onerous and it has fallen not upon the heavy laden and those least able to bear taxation, but upon those who can bear it without injury or real loss.

STATE UNIVERSITY

It is not too common nowadays for the head of a "state institution" to comment in any way upon the work of his colleagues in other institutions. Hence I feel quite justified in the more liberty of criticism and commendation that I may take in the following comments upon the recent inauguration and administrative developments in one of the younger state universities. In my opinion neither the interest nor the importance of the occasion justified the expenditure of the many thousands of dollars that the inauguration of the new president must have cost.

SCIENCE AND ART

Paterson.—The unwelcome proximity of the excellent work of our Public Park Art to the extraordinary display of the early summer exhibition of the Art Society of Patterson has called forth the appearance of continuing evidence and corroboration of the opinion concerning the relation of science and art which was expressed in this column two months ago by the Secretary of Paterson in their Municipal Council. To the artless eye trained by the study of nature only and not by the study of art, the exhibition of the Art Society is a disappointment. The impressionist work seems to be a mere caricature of nature, and the portraits and landscapes are painted in the manner of the academic school of the nineteenth century. The exhibition of the Art Society of Paterson is a sad commentary upon the failure of the Paterson Municipal Council to appreciate the value of the work of the Park Art Department. The Park Art Department is doing a work which is of real importance to the people of Paterson, and which is worthy of the support of the Municipal Council. The Art Society of Paterson is doing a work which is of no importance to the people of Paterson, and which is worthy of the contempt of the Municipal Council. The Park Art Department is doing a work which is of real importance to the people of Paterson, and which is worthy of the support of the Municipal Council. The Art Society of Paterson is doing a work which is of no importance to the people of Paterson, and which is worthy of the contempt of the Municipal Council.

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must keep forever to take. While the cost of special privilege has been destroyed the power of its growth has diminished from the Department an unyielding vigilance and an unchanging purpose that the law must be obeyed."

At various times complaints have been made to me concerning rulings made by the Superintendent of Banks, but in every instance where investigation has been made that his ruling has been in accordance with the law that has been questioned. Of course it is apparent that if a drastic law like the Bank Act be vigilantly and rigorously enforced, necessary difficulties may arise, but the Superintendent of Banks has taken the position that what the law demands must be done and that to build our new State upon any other basis than one that has been adopted in many years of banking experience in this State would be a fatal blow to the progress of the State. The banking department is for two purposes, one of which is some of our banking frauds is contained. It is for the purpose of having banks themselves and it is proper that for the purpose of protecting depositors and the public at large. A banking department that would be administered only to satisfy bankers might desire, would be of little value to the State, and an efficient administration of a banking department must insist upon bankers obeying all the laws just as others are required to obey all the laws. I am prepared to admit that there are certain parts of the Bank Act which are obscure and which perhaps ought to be changed or repealed, but so long as these provisions remain just so long it is the duty of the Superintendent of Banks to enforce them, to insist upon the recommendations which he deems wisely suggested. The Bank Act, however, requires many recommendations, some of which will be submitted to you by the Superintendent of Banks and some by the legislative committee of the Bankers Association. But as we present it there is irritation or hostility to vigorous enforcement of the banking law itself must be changed and the attitude of the Superintendent of Banks toward that law. It is all well enough to talk of minor bankers upon technical points of procedure and about relaxing certain requirements and about forgetting other provisions, but to relax or forget for one set of bankers and to enforce for another is a system which cannot be recognized. Beyond all that is to be stressed that the law is designed for the protection of the public at large and of course violations or forgetfulness on any part of such law is an offense against the public at large.

I commend to you the amendments of the act which have been submitted and prepared by the Superintendent of Banks.

STATE PRISONS—REFORM SCHOOLS

We have two state prisons and two reform schools. The two reform schools in the past have been headquarters for the penitentiaries. It has happened too often that the inmate of the reform school has graduated from that institution only to begin in one of our state prisons. Fundamentally it seemed to me the management of these reform schools was erroneous and that if they could serve the highest purpose that is, educate young men into good citizens and graduate them as citizens into the state prisons, they ought to be abandoned. The theory on which reform schools were established in the past was that the children in these schools should be governed by fear and by force. The only question in this regard I believed to have been determined, and it was resolved therefore that we would venture an effort on a different direction with our young men and to treat them as children, by appealing to the best in them and by encouraging their self-respect and independence, and generally by removing the stigma of these schools as far as possible from our prisons and schools and thus by teaching initiative and independence

STATE HARBOR COMMISSION.

In no part of the government of the State did the old system make itself so manifest as at the harbor front at San Francisco, and, as illustrative of the conditions formerly existing there, I quote from a recent report of the Harbor Board:

"Nowhere in the administrative branch of the state government was the malign influence of that dominating corporation more conspicuously illustrated than in the condition and management of the San Francisco harbor. For over forty years, with infrequent intervals, not long enough to effect much of a reform, the Southern Pacific practically owned and operated the water front, and used it as a private piece of business property for the advancement of its own political and business interests.

"The evils of such a monopoly could not be set out in the limits at our command, though few things could be of more vital interest to the material advancement of the people of the State than a full knowledge and appreciation of the blighting effect of the control of the harbor and commerce of San Francisco Bay, which is the greatest single asset owned or possessed by the State of California, by a gigantic railroad system, which had a direct interest in the cramping and dwarfing of harbor development."

The present Harbor Commission, adopting the policy which has been that of the State during the past two years, has managed and operated the harbor of San Francisco without regard to special interests, but for all the people, and for the entire State of California. The harbor of San Francisco is self supporting. The Harbor Commission, and the work done under it, represent not only shippers in the city of San Francisco and vicinity, but represent the entire State, and particularly the great valleys of the State, which bring into the city of San Francisco, and over the wharves that are owned by the State of California, a tonnage annually of millions of dollars.

The present Board of Harbor Commissioners admittedly is the most efficient that has ever administered the affairs of the harbor. Its work has been undertaken upon a greater scale than ever before, because it is making the effort in two years to provide for the opening of the Panama Canal, and the contingencies that will then confront it. This work should have been in contemplation many years in the past, and should not have been left until the last moment for its completion. The work upon the piers and wharves and seawalls in San Francisco at the present time is of the most modern scientific type, and a greater amount of that work is progressing than ever before. The poor type of construction of the past, and the work of destructive parasites, have rendered necessary repairs to a greater portion of the piers heretofore constructed. In another part of this message, the incident was referred to that the rates charged to tenants upon the State's property, prior to the administration of the present Harbor Board, were really fixed by the Southern Pacific Company, the chief tenant of the State. When the present Harbor Board assumed control it believed that the rentals paid were insufficient, but in order to determine justly what these rentals should be, it appointed a commission of three well known real estate men of San Francisco to value the properties, and from the values to fix fair rentals. This commission reported, the report was adopted. The result was an increase in rentals from the transportation companies amounting to $137,500 per annum. At the same time, charges against shippers were reduced ten per cent. Naturally those whose rentals were increased, and those who have dealt in the past with this wondrous asset of the State for private gain, do not look with favor upon a management of the harbor for all the people of all the State.

THE NATIONAL GUARD.

The National Guard has been during the past two years vastly improved. The Guard now consists of 4,188 officers and men trained and disciplined. During the past two years the personnel of the Guard has been increased by 50 officers and 727 men. Target ranges have been constructed and equipped for over 45 additional organizations, giving small arms ranges for the entire Guard using the rifle and revolver. Ten camps of instruction and joint exercises and maneuvers with the Regular Army have been held for officers and men. Officers have been sent to Fort Riley, Kansas, and Sparta, Wisconsin, three times to technical service schools of instruction, and other officers have been sent to the Mexican border with the Regular Army and to the Government School of Musketry at Monterey. Regular Army officers have been detailed with the land forces as instructors and have conducted, and are still conducting, schools of instruction. An officer has been detailed as instructor for the Naval Militia and the recent maneuvers of the militia in conjunction with the Regular Army called forth the highest encomiums from the officials of the Federal army.

STATE PRINTING OFFICE.

The revolution in the methods of the State Printing Office has been of such recent date that doubtless all are familiar with changed conditions there. The Superintendent of State Printing has finally demonstrated that a printing office in behalf of the State may be conducted with the same economy and efficiency as a private

[illegible]

[illegible]

[illegible]

and purchased for the State a tract of land in Napa County, and in the purchase unquestionably the State has been most fortunate. The commission desires the work commenced upon the reformatory at the earliest possible moment. The citizens of the Napa Valley, however, have been most strongly protesting against the location of this institution in their midst, and I feel it my duty to transmit to you this protest. I notify you of the fact of the purchase of the tract, and of the expenditure of the appropriation made in 1911 for that purpose. Of course, to construct the reformatory the requisite additional appropriation must be made.

STATE HORTICULTURAL COMMISSION.

There is nothing of greater importance than our horticultural interests. It has recently been stated that in our citrus industries alone $175,000,000 are invested and its annual production is around $40,000,000. A vast territory is still available for its expansion and its possibilities are unlimited. The enormous value of our horticultural interests cannot be overestimated, and the problems in connection with them are serious and require an unceasing vigilance. Great power in the State has been conferred upon the Horticultural Commissioner in the matter of quarantines and the like, and this power has been exercised during the past year by the present Commissioner whenever he deemed it essential. The ravages of any of the pests that now scientifically are known, if admitted within our borders, might take from us this wonderful industry of which we are so proud, and which is fundamentally one of the chief sources of our wealth. The Horticultural Commissioner has been unremitting in his activity and for this department, one of the most important in the State, I ask the consideration that its importance demands.

There are other departments of the state government concerning which much might be written. It is impossible within the limits of any one message to treat adequately all the branches of the State's government, or to present all the suggestions that occur concerning legislation. From time to time I shall communicate with you upon specific subjects, in the hope that I may aid in your labors and that there may be with us that useful cooperation so essential for real achievement. It is my fervent wish that we may all go forward with the work that is ours and do that work with the single purpose of performing a duty and executing with fidelity the trust that has been reposed in us.

HIRAM W. JOHNSON,
Governor.

APPENDIX.

PARDONS.

JESUSA JOHNSON, pardoned February 25, 1911. Convicted in the Police Court of the city of Los Angeles of the crime of petit larceny and on December 24, 1910 sentenced to one hundred and fifty (150) days in the city jail at Los Angeles. Upon investigation, it appeared that the health of this woman was seriously affected by confinement and that she had a family of young children in grave need of her care. The pardon was therefore granted.

EDWARD STRAYER, pardoned August 3, 1911. Convicted in the Police Court of the city of Los Angeles of criminal conspiracy and on the 5th day of January sentenced to a term of one hundred and eighty (180) days in the city jail at Los Angeles. Letters were received by me from the judge who sentenced Strayer, the prosecuting attorney, and the sheriff of Los Angeles County, and upon their recommendation he was pardoned.

JOHN J. LYNCH, pardoned August 25, 1911. Committed from the city and county of San Francisco on the 22d day of October, 1909, having been convicted of grand larceny and sentenced to a term of nine (9) years in the state prison at Folsom. After his conviction Lynch gave material aid to the district attorney in the prosecution of Charles E. Rankin, who was jointly charged with Lynch of the said crime of grand larceny. Lynch fully revealed to the court at the trial of Rankin all of the facts relating to the transaction out of which the charge against him grew, and as well, in so far as he was able, made restitution to the Ocean Shore Railway Company, the injured party in said transaction. Upon the recommendation of the district attorney of the city and county of San Francisco, and of J. Downey Harvey, president, and Burk Corbet, secretary of said company, pardon was granted.

FRED CHRISTIE, pardoned August 28, 1911. Convicted of the crime of forgery and committed from the county of Colusa in June, 1908, for a term of seven (7) years at San Quentin. He served three years of his sentence, had never before been convicted of an offense, and his prison record was exemplary. Upon the recommendation of Andrew Furuseth, who testified to his prior good character, a pardon was granted.

J. W. WEIZ, pardoned August 28, 1911. Convicted in the Police Court of the city of Los Angeles of the crime of misdemeanor, to wit: violating section 311 of the Penal Code, and on the 10th day of July, 1911, sentenced to a term of one hundred (100) days in the city jail at Los Angeles. Weiz had borne a good reputation in the city of Los Angeles, where he had resided for a number of years, and numerous

petitions and letters sent to their office [illegible] that the sentence was imposed solely in accordance of the laws of the state. Upon the petition and recommendation of Hon. George Alexander, mayor of the city of Los Angeles, the president of the said county was presenting attorney, and many other reputable citizens the pardon was granted.

FRANK DAWSON, pardoned August 29, 1911. Committed from the county of Placer in August, 1908, having been convicted of grand larceny and sentenced to a term of seven (7) years at Folsom State Prison. Petitioner's prison record was good and he had served [illegible] when pardoned. His pardon was recommended by the Hon. C. N. Post, Judge of the Superior Court who presided over petitioner's trial, the Hon. Charles N. Tuttle, district attorney of the aforesaid city and county of Placer County, and many [illegible] recommending the pardon. The pardon was granted.

PATRICK FAHEY, pardoned September 2, 1911. Committed from the county of Contra Costa in October, 1910, having been convicted of the crime of manslaughter and sentenced to a term of one (1) year at Folsom State Prison. Petitioner was paroled May 9, 1911, by the State Board of Prison Directors and subsequently suffering [illegible] health, [illegible] and the state board. He desired to leave the State of California so as to be with his family. On account of his poor health and upon the recommendation of the district attorney of the county of Contra Costa, who stated he might receive the proper care and attention while he remained [illegible] the pardon was granted.

CHARLES CLIVE HOOD, pardoned September 11, 1911. Committed from the county of Monterey in June, 1907, having been convicted of the crime of burglary and sentenced to a term of one (1) year at San Quentin State Prison. Hood was paroled on the 4th day of August, 1911, and thereafter petitioned himself to the community service. Petitioner by his petition for the pardon and conducting of his parole, His petition was recommended by citizens who had watched his conduct and in no way should annul the unfavorable portion of his sentence a pardon was granted.

J. H. CARRAWAY, pardoned December 7, 1911. Committed in the Police Court of the city of Los Angeles of the crime of misdemeanor, and on the 8th day of August, 1911, sentenced to a term of six hundred and ninety (690) days in the city jail of Los Angeles. Carraway [illegible] upon which his sentence was suspended and he was released to the city detention hospital of such [illegible]. Upon the presentation of these facts, a pardon was granted.

HOWARD H. HOPKINS, pardoned December 9, 1911. Committed on the 20th day of April, 1911, in the Justice's Court of [illegible] for a charge of [illegible] of [illegible] and sentenced to a term of ten (10) months in the county jail. It was admitted by the time that the sentence was executed and the Judge of the Superior Court of the county of Merced, in passing upon the appeal taken to said court, petitioner should find Hopkins be sentenced prior to the execution of said judgment. The district attorney who prosecuted Hopkins stated that in view of the petitioner to obtain a parole for him after he had served the [illegible] of said sentence. Owing [illegible] the fact that he is one of the supporters of all of the parties concerned that the said [illegible] should be released, a pardon was granted.

ANTONIO A. LA BOCA, pardoned December 26, 1911. Committed from the county of Alameda in June, 1909, having been convicted of the crime of embezzlement and sentenced to a term of one (1) year at San Quentin State Prison. [illegible] petitioner's incarceration sentenced includes pardoning by the State which consisted in a savings of a considerable sum of money and by which certain [illegible] and dishonest practices were stopped. The [illegible] a pardon was granted.

JAMES E. RUSSELL, pardoned December 26, 1911. Committed in August, 1908, from the county of Los Angeles having been convicted of embezzlement and sentenced to a term of one (1) year at San Quentin State Prison. Petitioner was employed by the E. K. Wood Lumber Company. He had [illegible] a good organization up at the time of the [illegible] and the collection of the company's [illegible] of the time [illegible] which would take him [illegible] [illegible] [illegible]

DONALD A. MOORE, pardoned January 26, 1912. Committed in July, 1910, from the county of Alameda, having been convicted of the crime of forgery and sentenced to a term of two (2) years in San Quentin State Prison. Moore was nineteen years of age at the time of his conviction and was recommended to the Judge of the Superior Court for probation. Complete restitution was made to those who suffered loss by his crime. His prison record was good and his pardon was recommended by Philip M. Carey, assistant district attorney of the county of Alameda, who conducted the prosecution against him, by the Hon. J. Stitt Wilson, mayor of the city of Berkeley, by August Vollmer, chief of police of the city of Berkeley, by W. F. Dorg, assistant city attorney, and many other reputable citizens. Upon these recommendations a pardon was granted.

ARTHUR P. CRAMER, pardoned March 7, 1912. Committed in March, 1909, from the city and county of San Francisco, having been convicted of the crime of forgery and sentenced to a term of four (4) years at San Quentin State Prison. He was paroled on the 1st day of November, 1910, by the State Board of Prison Directors, subsequent to which time he was regularly employed at Winters in the county of Yolo. His prison record was good and his conduct subsequent to parole was exemplary. His term of imprisonment having nearly been completed, and upon the recommendations of the city clerk of Winters, of his employers, of Hon. Albert E. Boynton, W. A. Cannedy, and others, a pardon was granted.

J. J. ARBERRY, pardoned March 8, 1912. Committed in the month of March, 1910, from the city and county of San Francisco, having been convicted of the crime of attempting to obtain money by false pretenses and sentenced to a term of two (2) years at San Quentin State Prison. Arberry's term would have expired on the 20th day of March, 1912, and his family having become destitute and in great need of his aid and assistance, upon recommendation of Hon. Frank H. Dunne, Judge of the Superior Court and the judge before whom he was tried, and who sentenced him, and of Maxwell McNutt, assistant district attorney, who prosecuted him, a pardon was granted.

WALLACE H. MORE, pardoned March 8, 1912. Committed in December, 1910, from the county of Santa Barbara, having been convicted of the crime of burglary and sentenced to a term of eighteen (18) months at San Quentin State Prison. More's term was about to expire and his pardon was recommended by Hon. S. E. Crow, Judge of the Superior Court, who sentenced him, and by Hon. W. S. Day, who as district attorney prosecuted him, and by Hon. E. W. Squier, present district attorney of the county of Santa Barbara. Upon their recommendations, a pardon was granted.

JOHN O'NEIL, pardoned March 19, 1912. Committed in December, 1896, from the county of Sacramento, having been convicted of the crime of burglary and sentenced to a term of thirty (30) years at San Quentin State Prison. O'Neil was a fourth termer and had served nearly thirteen years of his present term when his parole was obtained from the State Board of Prison Directors through the efforts of Leon Mordaunt, a deputy parole officer of the city of Los Angeles. From September 1, 1909, after his release upon parole, O'Neil had been steadily employed by the Southern California Edison Company. He abandoned all his criminal associates and earned the approbation of his employers and the respect and friendship of his fellow-workmen. Contrary to all expectations he made good and was recommended for pardon by the State Board of Prison Directors, by Hon. E. S. Wachhorst, district attorney of the county of Sacramento, by Hon. W. H. Beatty, Chief Justice of the Supreme Court, and by Hon. F. M. Angellotti, Hon. M. C. Sloss, Hon. Henry A. Melvin, and Hon. Lucien Shaw, Associate Justices of said court, as well as by his employers and other reputable citizens. His pardon was therefore granted.

ELMER WILSON, pardoned March 28, 1912. Convicted in the Police Court of the city of Los Angeles for having violated the provisions of what is known as the traffic ordinance of that city. He was a student in the Los Angeles High School, bore an excellent reputation and had never been in any trouble before. His pardon was recommended by Hon. Guy Eddie, prosecuting attorney of the city of Los Angeles, by Hon. George Alexander, mayor of the city of Los Angeles, by Hon. C. J. Sebastian, chief of police, by Hon. Lee C. Gates, Hon. N. W. Thompson and many other citizens. He was therefore pardoned.

JOSEPH T. LIDDY, pardoned June 4, 1912. Committed in January, 1911, from the city and county of San Francisco, having been convicted of the crime of manslaughter and sentenced to a term of two (2) years at San Quentin State Prison. He was subsequently paroled and his record both in and out of the prison was good. His pardon was recommended by Hon. George H. Cabaniss, Judge of the Superior Court, who presided at his trial and imposed upon him the said sentence, by Hon. Charles N. Fickert, district attorney of the city and county of San Francisco, James F. Brennan, assistant district attorney, who prosecuted Liddy, Hon. Thos. F. Graham and Hon. E. P. Mogan, Judges of the Superior Court of the city and county of San Francisco, by Hon. H. I. Mulcrevy, county clerk, by Hon. John I. Nolan, Walter Macarthur, and many other citizens. Liddy was more than fifty years of age, a first offender, and had up to this time borne an excellent reputation. His term was near its expiration and a pardon was therefore granted.

ADA GRIER, sentenced June 8, 1912, Committed to Jail, Yolo. Says she was and county of San Francisco, having pleaded guilty to the charge of grand larceny, upon which he received sentence of one year in the county jail to run consecutively. Grier had served eight days of the time and his sentence was recommended by the State Board of Prison Directors, on June 29, by Hon. Chief Justice of the Supreme Court, Hon. F. M. Angellotti, Hon. M. C. Sloss, Hon. J. W. Henshaw, Hon. Hiram A. Melvin and Hon. Lucien Shaw, Associate Justices of said Supreme Court. Upon these recommendations I granted said pardon.

WILLIAM CRAIGIE, pardoned June 6, 1912. Committed on May 20th, from the county of Alameda, having been convicted of one count of embezzling and sentenced to a term of one (1) year in San Quentin State Prison. Craigie was received December 1, 1911. His prison record was good and his sentence commuted by prison authorities. His parole was recommended by Hon. Everett J. Brown, Judge of the Superior Court, who imposed the sentence upon him, by Fleming M. Owen, assistant district attorney, who prosecuted him, by Hon. M. Gilson, Assistant Attorney, and by Hon. Charles L. Chandler, a member of the Board of Prison Directors. Upon these recommendations he was pardoned.

M. J. GIFFEN, pardoned by Arthur Alexander Watkins on June 28, 1912, committed to August 1911, from the county of Los Angeles, having been convicted of the crime of burglary in the second degree, and sentenced to a term of one year in San Quentin State Prison. Giffen was received on the 1st day of August, 1911, from Los Angeles County. Conduct good. Recommended for pardon by Hon. Trial Judge, Hon. Wm. P. James, Hon. Wm. H. Hunsaker, Hon. Wm. H. Waste, Hon. Frank Monroe, Hon. Thomas Lee Woolwine, Hon. Wm. Mathews, Hon. Wm. Rehkopf, Hon. Wm. Rehkopf, Chief Deputy District Attorney, Hon. Wm. Rehkopf, Chief Deputy District Attorney, Hon. Wm. Rehkopf, Chief Deputy District Attorney

JOHN NELSON, pardoned by Acting Governor Wallace on October 1, 1912. Committed in the year 1908 from the county of Merced, having been convicted of the crime of burglary and sentenced to a term of four (4) years at Folsom State Prison. Nelson was paroled on the 15th day of August, 1910, and his term expired on the 16th day of January, 1911. He was a first termer, his prison record was good, and his conduct on parole exemplary. For the purpose of restoring to him all his civil and political rights and privileges, a pardon was granted.

HENRY HAGEMEISTER, pardoned by Acting Governor Wallace on October 1, 1912. Committed in October, 1908, from the county of San Joaquin, having been convicted of the crime of arson and sentenced to a term of fifteen (15) years at San Quentin State Prison. At the time of his conviction Hagemeister was nineteen years of age. He was paroled on the 2d day of January, 1910, and immediately returned to the scene of his crime and was there given employment, with which he remained until the latter part of 1911, when he was permitted by the Board of Prison Directors to go to the city of Detroit to his parents. He was continuously employed subsequent to his parole and demonstrated his ability to become a useful citizen. His pardon was recommended by the district attorney of San Joaquin county, who prosecuted him, and the present district attorney of said county, and as well by C. L. Van Buskirk, against whose property the crime was committed. Many other citizens of said county recommended a pardon and because of these things a pardon was granted.

EDWARD COLE, pardoned by Acting Governor Wallace on October 1, 1912. Committed in April, 1912, from the county of San Joaquin, having been sentenced to a term of three (3) years at San Quentin State Prison. Cole was eighteen years of age and had never before been in trouble. His offense consisted of the theft of a suit of clothes and the sum of $1.50 in money. After his incarceration, the resident physician at San Quentin reported him a sufferer from chronic heart disease, and in a critical condition. Upon recommendation of the warden, and a showing that provisions had been made to return him to his parents in the State of Illinois, a pardon was granted.

H. A. GEORGE, pardoned by Acting Governor Wallace on October 1, 1912. Committed in April, 1912, from the county of Siskiyou, having been convicted of the crime of issuing a fictitious check and sentenced to a term of eighteen (18) months at San Quentin State Prison. In a disturbance at the prison on the 9th day of June, 1912, in which George had no part, he received a bullet wound through the hip. The wound failed properly to heal and an operation was necessary and other surgical treatment which were not available at the state prison. In addition to this, he was recommended for pardon by the district attorney for the county of Siskiyou, who urged that his was a case rather for probation than imprisonment. In view of his injury and because of such recommendation, a pardon was granted.

GILBERT M. YOUNG, pardoned by Acting Governor Wallace on October 17, 1912. Committed in 1906 from the county of Monterey, having pleaded guilty to the crime of robbery and having been sentenced to a term of twenty (20) years at San Quentin State Prison. Young was paroled on the 1st day of October, 1909, and since that time had been steadily employed. His conduct was exemplary and he was recommended for pardon by Hon. B. V. Sargent, Judge of the Superior Court of Monterey County, by Hon. Fred A. Trent, district attorney who prosecuted him, by Hon. Frank R. Willis, Judge of the Superior Court of the county of Los Angeles, who had become intimately acquainted with him, by B. T. Brain, under-sheriff of the county of Los Angeles, and by D. L. Lorigner, deputy sheriff, to whom he had reported monthly during his parole period. Upon the showing made of his good conduct, and the recommendations, a pardon was granted.

FRED FROEHLINGER, pardoned by Acting Governor Wallace on October 17, 1912. Committed December, 1907, from the county of San Diego, having been convicted of the crime of statutory rape, and sentenced to a term of twenty (20) years at San Quentin State Prison. At the time of his conviction Froehlinger was nineteen years of age, and though it was indicated to him that if he would plead guilty to the charge probation would be given him, he always insisted that he was entirely innocent. Subsequently, the prosecutrix in the case retracted the story she had told at the time of the trial and her statement having been brought to the attention of the district attorney of the county of San Diego, an investigation was had before the grand jury of that county, the result of which indicated that Froehlinger was innocent of the crime. For this reason the pardon was granted.

GEORGE E. WOODSTOCK, pardoned by Acting Governor Wallace on October 30, 1912. Committed in April, 1912, from the county of Lassen, having been convicted of statutory rape, and sentenced to a term of ten (10) years at San Quentin State Prison. After the conviction of Woodstock, the testimony of the prosecutrix in his case was so badly discredited that a petition for his pardon was signed by the twelve jurors who rendered the verdict against him, and by practically the entire population of the county. In addition thereto, Hon. G. P. Johnson, the district attorney who prosecuted the case, wrote as follows: "After the trial of Emanuel Enos there has

3—ASJ

subsequent conviction for any felony, and that in addition to the sentence imposed upon him by reason of such conviction he serve the remainder of his commuted term.

LOUIE AUGUSTINE was convicted in the Superior Court of the county of Lake of the crime of murder in the first degree and thereafter he was sentenced to be hanged on the 16th day of September, 1910. He had been reprieved from time to time by former Governor Gillett, until the 20th day of January, 1911, and on the 16th day of January, 1911, and on three subsequent dates he was reprieved by me in order that I might properly investigate his application for commutation to life imprisonment. After a careful consideration of his case such commutation was granted on the 6th day of June, 1911. The crime of which Augustine was convicted was the killing of the sheriff of Lake County, while he was in the discharge of his duty. The evidence shows that Augustine shot the sheriff about dusk just as the sheriff, who had been lying in wait for him, called out "Throw up your hands." Augustine is an Indian boy, eighteen years of age, without friends and without funds. His attorney was appointed by the court. The feeling in the county ran somewhat high against him. His case was never appealed and the question of premeditation and deliberation was never passed upon by the court of last resort. Because of this, and more especially because of his extreme youth, there never having been an execution in this State of one so young, the commutation was granted.

HORACE BENNETT was in the month of December, 1908, in the Superior Court of the county of Monterey, convicted of murder in the first degree and was thereafter sentenced to be hanged on the 9th day of February, 1912. A letter received by me from Hon. H. W. Henshaw, Associate Justice of the Supreme Court, in relation to Bennett's application for commutation of sentence and concurred in by Hon. F. M. Angellotti, Hon. Lucien Shaw, Hon. M. C. Sloss, and Hon. Henry A. Melvin, and Hon. W. G. Lorigan, Associate Justices of said court, sets forth among other things the following: "My understanding is that the petition seeks to have the death sentence commuted to imprisonment for life. Such a commutation would, in my judgment, still inflict upon the defendant a full measure of punishment for his crime, and at the same time would be both a humane and just act of executive clemency. * * * And though, as the opinion shows, there was sufficient evidence to support the jurors' verdict of deliberation and premeditation, yet I was strongly impressed that deliberation and premeditation did not enter into the crime, but that the inspiring cause was a sudden and unreckoning anger induced by whisky. I think my associates as well as myself were surprised that the verdict should have been anything more than manslaughter. Certainly, therefore, a mitigation of punishment to life imprisonment would in my opinion, as I have said, be both just and humane." A careful examination of the testimony in the case confirmed these conclusions and on the 13th day of December, 1911, a commutation to life imprisonment was therefore granted.

JOHN BYRNE was convicted in the Superior Court of the city and county of San Francisco, of the crime of murder in the first degree, and was thereafter sentenced to be hanged on the 10th day of November, 1911. An application for a commutation of his sentence was made to me, and in order to investigate his case, a reprieve was granted until January 12, 1912. In the opinion of the Supreme Court rendered in the matter of the appeal of Byrne, Justice Angellotti said: "A mere reading of the record in this case clearly leaves one in grave doubt as to the question of the defendant's guilt." The Chief Justice and all of the Associate Justices of said court recommended that the sentence of Byrne be commuted to life imprisonment, and in addition thereto Hon. William P. Lawlor, Judge of the Superior Court of the city and county of San Francisco, before whom Byrne was tried, and who rendered the judgment and decree of death, also recommended a commutation of his sentence. Upon these recommendations, on the 10th day of January, 1912, a commutation to life imprisonment was granted.

WM. BURKE was convicted in the Superior Court of the county of San Diego of the crime of murder in the first degree, and was thereafter sentenced to be hanged on the 22d day of December, 1911. The crime of which Burke was convicted was the murder of his mistress at the conclusion of a long debauch. The facts which were presented upon the application of Burke for a commutation of his sentence indicated clearly that at the time of the commission of the crime his mental condition was far from normal. Lewis R. Kirby, district attorney of the county of San Diego, who prosecuted Burke, and H. S. Utley, present district attorney of said county, after a thorough investigation of the case, recommended a commutation. The foreman of the trial jury, and three other jurors, under oath, stated that if this fact had been brought to their attention, a recommendation for life imprisonment would have accompanied the verdict. A commutation was recommended by practically all of the county officers of the county of San Diego, and after a thorough investigation of the case, Acting Governor Wallace, on the 10th day of September, 1912, commuted the sentence of Burke to life imprisonment.

GEO. E. FIGUEROA was convicted in the Superior Court of the county of Los Angeles of the crime of murder in the first degree, and was sentenced to be hanged on the 20th day of October, 1911. Figueroa was defended by an inexperienced

[illegible] and his defense was fundamentally unreasonable in the extreme. In the event [illegible] the jury awarded no punitive compensation but the sentence in the event of [illegible] the trial court made a finding to the effect that the conduct of the [illegible] constituted and [illegible] and that [illegible] [illegible] [illegible]

RECESS.

At one o'clock and five minutes p.m., on motion of Senator Boynton, the President declared the Senate at recess for fifteen minutes.

RECONVENED.

At one o'clock and twenty minutes p.m. the Senate reconvened. Lieutenant-Governor Albert J. Wallace, President of the Senate, in the chair.

PRESENTATION OF PRESIDENT PRO TEM.

Lieutenant-Governor Albert J. Wallace, President of the Senate, presented the Hon. A. E. Boynton, President pro tem., to the Senate.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following resolution:

Resolved, That the Chief Clerk be and he is hereby directed to inform the Senate that the Assembly has duly organized by the election of the following officers, namely:

Speaker—C. C. Young.
Speaker pro tem.—W. A. Johnstone.
Chief Clerk—L. B. Mallory.
Minute Clerk—H. A. Harper.
Sergeant at Arms—E. E. Reese.
First Assistant Chief Clerk—T. G. Walker.
Chaplain—Frank K. Baker.

L. B. MALLORY, Chief Clerk of Assembly.
T. G. WALKER, Assistant Clerk.

RESOLUTION.

The following resolution was introduced:

By Senator Boynton:

Resolved, That the Senate of California has heard with profound sorrow of the death of Hon. E. O. Miller, late a Senator from the Thirty-second District.

Resolved, That as a mark of respect to the memory of the former member of the Senate, an adjournment be now taken until 10 a.m., Tuesday, January 7, 1913.

Resolution read and unanimously adopted.

ADJOURNMENT.

At one o'clock and forty-five minutes p.m. the President declared the Senate adjourned.

IN SENATE.

SIXTH CALENDAR.

TUESDAY, January 7, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following responded to their names:

Senators Anderson, Avis, Bickel, Bohning, Bothwell, Brayton, Bunel, Burns, Bryner, Butler, Cantwell, Chappell, Cone, Crandall, Campbell, Cullen, Dimble, Elias, Elliot, Gibson, Gordon, Grant, Hume, Howard, Jones, Kirkland, Lane, Mott, Owens, Reade, Rush, Steenbuck, Strudwick, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. Dale Starke.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 6, 1913, the further reading was dispensed with, on motion of Senator Rush.

SENATE RULES.

The following resolutions were introduced:

By Senator Gordon:

Resolved, That a special committee of three be appointed on Senate rules, and that said committee be instructed to report at the next session of the Senate.

Resolution read, and adopted.

By Senator Strudwick:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, said compensation for employees there named, payable monthly, and the stationery to be furnished to them shall be chargeable to the said respective positions and the Treasurer is directed to pay the same:

E. B. Wood, Stenographer	$ [illegible]
Miss McGriff, Stenographer	[illegible]
Dewitt Dunn, Stenographer	[illegible]
Esther Cunningham, Stenographer	[illegible]
W. T. M. Sellers, Stenographer	[illegible]
Miss E. Dunn, Stenographer	[illegible]
Miss H. M. Cohen, Stenographer	[illegible]
J. F. Penny, Assistant Minute Clerk	[illegible]
Theodore Lig Fleming, Assistant Minute Clerk	[illegible]
Capers A. Gadsden, Assistant Engrossing Clerk	[illegible]
J. Saunders, Assistant Sergeant-at-Arms	[illegible]
Anthony McDevitt, Assistant Sergeant-at-Arms	[illegible]
Edward Penny, Doorkeeper of Senate Hall	[illegible]
W. H. Hughes, Secretary to the President	[illegible]
J. A. M. Jenkins, Page	[illegible]
O. F. Palmer, Porter	3 [illegible]

The roll was called on the adoption of the resolution offered by Senator Strudwick, with the following result:

Ayes—Senators Anderson, Avis, Bickel, Bonum, Bothwell, Brayton, Bunel, Burns, Bryner, Butler, Cantwell, Campbell, Cone, Crandall, Cullen, Dimble, Elias, Elliot, Gibson, Gordon, Grant, Hume, Howard, Jones, Kirkland, Lane, Mott, Owens, Reade, Rush, Steenbuck, Strudwick, Thompson, Tyrrell, and Wright—38.

Noes—None.

By Senator Curtin:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, with compensation set opposite their respective names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Miss R. E. Hanshaw, Stenographer	$5 00
Miss Edna Jacobs, Stenographer	5 00
Miss Mae Mudd, Stenographer	5 00
Miss Blanche Baldwin, Stenographer	5 00

MOTION.

Senator Boynton moved that the resolution be referred to the Committee on Contingent Expenses, when appointed.

CALL FOR AYES AND NOES.

The ayes and noes being called for by Senators Caminetti, Curtin and Juilliard, the roll was called, with the following result:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Bressel, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Larkins, Lyon, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—29.

NOES—Caminetti, Campbell, Colm, Curtin, Grant, Juilliard, Owens and Sanderson—8.

Whereupon the President directed that the resolution be referred to the committee.

MOTION.

On motion of Senator Hans, the Senate proceeded to consider the message from the Governor.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was taken up and read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, January 7, 1913.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the extraordinary session of the Legislature on the 24th day of December, 1911, I have made the following appointments and request your concurrence therein and consent thereto:

January 12, 1912. John S. Chambers, of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice Richard Belcher, resigned.

January 13, 1912. Charles L. Neumiller, of Stockton, a member of the State Board of Prison Directors, vice Robert T. Devlin, term expired.

January 16, 1912. J. W. Clark, of Santa Rosa, a member of the Board of Managers of the Napa State Hospital, vice H. M. Meacham, resigned.

January 16, 1912. David Rutherford, of Oakland, a member of the Board of Managers of the Napa State Hospital, vice J. H. Steves, resigned.

February 10, 1912. Horace Wilson, of San Francisco, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

February 23, 1912. Don C. Fugitt, of Los Angeles, Port Warden of the Port of San Pedro, vice J. W. Walton, term expired.

March 14, 1912. Charles A. Ramm, of San Francisco, a member of the Board of Regents of the State University, vice Peter C. Yorke, term expired.

March 14, 1912. Charles S. Wheeler, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

March 20, 1912. David P. Barrows, of Berkeley, a member of the Board of Directors of the California Institution for the Deaf and the Blind, vice Mary C. Chapman, resigned.

March 20, 1912. George I. Cochran, of Los Angeles, a member of the Board of Trustees of the State Normal School, at Los Angeles, vice self, term expired.

March 27, 1912. William T. Lewis, of San Francisco, a member of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island and Benicia, vice E. M. Freeman, deceased.

April 1, 1912. Dr. James A. B. Scherer, of Pasadena, a member of the Board of Trustees of the State Normal School at Los Angeles, vice William H. Knox, resigned.

April 1, 1912. Dr. John R. Haggard, of Los Angeles, a member of the State Board of Charities and Corrections, vice Chas. Reynolds, Jr., term expired.

May 20, 1912. John F. Millard, of San Jacinto, a member of the Board of Trustees of the State Normal School at Chico, vice J. R. Campbell, term expired.

May 20, 1912. Austin R. Edwards, of Hollywood, a member of the State Board of Charities and Corrections, vice Laura Bragg, term expired.

May 21, 1912. E. M. Stafford, of Bakersfield, a member of the Board of Managers of the Southern State Home, vice Jos. P. Dixon, term expired.

May 21, 1912. Robert A. Peden, of Stockton, a member of the Board of Managers of the Southern State Home, vice Quincy Ward, term expired.

June 6, 1912. Frances C. Campbell, of Los Angeles, a member of the Board of Trustees of the Whittier State School, vice Minnie Hawkins, resigned.

July 30, 1912. Joe Ellis Hawkins, of Pasadena, a member of the Board of Managers of the Southern State Hospital, vice A. F. Wilkes, term expired.

July 30, 1912. John H. McClung, of San Francisco, a member of the Board of State Harbor Commissioners, vice Dennis M. Fitz, deceased.

August 10, 1912. Thomas F. Storey, of Oakland, a member of the Board of Trustees of the State Normal School at Chico, vice E. C. Hoag, term expired.

August 20, 1912. Thomas E. Campbell, of San Francisco, a member of the Board of Trustees of the State Normal School at San Francisco, vice H. M. Williams, term expired.

September 20, 1912. C. J. Connolly, of Sta Rosa, a member of the Board of Managers of the Napa State Hospital, vice Edward B. Shaw, term expired.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

REPORT.

On motion of Senator Thompson, the message from the Governor was ordered referred to the Committee on Elections & Constitutional Amendments when appointed.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of Senators Gerdes, Cutten and Shanahan as the Committee on Contingent Expenses and Mileage.

ADJOURNMENT.

At eleven o'clock and fifteen minutes a.m., on motion of Senator Boynton, the President declared the Senate adjourned until Wednesday, January 8th, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 8, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Allen E. Walker, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anthony, Avey, Boynton, Burnett, Caminetti, Campbell, Carpenter, Chandler, Cogswell, Curtin, Cutten, Dunn, Fuller, Gerdes, Gesford, Hans, Hewitt, Inman, Lanagan, Lee, Mott, Owens, Rigdon, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wyllie—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 7, 1913, the further reading was dispensed with, on motion of Senator Rush.

APPOINTMENTS BY THE PRESIDENT.

The following communication was received and read:

To the Senate of the State of California:

I beg leave to announce that I have this day appointed O. F. Palmer as a Porter at $3.00 per day, Tevis Paine, Everett Rutherford and Frank Branch as Pages at $2.50 per diem, and respectfully ask the consent of the Senate thereto.

ALBERT J. WALLACE,
President of the Senate.

MOTION.

Senator Boynton moved that the Senate consent to the appointments by the President of the Senate.

The question being on the adoption of the motion of Senator Boynton,

The roll was called, and the motion adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

LEAVE OF ABSENCE.

Senator Sanford was, on motion of Senator Juilliard, granted leave of absence for this day.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That T. A. McEachen be transferred from the position of Porter at $3 per day to the position of Watchman at $3 per day.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Larkins, Lyon, Mott, Regan, Strobridge, Thompson, Tyrrell, and Wright—26.

NOES—None.

APPOINTMENT BY SERGEANT-AT-ARMS.

The following communication was received and read:

MR. PRESIDENT: I beg leave to announce that I have this day appointed Edward Peary, to the position of Bookkeeper to the Sergeant-at-Arms for the fortieth session at a per diem of $5, and respectfully ask the consent of the Senate thereto.

JOSEPH L. COUGHLIN,
Sergeant-at-Arms, Senate.

MOTION.

Senator Tyrrell moved that the Senate consent to the appointment by the Sergeant-at-Arms.

The roll was called and the motion carried by the following vote:

Ayes—Senators Ams, Boyett, Bragg, Burnett, Brown, Bryant, Carr, Chandler, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Jackson, Lage, Mott, Otis, Rigdon, Shippee, Thompson, Tyrrell and Wright—31.

Noes—None.

RESOLUTIONS.

The following resolution was introduced:

By Senator Wright:

Resolved, That a special committee of five members be appointed by the President of the Senate to prepare and present standing rules of the Senate for the forty-first session of the Legislature.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of Senators Wright, Thompson, Boyett, Cartwright and Hewitt as a Special Committee on Rules.

MISCELLANEOUS.

The following resolution was introduced:

By the Committee on Contingent Expenses and Mileage:

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the general fund in favor of the following named Senators and officers of the Senate for the amounts set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, out of the appropriation therein provided:

President—A. J. Wallace	Los Angeles	[illegible]	[illegible]	[illegible]
Secretary—W. N. Carlton	Sacramento	[illegible]	[illegible]	[illegible]
Minute Clerk—A. H. Jackson	Lake Bigler	[illegible]	[illegible]	[illegible]
Sergeant-at-Arms—J. J. Caughey	Sacramento	[illegible]	[illegible]	[illegible]

No.	Senator	Address	[illegible]	[illegible]
39	Anderson, John N.	Santa Ana	962	[illegible]
30	Ams, J. T.	[illegible]	[illegible]	[illegible]
24	Boyett, D. J.	[illegible]	[illegible]	[illegible]
1	Bragg, Frank H.	[illegible]	[illegible]	[illegible]
3	Birdsall, E. S.	East Auburn	74	[illegible]
6	Boynton, A. E.	Oroville	172	17
15	Breed, A. H.	Oakland	168	16
37	Brown, William E.	Los Angeles	984	98
20	Bryant, E. F.	San Francisco	180	18
31	Bullis, Edwin M.	[illegible]	[illegible]	[illegible]
10	Chantland, A.	[illegible]	[illegible]	[illegible]
17	Campbell, A. E.	[illegible]	[illegible]	[illegible]
36	Carr, William J.	[illegible]	[illegible]	[illegible]
26	Cartwright, Geo. W.	[illegible]	[illegible]	[illegible]
22	Cassidy, John J.	[illegible]	[illegible]	[illegible]
38	Cogswell, Francis T.	[illegible]	[illegible]	[illegible]
7	Cohn, P. C.	Folsom	44	4
12	Curtin, J. D.	[illegible]	[illegible]	[illegible]
29	Finn, Thos. F.	[illegible]	[illegible]	[illegible]
11	Flint, William R.	[illegible]	[illegible]	[illegible]
34	Gates, Jos. C.	Los Angeles	[illegible]	[illegible]
21	Gerdes, Fred C.	[illegible]	[illegible]	[illegible]

Dist.	Senators	Address	Mileage	Amount
19	Grant, Edwin E.	San Francisco	180	$18 00
14	Hans, Geo. J.	Fruitvale	174	17 40
38	Hewitt, Leslie R.	Los Angeles	891	89 10
28	Jones, Herbert C.	San Jose	256	25 60
8	Juilliard, L. W.	Santa Rosa	180	18 00
32	Larkins, E. O.	Visalia	112	11 20
29	Lyon, Henry H.	Los Angeles	891	89 10
25	Mott, D. W.	Santa Paula	948	94 80
9	Owens, James C.	Richmond	156	15 60
18	Reagan, D. P.	San Francisco	180	18 00
5	Rush, B. F.	Suisun	87	8 70
4	Sanford, J. B.	Ukiah	300	30 00
2	Shanahan, T. W. H.	Redding	42	4 20
13	Strobridge, Ed. K.	Hayward	196	19 60
35	Thompson, Newton W.	Alhambra	910	91 00
16	Tyrrell, Edward J.	Oakland	168	16 80
40	Wright, Leroy A.	San Diego	1,146	114 60

And respectfully recommend that it be adopted.

GERDES, Chairman
GATES
SHANAHAN

MOTION.

Senator Boynton moved that consideration of the resolution be temporarily postponed.

Motion carried.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Hewitt:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate, for the sum of $100, for cartage, expressage, and postage, the same to be payable out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Belan, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cannichi, Campbell, Carr, Cartwright, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—37.

NOES—Senator Juilliard—1.

By Senator Finn:

Resolved, That the Sergeant-at-Arms of the Senate, or the Bookkeeper to the Sergeant-at-Arms, be and he is hereby authorized and empowered to report to the Controller for all warrants for payment to messengers, officers and employees of the Senate.

Resolution read, and adopted.

MOTION.

Senator Strobridge moved that the resolution offered by the Committee on Contingent Expenses and Mileage be taken up for consideration.

Motion carried.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Belan, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cannichi, Campbell, Carr, Cartwright, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell and Wright—37.

NOES—None.

[illegible]

The following resolution was introduced:

By Senator Stockbridge:

Resolved, That the following named persons be and they are hereby appointed to the respective positional horizontal as are fully as indicated by law, with compensation as are otherwise fixed herein, namely, each for [illegible] and that the Secretary be and he is hereby directed to draw his warrant for the said respective payment, out of [illegible] to pay the same:

Otho W. Smith, Stenographer	$	[illegible]	per day.
Gertrude Shields, Stenographer	[illegible]		per day.
Ross A. Sherman, Stenographer	[illegible]		per day.
H. L. Gosling, Assistant Stenographer	[illegible]		per day.
Wm. J. [illegible], Assistant Stenographer	[illegible]		per day.
Lloyd E. Wing, Assistant Stenographer	[illegible]		per day.
Clifton E. Brown, [illegible]	[illegible]		per day.
J. H. Whitney, Rolling Clerk	[illegible]		per day.
B. Corn, Secretary	[illegible]		per day.

[illegible]

Senator Cantrell raised the point of order that the resolution violated the provisions of Rule 37, should be referred to the Committee on Contingent Expenses.

The President ruled the point of order well taken.

[illegible]

Senator Boynton moved that Rule No. 37 be temporarily suspended.

[illegible]

The ayes and noes being called for by Senators Chadwick, Caldwell and Curtin, the roll was called with the following result:

Ayes—Senators Anderson, Avey, Brian, Breese, Bunnell, Boynton, Brown, Bruce, Burns, Cain, Cantrell, Caldwell, Fay, Filer, Glenn, Gosling, Green, Henry, Hewitt, Jones, Larkins, Love, May, Moore, Rude, Stockbridge, Tomlinson, Wason and Wright—28.

Noes—Senators Chadwick, Curtin, Caldwell, Green and Stockbridge—5.

Whereupon the President declared Rule No. 37 temporarily suspended.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Avey, Brian, Breese, Bunnell, Boynton, Brown, Bruce and Burns, Cain, Cantrell, Caldwell, Fay, Filer, Glenn, Gosling, Green, Henry, Hewitt, Jones, Larkins, Love, May, Moore, Rude, Stockbridge, Tomlinson, Wason and Wright—28.

Noes—Senators Chadwick and Curtin—2.

[illegible]

The following resolution was introduced:

By Senator Curtin:

Resolved, That the personnel of Senate Clerks, reading as follows:

Resolved, That the following named persons be and they are hereby appointed to the respective positional horizontal as are fully as indicated by law, with compensation as are otherwise fixed herein, namely, each for [illegible] and that the Secretary be and he is hereby directed to draw his warrant for the said respective payment, out of [illegible] to pay the same:

R. E. Hanshaw, Stenographer	$	[illegible]
Ethel Lloyd, Stenographer	[illegible]	
Mae Mead, Stenographer	[illegible]	
Blanche Bertram, Stenographer	[illegible]	

—be amended [illegible] and [illegible] as [illegible] and the same be laid upon the table and acted upon by the Senate.

POINT OF ORDER.

Senator Gerdes raised the point of order that the Committee on Contingent Expenses not having been appointed, the resolution could not be in its possession, and could not be recalled therefrom.

The President ruled the point of order not well taken.

The roll was called, and the resolution lost by the following vote:

AYES—Senators Caminetti, Campbell, Cartwright, Curtin, Juilliard, and Shanahan—6.

NOES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Larkins, Lyon, Mott, Owens, Regan, Strobridge, Thompson, Tyrrell, and Wright—30.

RECESS.

At two o'clock and fifty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until four o'clock, p.m.

RECONVENED.

At four o'clock p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

MOTION.

Senator Boynton moved that the vote of the Senate by which the resolution offered by Senator Curtin was referred to the Committee on Contingent Expenses, when appointed, be reconsidered, and the action of the Senate rescinded.

Motion carried.

RESOLUTION WITHDRAWN.

Senator Curtin asked and was granted permission to withdraw his resolution.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, with compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Miss R. E. Hanshaw, Stenographer	$5 00
Miss Edna Jacobs, Stenographer	5 00
Miss Mae Mudd, Stenographer	5 00
Miss Blanche Baldwin, Stenographer	5 00

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

ADJOURNMENT.

At five o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned until Thursday, January 9th, at eleven o'clock a.m.

IN SENATE

SIXTH CALENDAR
Thursday, January 9, 1913

Pursuant to adjournment, the Senate met at eleven o'clock a.m. and was called to order by Lieutenant Governor Albert J. Weatherly, President of the Senate, who took the chair.

The roll was called and the following answered to their names:

Senators Anderson, Avey, Bates, Beeson, Bledsoe, Boynton, Brown, Burton, Bryan, Butler, Chambers, Chilcote, Cox, Cartwright, Daniels, Dimmitt, Dunn, Gibson, Ellis, Gracy, Grundy, Harris, Hart, Hawkins, Holcomb, Hudson, Kone, Lee, Mayes, Owens, Rogers, Ryan, Shannon, Scrimshire, Thompson, Trigg and Wright—29.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. H. Lloyd Taylor.

READING OF THE JOURNAL

During the reading of the Journal of Wednesday, January 8, [illegible] the further reading was dispensed with, no portion of it having been [illegible].

LEAVE OF ABSENCE

Senator Sanford was, on motion of Senator Hubbard, granted leave of absence for this day.

REPORT OF SENATE JOINT COMMITTEE

The following report of senate joint committee on revising the joint rules for the Senate and Assembly, appointed during the regular session of 1911, was presented by Senator Wright:

Mr. President: Your Committee on Joint Rules appointed during the regular session of 1911 [illegible] with a similar committee appointed by the Assembly and beg leave to report that we have carefully considered the same and recommend that they be adopted for consideration and action by the Senate and Assembly for the session of 1913.

WRIGHT, Chairman
BOYNTON
CARTWRIGHT

To the Members of the Senate and Assembly:

GENTLEMEN: Your joint committee appointed to recommend joint rules of Senate and Assembly have had the matter under careful consideration, and beg to report and recommend the following joint rules for adoption.

Senate:

WRIGHT, Chairman of Senate Committee
CARTWRIGHT
BOYNTON.

Assembly:

SUTHERLAND, Chairman Assembly Committee
CLARK, Cal.
DOMINGUEZ.

JOINT RULES OF SENATE AND ASSEMBLY

Joint Adverse to Continue.

1. When the Senate and Assembly each begins its session or meets after adjournment to the Governor, it shall be announced to the two Houses by the Sergeant-at-Arms of the Senate on the convening of the Speaker of the House and a joint committee of six (6) members appointed for the purpose from each House.

2. Subject to the right of either House to appoint additional committees, the

following standing committee shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each House:

(1) Agriculture.
(2) Banking.
(3) Commerce and Navigation.
(4) Corporations.
(5) County Government.
(6) Drainage, Swamp and Overflowed Lands.
(7) Education.
(8) Elections.
(9) Federal Relations.
(10) Finance in the Senate and Ways and Means in the Assembly.
(11) Fish and Game.
(12) Hospitals and Asylums.
(13) Insurance.
(14) Irrigation.
(15) Judiciary.
(16) Labor and Capital.
(17) Military Affairs.
(18) Mines and Mining.
(19) Municipal Corporations.
(20) Oil Industries.
(21) Public Health and Quarantine.
(22) Public Morals.
(23) Prisons and Reformatories.
(24) Revenue and Taxation.
(25) Roads and Highways.
(26) Rules.

3. Joint standing committees of Senate and Assembly shall be appointed as follows:

(1) Committee on Revision and Printing to consist of three (3) members from the Senate and five (5) from the Assembly.
(2) Committee on Joint Rules to consist of the members of the Rules Committee of each House.

Bill or Resolution in One House, Rejected in the Other, Requires Notice.

4. When a bill or resolution which shall have passed one House is rejected by the other, notice thereof shall be given immediately to the House in which the same shall have passed.

Each House to Transmit Papers.

5. Each House shall transmit to the other papers on which any bill or resolution shall be founded.

Joint and Concurrent Resolutions.

6. Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

Joint Resolutions Treated as Bills.

7. All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

Amendments to Amended Bills Must be Attached.

8. Whenever a bill or resolution which shall have been passed in one House shall be amended in the other it shall immediately be reprinted as amended by the House making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

Bills Read and Referred to Committee.

9. When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee, unless otherwise ordered by the House.

Special File.

10. Ten (10) days after the close of the recess provided for in Section 4, Article IV, of the Constitution, the Senate and Assembly shall adopt and provide a special file upon which shall be placed. In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day,

Secretary, Clerk, etc., to Carry Messages.

19. Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

Notices to be in Writing Under Proper Signatures.

20. Notice of the action of either House to the other shall be in writing, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

Enrolled Bills to Receive Signature of Proper Officers.

21. After a bill shall have passed both Houses it shall be duly enrolled and carefully compared by the Engrossing and Enrolling Clerk and Engrossing and Enrolling Committee of the Assembly, or of the Senate, as the bill may have originated, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House from which it emanated, before it shall be presented to the Governor of the State.

Enrollment Committee to Compare.

22. When bills are enrolled they shall be examined by the Engrossing and Enrolling Committee of the House in which they originated, who shall compare the enrollment with the engrossed bill as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

President and Speaker to Sign Bills.

23. After the examination and report, each bill shall be signed in the respective Houses, first by the Speaker of Assembly, then by the President of the Senate.

Enrolling Committee to Present Bills to Governor.

24. After a bill shall have been thus signed in each House, it shall be presented by the Engrossing and Enrolling Committee of the House in which it originated to the Governor of the State for his approval on being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which House the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

History of Bills, etc.

25. There shall be printed on Monday of each week by both the Senate and Assembly during the session preceding the constitutional recess, a history of all bills, joint and concurrent resolutions and constitutional amendments which shall show the action taken by the House up to the day preceding the publication of such history. A special form shall be prescribed and no other form shall be used. Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess. During the remainder of the session the history shall be compiled and printed daily.

Secretary and Clerk to Keep Register.

26. The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

Secretary and Clerk Shall Indorse Bills.

27. The Secretary of the Senate and Clerk of the Assembly shall indorse on every original bill a statement of any action taken by the Senate and Assembly.

Urgency Provisions in Bills.

28. Upon the third reading of a bill containing an urgency section and immediately before taking the vote on the final passage of the bill, the presiding officer shall direct that the urgency section be voted and put to a vote. The question shall be thus stated: "Shall the urgency section remain a part of the bill?" And if two thirds of all the members elected to the House in which the vote is being taken vote in the affirmative the bill shall then be put to a final vote. If the urgency section is defeated the bill shall retain its place on third reading, but shall be reprinted with the urgency paragraph omitted before being finally voted upon.

Indorsement of Bills.

29. Bills introduced into either House shall be indorsed with the day, hour and minute of introduction.

Committee on Revision and Printing.

30. Unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be referred to Committee on Revision and Printing for correction of errors. The committee shall have jurisdiction to correct any mere clerical error such as in orthography, adding the enacting clause to a bill when such has been omitted, and all mistakes in numbering sections and references thereto,

and 15 and with the written report of the medical staff upon the committee, accompanied by a statement, phraseology and no compromise given the title of the act.

Comparison Bills.

31. If both Committees on the Committee on Revision and Printing to be known that two bills, one in which has been introduced in the Senate and one under in the Assembly, are in all material respects the same, by unanimous vote thereof, such bills, upon which shall be authorized by the committee, until the enrolled committee bills shall printed, amongst on all bills engross. If other legislation in the Senate and not acted on printed with the appropriate Senate number at the last during session of the Senate of bills. And all introduction and committee reference. Following the shall be a corresponding Assembly number, after which shall follow one side of each sheet, the enacting clause and will be the act. If the bill is first introduced in the Assembly, the position of the Senate and Assembly bill may be reversed.

Numbering Lines on Bills.

32. The lines of all printed bills shall be numbered by paragraph for reference, and consecutively until its adoption by reference to bills, joint and bills only.

Report of Committee on Revision.

33. The Committee on Revision and Printing shall report on all bills within three days after the same shall have been received by it.

Joint Meeting of Committees.

34. Whenever any bill has been referred to the Senate to and to the Assembly, and the same as a bill has been referred to the Assembly to that of the committees, the chairmen of the respective committees acting for their respective of hearings on the consideration of measures, with the hearing notices thereof, shall arrange for a joint meeting of such committees for the consideration of such bill.

Rule Recalling Bill.

35. Whenever the words "bill" is used in Rule 32 shall include resolutions, concurrent, joint and concurrent resolutions.

Press Rules.

36. A printed Bulletin Committee of the Senate or Assembly or a committee recommended which shall be delivered to the President of the Senate or Speaker of the House.

37. The Sergeant-at-Arms shall assist in holding the order of the committees or arrangements be supported by and they are to be issued, and of the said rooms assigned as a hearing for such persons, correspondents, stenographers or persons and that he is not and shall not furnish the report or transcription of any person, corresponding, stenographer or transcriber to correspond or furnish any statement pertaining to action taken in the Legislature. That he is not employed in any capacity whatsoever or legislative department of the State government and is not known to transact with attending the privileges of a press representative.

(2) Such privileges shall be withdrawn by a resolution of the Senate from press representatives. Upon such person shall be entitled to receive from committee meetings by the respective arrangements as the persons entitled to or the Legislature and such privileges shall be denied by the committee press representative. Such press representative shall be permitted to and report or a part of the proceedings of any committee authorized to be present at the proceedings of the Legislature. It shall be the duty of the Secretary of the Senate and the Speaker of the House to provide rules of order relative use of stenographers during the legislative hearing, which shall be known as the press rules. The press rules shall be under the control of the Senate Committee provided that all such rules and regulations shall be submitted to the Committee of the Senate and Speaker of the House.

Adjournment.

37. All resolutions for the commencement hours and adjournment shall be made only by unanimous consent.

Report read and ordered printed in the Journal.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and read:

IN SENATE.

SENATE CHAMBER, SACRAMENTO, January 8, 1913.

MR. PRESIDENT: Your Special Committee on Rules begs leave to submit the following as the standing rules of the Senate for the Twenty-Second Session of the Legislature of the State of California, and respectfully recommends that they be adopted.

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STANDING RULES OF THE SENATE.

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at ten o'clock a.m., and commencing on the tenth day of the session following the constitutional recess, a recess shall be taken at 12:30 p.m. to 2 p.m., unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tem., or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approving of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions, and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order; *provided*, that messages from state officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

President—His Powers and Prerogatives.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

President May Order Lobbies Cleared.

5. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same cleared.

President May Call Senator to Chair.

6. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

Appointment to Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture, nine members.
2. Banking, eleven members.
3. Civil Service, five members.
4. Commerce and Navigation, nine members.
5. Contingent Expenses, three members.
6. Corporations, eleven members.
7. County Government, eleven members.
8. Drainage, Swamp and Overflowed Lands, five members.
9. Education, fifteen members.
10. Elections, eleven members.
11. Engrossment and Enrollment, three members.
12. Federal Relations, five members.
13. Finance, twenty-one members.
14. Fish and Game, seventeen members.
15. Hospitals and Asylums, eleven members.
16. Insurance, seven members.
17. Irrigation, five members.
18. Judiciary, eighteen members.
19. Labor and Capital, nine members.
20. Military Affairs, three members.
21. Mines and Mining, five members.

22 Municipal Corporations, city assessors.
23 Oil Inspection, fire marshal.
24 Parks and Reforestation, trustees foresters.
25 Penal, Charity and Correctional Institutions, trustees.
26 Public Morals, morals commission.
27 Revenue and Taxation, tax commissioner.
28 Revenue and Taxation, tax assessors.
29 Roads and Highways, state engineer.
30 Rents, etc., assessors.

Presidents pro tem. May Preside and Administer.

9. The President pro tem. shall, in the absence of the President, have full power and call the Senate to order at the hour to which the Senate may have the same power as the President. And the President pro tem. shall be duly sworn member of the Senate.

The Duties of Secretary.

10. It shall be the duty of the Secretary of the Senate to attend every session; call the roll; report all bills, resolutions, conference and all papers ordered read by the Senate or the presiding officer.

2. He superintend all matters and have charge of the Senate Hall, the Senate committee rooms and supervise and superintend all the Senate. He preside in and attend to the Assembly all other committees, and supply therefor the stenographer of the Assembly, unless other rules manage be adopted by the Senate.

3. He keep a correct journal of the proceedings of the Senate.

4. He certify the Assembly all the public bills and all resolutions authorized in the Assembly and transmit to them all the papers in the Senate.

5. He present the papers for records belonging to the Senate to be filed and all papers otherwise filed in the regular course of business.

6. He prepare Statistics for Governor all matters and transmitted to them immediately.

To Execute to Deputy, &c., Duties Same Thereof.

11. The Secretary of the Senate may and shall and hereby is empowered to appoint from the staff of clerks all his assistants, for whose general conduct he shall be responsible. That he shall perform only such of the duties of the Secretary as the Superintendent of State Printing, and all other authorized departments or committees of the Legislature and Executive may and shall, from time to time, require.

Sergeant-at-Arms.

12. A Sergeant-at-Arms shall be elected by ballot by each new session of the Senate. Before entry on duties he shall be duly qualified as a notary public or as a justice of peace. He accompany the Senate from its place, suppress riots, and keep order in the Senate chamber and lobby, or adjoining rooms, by direction of the President. The Sergeant-at-Arms is authorized to appoint two messengers and assistants necessary for the service of the Senate, subject to their confirmation by the Senate. He shall have charge of the Senate Chamber and the Senate committee rooms, and shall be responsible for the safekeeping of all property belonging to the Senate. He shall have charge of the doors of the Senate. He shall have charge of the doors of the Senate. He shall have charge of the doors of the Senate.

Printing Rules, &c., Must be Printed on Desks.

13. The Sergeant-at-Arms shall cause copies of all bills, joint and concurrent resolutions, amendments thereto, committee reports, and rulings and decisions of the presiding officer to be placed on the desks of Senators at least one hour previous to the opening of session.

Disposition.

14. It shall be the duty of the Secretary to send for all persons, except Senators or Senate members of the Assembly, whose attendance is ordered by the Senate, and shall report to the Senate the name of every person so ordered, and whether he has complied with the order. The Sergeant-at-Arms shall execute all orders of the Senate, and shall have the power to command the assistance of the police, if necessary, in the execution of his duties.

Lobbying.

15. No person interested in any bill pending in the Senate or the Assembly, or who has been employed by any person interested in any bill pending in the Senate or the Assembly, shall be permitted on the floor of the Senate during the session of the Senate, and no person shall be admitted to the Senate floor during the session of the Senate, and no person shall be admitted to the Senate floor during the session of the Senate, and no person shall be admitted to the Senate floor

Attendance, Duties and Obligations of Senators.

16. No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Decorum and Debate.

17. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no questions shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Senator Entitled to Floor.

18. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Senator, When Called to Order, Must Sit Down.

19. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing.

Voting.

20. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Printing.

21. Seven hundred and fifty copies of all bills shall be printed, and the Sergeant-at-Arms shall be required to certify to the president, by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Copies to be Printed.

22. Five hundred copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Number of Copies to be Printed of Journal.

23. The Superintendent of State Printing shall print five hundred copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

What Shall be Printed in the Journal.

24. Messages from the Governor (other than biennial messages and inaugural address(es), titles of bills, joint and concurrent resolutions and constitutional amendments shall be printed in the Journal in full.

Record of Votes and Petitions.

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

When Not in Committee of the Whole, Proceedings Must be Entered in the Journal.

29. The proceedings of the Senate, when not sitting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and succinct account of the proceedings.

Printing for the Senate.

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided for by law, unless upon a written order signed by the Secretary. The Secretary may, when requiring printing other than the Daily Journal, such printing not to exceed one thousand copies, unless by order of the Senate, direct that such printing be done immediately on the printer's own premises, without the necessity of its being done at a "Union Office."

28. A Any Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the same, and the title shall be announced from the Secretary's desk, and he shall then state briefly its object, and it shall be referred to a standing committee. No bill shall be introduced in the Senate by any member after the expiration of one hour from the commencement of the session of the Senate, nor shall more than two bills be introduced by any one member after such time, except by unanimous consent, or by motion to suspend the rules for that purpose. Every bill shall be read on three several days, and printed for the use of the Senate. During the trial of impeachment, the first reading of a bill may be had on the day of adjournment, but no bill shall be finally passed until the Senate has been in session for at least three days subsequent to its first reading. Joint and concurrent resolutions shall be treated the same as bills, provided that they shall be read but once before the Senate, for a similar vote of all the foregoing purposes, whenever desired.

2. The titles of all bills when introduced, shall be inserted in the Journal.

3. When a bill introduced into the Senate is amended, the portion of the bill to be stricken out shall be printed in brackets, and the portion to be inserted in italics, and the bill as amended shall be reprinted, if any shall be ordered by the Senate, before the final passage thereof. Any bill which has been amended in the Senate shall, when the amendments or any of them have been concurred in by the House of Representatives, be reprinted in the form in which it passed the Senate, before the enrollment thereof is made.

All bills reported favorably or with amendments or reported back without recommendation from any committee of the Senate, shall be printed for the use of the Senate, and the titles of members of such committee reporting the same shall be indorsed thereon, and the bills shall be placed on the calendar in the order in which they were reported, unless otherwise ordered by the Senate. All bills reported with amendments shall be immediately engrossed.

All matter contemplated by the terms of subdivision 2 of this rule shall be printed by the Printer on pulpo, and all matters shall be numbered.

Orders of Engrossing and Enrolling Bills.

29. All bills ordered engrossed shall be delivered to the Engrossing and Enrolling Clerk by the Secretary of the Senate, and the hour of the morning of the Engrossing and Enrolling Clerk before whom such bill shall be engrossed on the order of final passage be noted. Engrossing and Enrolling Clerk and all Senate bills shall, after their final passage, if such passage be in the Senate, be delivered to the Engrossing and Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt by engrossing and Enrolling Clerk taken therefor; and said bills shall be returned to the Engrossing and Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

Engrossed Bills to Be Examined and Corrected.

30. All bills, amendments and resolutions after being engrossed, by direction of the order of the Senate, shall be carefully examined with reported bills by the Committee on Engrossment and Enrollment, who engrossed same, or by a committee to the Assembly with proper messengers and are returned engrossed to the Senate.

Disagreeing to Assembly Bills.

31. When an Assembly bill has been returned by the Senate, with a message accompanying that the same has passed the Assembly with such alterations as are not satisfactory, provided however, that when the Assembly shall so amend the provisions of which are agreed to by a majority of the members elected to the Senate, such Assembly bill shall be ordered upon the Engrossing or Engrossing and Enrolling (as the case may be) of the Senate, and when so engrossed or engrossed and enrolled, as directed, such bill shall be returned to the Assembly with a message that the Senate will not agree to such amendments, and shall request a committee of conference thereon. Assembly bill shall be ordered on

Committee Amendments—How Made.

33. When amendments to a bill are offered by a committee, the clerk of such committee shall prepare three copies of such amendment, one to go with the bill to the Printer, one to the Minute Clerk, and one to the Secretary of the Senate.

Committee—When to Report.

34. All committees shall act upon all bills as soon as practicable, and when acted upon shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule: *provided*, that the Senate may at any time order a bill reported back from any committee by a majority vote.

Standing Committee, Quorum of—What Constitutes.

35. Each standing committee shall determine its own quorum: *provided*, that not less than one third of the number of members constituting such committee shall in any case constitute such quorum.

Leave of Absence to Committee.

36. When leave of absence shall be granted to any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by two thirds vote, and no expenses or mileage of attachés shall be allowed.

Claims on Contingent Fund Must go to Committee on Contingent Expenses.

37. No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

Executive Communications and Nominations to Committee.

38. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

The General File: Its Hours—Special Order of Bills on File.

39. The General File shall be the special order for each day between such hours as the Senate may hereafter set, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Bills Passed on File Placed at Foot of File.

40. When bills have been passed on file for the second time they must be placed at the foot of the file in their regular order, unless otherwise ordered by the Senate.

Engrossed Bills Have Preference.

41. All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a general file and shall be taken up for consideration and passage in the order of their being placed on file.

Order of Questions on Motion to Refer.

42. When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Order of Questions Under Debate.

43. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Motion Not to be Debated Until Seconded and Announced.

44. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President, or any Senator, and read by the Secretary, before the same shall be debated.

Reading of a Paper, if Objected to, Determined Without Debate.

45. When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate.

Amendments and Substitutes When in Order.

46. Substitutes may be offered at any time when a bill or resolution is open to amendment; provided, however, that when adopted shall cover the subject of the original bill or resolution, and shall be open to amendment.

Amendments and substitutes: When Not Germane.

47. No motion or proposition in the nature of amendment (other than under construction) shall be admitted under color of amendment or substitute.

Equal Vote and Casting Vote in Tie or Equal Division.

48. In all the Senate the Lieut. Gov. or president pro tem. shall have the casting vote.

Short or Final Question. Two Thirds Vote to Suspend or Postpone or Indefinitely Postpone.

49. When an amendment to the Constitution, or any bill requiring the concurrence of two-thirds of the Senators, is under consideration, the question to any motion shall not be decided by ayes and noes, but shall be taken, or according to the usage, being most of the final question.

Notice of Reconsideration.

50. On the day succeeding that on which a final vote on any bill, amendment to joint resolution, or constitutional amendment has been taken, such vote may be reconsidered on the motion of any Senator; provided, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator acting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Such notice of reconsideration shall have precedence over every other motion, except a motion to adjourn; and if such motion prevails, every other motion shall be laid aside and the question reconsidered. Any bill, amendment or joint resolution so reconsidered shall stand in the same relation to the calendar as it occupied at the time such final vote was taken, unless the Senate shall otherwise order. No motion to reconsider shall be made after the final passage of any bill, amendment or joint resolution, or after the defeat of any bill, amendment or joint resolution, unless the motion is made on the day of such passage or defeat, or the next succeeding day.

Reconsideration of Bills Sent to Assembly.

51. When a bill, resolution, amendment, order, or message upon which a vote has been taken shall have been sent out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be precluded by a motion to request the Assembly to return the same, which unexceptional motion shall be acted upon immediately and without debate; and if determined in the negative shall be a final disposition of the matter to reconsider.

Reconsidering Call A Part of Reconsideration. Call to Expel Bill to Assembly.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, amendment or joint resolution, or communication pending, to the Assembly till the reconsideration is disposed of, or the time for doing the same has expired, unless the bill or resolution has been communicated to the Assembly.

Motion to Reconsider May Be Debated.

53. A Senator, after a motion to reconsider is given, as provided in Rule 50 may, at the succeeding day thereof, proceed the same in relation to the proposed question, and the same may be debated by the Senator precluded from the exclusive control of reconsider.

Amendment to Original Question.

54. 1. An amendment and the bill or any other pending question or any bill. When an amendment proposed to any pending question shall be laid on the table, it shall not carry with it the question with which.

2. In the question to engage pending motion, postponement, and Senate may upon the same decision, a motion to recede or concur and may upon such a motion be debated. And the motion to a hearing to amend and such motion has proceedings shall and pursuant a motion to strike out such leave a different proposition, but shall, if adopted, a motion to amend, strike out and insert shall the question as to strike out, pursuant a motion to strike out and insert; and pursuant to further to strike out and insert; but pursuant to further to strike out and insert. The part to be stricken out and the part to be inserted shall each be separately by the division of question, as a question. And motions to amend that part to be stricken out shall have precedence.

Final Question to Amend Rejected or Bill Not Amendment on Third Reading, and When Passed.

55. The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be, "Shall the bill be engrossed?" And no amendment shall be received on the question on the third reading of any bill; but it shall be put upon the passage, without debate; but pending such question to move to recommit, with or without instructions, or to amend

Special Orders.

56. Any subject may, by vote of two thirds of the Senators present, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Form of Previous Question—Call of Senate.

57. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendment shall have the right to close and the subject under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Ayes and Noes: Members Must Answer—No Vote After Announcement of Vote.

58. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Rules in Senate and Committee of the Whole.

59. The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times a Senator may speak, and except that the ayes and noes shall not be taken.

Suspending and Changing Rules.

60. No standing rules or order of the Senate shall be rescinded or changed without a vote of two thirds of the members elect, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two thirds of the Senators-elect except that portion of Rule 29 relating to the final passage of bills by the Assembly. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

Executive Session.

61. On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Sergeant-at-Arms, and Doorkeeper to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things whereof secrecy shall be enjoined by order of the Senate.

Messengers, When Introduced.

62. Messengers may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a Senator is addressing the Senate.

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

Leaves of Absence of Members of the Senate Visiting Public Institutions.

64. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may, by a two-thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the names of the committeemen designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions to report upon the same on the next legislative day. Said members shall be allowed their actual expenses.

Cases Not Provided for, Robert's to Govern.

65. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Robert's Rules of Order.

WRIGHT, Chairman.

Report read and ordered printed in the Journal.

[illegible]

Senator Wright moved that 250 copies of the report of the Special Committee on Rules be ordered printed.

Motion, carried.

[illegible]

On motion of Senator Wright, the Secretary was directed to issue a rush order for printing 250 copies of the report of the Special Committee on Rules.

[illegible]

The following resolutions were introduced:

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, with the compensation fixed opposite their names, payable monthly upon the certificate in writing affirmed to by the Secretary of the Senate and the Sergeant-at-Arms and the Sergeant is directed to pay the same:

Frank E. Mahony, Stenographer	$ [illegible] per day
Miss Josephine McCann, Stenographer	[illegible] per day
Mrs. M. Dunn, Assistant Enrolling Clerk	[illegible] per day
J. A. Zimmerman, Assistant Sergeant-at-Arms	[illegible] per day
Wm. Vocke, Assistant Sergeant-at-Arms	[illegible] per day
C. Gilbert McDonald, Committee Clerk	[illegible] per day
Miss Gertrude Bennett, Committee Clerk	[illegible] per day
J. C. Hubbard, Committee Clerk	[illegible] per day
W. H. Dodge, Bill Clerk	[illegible] per day
Miss Alice Dynes, Committee Clerk	[illegible] per day
John Gompers, Page Senate	[illegible] per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

Ayes: Senators Anderson, Avey, Bebout, Bennett, Bingaman, Boyd, Brown, Butler, Carpenter, Caseyell, Cate, Cornish, Cornell, Cullen, Curran, Elliot, Elliott, Emmert, Gordon, Graves, Hess, Hewitt, Ingle, Jayhawk, Lambert, Mott, Reed, Shoemaker, Strobridge, Thompson, Troxell, and Wright—35.

Noes: None.

Also:

By Senator Caseyell:

Resolved, That the Legislative messenger now and each member of the Senate be, and he is hereby, allowed $10 for telephone expenses, as provided for the Council years, payable out of the appropriation for the contingent expenses of the Senate.

Resolution read and referred to Committee on Contingent Expenses.

Also:

By Senator Eliot:

Resolved, That the Sergeant-at-Arms be, and he is hereby authorized and to deliver any bills heretofore filed with, without the order of, the Secretary or Secretary of State.

Resolution read and adopted.

Also:

By Senator Rebout:

Resolved, That the Secretary of the Senate be, and he is hereby directed to procure for the use of the Senators forty key-shelf books and cases of reference papers.

Resolution read, and referred to Committee on Contingent Expenses.

By Senator Mott:

Resolved, That the Secretary of the Senate be, and he is hereby directed to procure for the use of the members of the Senate, and Senate committees, five sets

sary index letter files, and the Controller of State is authorized to draw his warrant for the payment of the same, and the Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

APPOINTMENTS BY THE PRESIDENT.

The following communication was received and read:

To the Senate of the State of California:

I beg leave to announce that I have this day appointed Joe Loverich and Thomas Lenehan as Porters at $3.00 per day and Harold Stephens, Page, at $2.50 per day.

MOTION.

Senator Boynton moved that the Senate consent to the appointments by the President of the Senate.

The question being on the adoption of the motion of Senator Boynton.

The roll was called, and the motion adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Larkins, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bill was introduced:

By Senator Boynton: Senate Bill No. 1—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States.

Bill read first time.

SUSPENSION OF RULES.

Senator Boynton moved that the standing rules of the Senate be suspended.

Motion duly seconded.

The question being upon the motion.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Boynton:

Resolved, That Senate Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Section 15 of Article IV of the Constitution suspended by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

NOES—None.

CALL OF SENATE

Senate Bill No. 1—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1 passed by the following vote:

Ayes—Senators Anderson, Avey, Bliss, Bonnet, Bowers, Boyce, Brown, Bryant, Bailey, Caminetti, Campbell, Cox, Cunnin, Curtis, Finn, Flint, Gates, Gerdes, Gerrer, Hare, Hewitt, Hoyle, Jones, Lee, Mott, Rogers, Rush, Saunders, Scott, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION OF CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced:

By Senator Wright: Senate Concurrent Resolution No. 1—Relative to Joint Rules.

ADJOURNED

Senator Wright moved that Senate Concurrent Resolution No. 1 be taken up for consideration without reference to committee.

Motion carried.

SENATE CONCURRENT RESOLUTION NO. 1.

Relative to joint rules.

Resolved by the Senate, the Assembly concurring, That the following are and shall be hereby adopted as the Joint Rules of the Senate and Assembly of the State of California.

JOINT RULES OF SENATE AND ASSEMBLY.

Joint Session to Convene.

1. When the Senate and Assembly shall desire to make a joint addition to the Governor, it shall be presented to him in the customary manner by the President of the Senate in the presence of the Speaker of the House and a select committee of the two Houses, appointed for that purpose from each House.

2. Subject to the rules of order hereof in regards adjournment resolutions, the following standing committees shall be appointed by the Senate and respectively, the number of members and the manner of selection to be determined by the rules of each House:

(1) Agriculture.
(2) Banking.
(3) Commerce and Navigation.
(4) Corporations.
(5) County Government.
(6) Drainage, Swamp and Overflowed Lands.
(7) Education.
(8) Elections.
(9) Federal Relations.
(10) Finance in the Senate and Ways and Means in the Assembly.
(11) Fish and Game.
(12) Hospitals and Asylums.
(13) Insurance.
(14) Irrigation.
(15) Judiciary.
(16) Lands and Claims.
(17) Military Affairs.
(18) Mines and Mining.
(19) Municipal Corporations.
(20) Oil Industries.

(21) Public Health and Quarantine.
(22) Public Morals.
(23) Prisons and Reformatories.
(24) Revenue and Taxation.
(25) Roads and Highways.
(26) Rules.

3. Joint Standing Committees of Senate and Assembly shall be appointed as follows:

(1) Committee on Revision and Printing to consist of three (3) members from the Senate and five (5) from the Assembly.
(2) Committee on Joint Rules to consist of the members of the Rules Committee of each house.

Bill or Resolution in One House. Rejected in the Other. Requires Notice.

4. When a bill or resolution which shall have passed one House is rejected by the other, notice thereof shall be given immediately to the house in which the same shall have passed.

Each House to Transmit Papers.

5. Each house shall transmit to the other papers on which any bill or resolution shall be founded.

Joint and Concurrent Resolutions.

6. Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

Joint Resolutions Treated as Bills.

7. All joint resolutions shall be treated in all respects as bills; except that all joint resolution shall be read but one time in each house.

Amendments to Amended Bills Must Be Attached.

8. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

Bills Read and Referred to Committee.

9. When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee, unless otherwise ordered by the house.

Special File.

10. Ten (10) days after the close of the recess provided for in Section 1, Article IV, of the Constitution, the Senate and Assembly shall adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day, and be considered at least one hour and a half after being so taken up. This rule shall not be suspended in either house except by a three-fourths vote of such house.

After a Bill Has Been Passed by the Senate or Assembly.

11. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the house, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with the observance of this rule, *provided*, that the Senate or Assembly may, at any time, order such bill reported back from any committee by a majority vote.

To Concur or Refuse to Concur in Amendments.

12. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments.

When Amendments are Concurred In.

13. If the Senate concur (if it be a Senate bill) or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments, and the bill shall be ordered to a third reading.

When Senate or Assembly Refuse to Concur.

14. If the Senate refuse to concur (if it be a Senate bill) or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments to such purport and note that they adhere to their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or Clerk shall immediately notify the other house of the action taken and request the concurrence of the committee. Two (2) members constituting such committee shall be from the majority party and one from the minority party, with the majority one two years longer in office than the other member from such party. Such committee shall be selected from those voting with the majority and the other member from the minority, in the event there is a minority vote. The first member named on the part of the majority committee shall act as chairman of the committee from the Senate and the first named member from the minority committee shall act as chairman of the committee from the House and any adjourning thereof, and shall arrange for time and place of all conferences and generally do whatever else is necessary to facilitate the business of the Committee on Conference. Such report to both the Senate and Assembly.

Committee on Conference.

15. In every case in an amendment to a bill agreed to or insisted upon by either house the committee of conference appointed by the presiding officer of each house shall be composed of a majority of members of the committee from the house of which they are members, and a majority of the members of the committee from the other house, which committee shall meet and confer at such time and place as they may appoint, and report to their respective houses in writing. Such report shall be signed by a majority of the members of the committee from each house, and shall not be a recommendation that the amendment be concurred in, or that a substitute be agreed to, or that a new bill be introduced, or that the bill be passed or defeated, or that any particular action be taken by either house, but shall be confined to a statement of the points of difference between the two houses, and the reasons of the committee for recommending the concurrence or non-concurrence in the amendments, or the substitute, or the new bill, or the passage or defeat of the bill, or the particular action recommended by the committee. Such report shall be accompanied by a statement showing in what particulars the bill as it is recommended by the committee differs from the bill as it was passed by the house in which the report is made, and such statement shall be printed with the report.

Committee on Final Conference.

16. If the conference shall be failed to effect, house refuses to concur the report of the committee, a committee on final conference shall then be appointed, which shall consist of three members to be appointed in the same manner as a committee on conference. The committee on final conference may consist of members of the committee on conference which failed to agree, or of three members of either house to be appointed by the presiding officer thereof, and the committee on final conference shall have power to act and report in the same manner as a committee on conference, and such report shall be attached to the bill.

The report of the committee on final conference shall not be subject to amendment, and if either House refuses to accept such report no further proceedings shall be had.

In case a report of conference committee shall not have been filed within [illegible] of the committee constituting the committee on which such a report.

When Conference Committee Report is to Cease.

17. The presentation of the report of a Committee on Conference or Final Conference shall operate to cause pending motions to be disposed of in the order in which they were made, except that a motion to adjourn shall be in order, as provided in paragraph 4 of Rule 10, and a motion to fix the time to which to adjourn is privileged. A motion to adjourn over from Friday to a day other than Monday shall not be in order until the reports of conference committees have been disposed of.

Messages Shall be Announced by the Assembly Sergeant-at-Arms.

18. When a message shall be sent from either house it shall be announced at the door by the Sergeant-at-Arms, and shall be communicated to the presiding officer by the person in charge of the same.

Messages Shall be Read by the Secretary.

19. Messages shall be sent by the Secretary, Clerk or by such person as the order of propriety of each house may determine to be proper.

Notice to be in Writing Upon Proper Occasions.

20. Notice of the passage of either house to that effect shall be in writing and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

Enrolled Bills to Receive Signatures of Proper Officers.

21. After a bill shall have passed both houses it shall be duly examined and carefully compared by the Engrossing and Enrolling Clerk and Engrossing and Enrolling Committee of the Assembly, or by the Senate, as the bill may have originated, and shall then receive the signatures of the presiding officer and Clerk or Secretary of the house in which it originated, after which it shall be presented to the Governor of the State.

Enrolling Committee to Compare.

22. When bills are enrolled they shall be compared by the Engrossing and Enrolling Committee of the house in which they originated, or by such committee [illegible]

enrollment with the engrossed bill as passed in the two houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the house in which the bill originated, stating by whom such bill was examined.

President and Speaker to Sign Bills.

23. After the examination and report, each bill shall be signed in the respective houses, first by the Speaker of the Assembly, then by the President of the Senate.

Enrolling Committee to Present Bills to Governor.

24. After a bill shall have been thus signed in each house it shall be presented by the Engrossing and Enrolling Committee of the house in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which house the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

History of Bills, etc.

25. There shall be printed on Monday of each week by both the Senate and Assembly during the session preceding the constitutional recess, a history of all bills, joint and concurrent resolutions and constitutional amendments which shall show the action taken by the house up to the day preceding the publication of such history. A regular form shall be prescribed and no other form shall be used. Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess. During the remainder of the session the history shall be compiled and printed daily.

Secretary and Clerk to Keep Register.

26. The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

Secretary and Clerk Shall Indorse Bills.

27. The Secretary of the Senate and Clerk of the Assembly shall indorse on every original bill a statement of any action taken by the Senate and Assembly.

Urgency Provision in Bills.

28. Upon the third reading of a bill containing an urgency section and immediately before taking the vote on the final passage of the bill, the presiding officer shall direct that the urgency section be reread and put to a vote. The question shall be thus stated: "Shall the urgency section remain a part of the bill?" And if two thirds of all the members elected to the house in which the vote is being taken in the affirmative the bill shall then be put to a final vote. If the urgency section is defeated the bill shall retain its place on third reading, but shall be reprinted with the urgency paragraph omitted before being finally voted upon.

Indorsement of Bills.

29. Bills introduced into either house shall be indorsed with the day, hour and minute of introduction.

Committee on Revision and Printing.

30. Unless otherwise ordered by the house in which the bill was introduced, all bills before being printed shall be referred to Committee on Revision and Printing for correction of errors. The committee shall have jurisdiction to correct any mere clerical error, such as in orthography, adding the enacting clause to a bill when such has been omitted, and all mistakes in numbering sections and references thereto, and, by and with the written assent of the author filed with the committee, to correct errors in grammar, phraseology and to otherwise alter the text of the bill.

Companion Bills.

31. If upon comparison by the Committee on Revision and Printing it be found that two bills, one of which has been introduced in the Senate and the other in the Assembly, are in all material respects the same in substance and words, such bills, unless otherwise ordered by the committee, shall be considered companion bills and printed jointly as of both houses. If first introduced in the Senate, the bill shall be printed with the appropriate Senate heading at the top, giving number of bill, name of author, date of introduction and committee reference. Following this shall be a corresponding Assembly heading, after which shall follow the title of the act, the enacting clause and text of the bill. If the bill is first introduced in the Assembly, the position of the Senate and Assembly headings shall be reversed.

Numbering Lines of Bills.

32. The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Reports of Committee on Revisions.

23. The Committee on Revisions and Printing shall report not [illegible] days after the same have been received by it.

Joint Meeting of Committees.

24. Whenever any bill has been referred to the Senate by one of the committees and the same or a like bill has been referred to the Assembly by one of the corresponding committees of the Assembly, [illegible] the request of a majority of the members of [illegible] and the [illegible] shall arrange for a joint meeting of their committees for the consideration of such bill.

Bills, Resolutions, etc.

25. Whenever the word "bill" be used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

Privileged Matter.

26. A person desiring recognition by the Senate or Assembly or a committee thereof shall make application in writing to the President of the Senate or Speaker of the House.

27. The applicant shall state in writing the name of the newspaper or news paper he represents and that he is not engaged and will not become engaged as a lobbyist for any person, corporation, association or interest and that he is not and will not become interested directly or indirectly in any contract with the State, the fulfillment of which depends in whole or in part upon the favorable action of the Legislature. That he is not employed by any person, corporation, association or corporation in drafting or attempting to draft any measure pending in either house of the Legislature. That he is not employed by any [illegible] or legislative department of the State Government and will not become so employed while pursuing his occupation of a newspaper correspondent.

The State appliance shall be countersigned by a committee of not less than three members of the Legislature from each house, who shall be selected from representatives of the respective newspapers to be present during the session of the Legislature and such committee shall investigate the facts pertaining to the application. Such Press Committee shall not countersign any application for appointment of a newspaper correspondent unless the applicant is found to be a bona fide correspondent of a bona fide newspaper engaged in supplying said newspaper with [illegible] of the Legislature. It shall be the duty of the President of the Senate and the Speaker of the House to assign one or more rooms for the exclusive use of correspondents during the Legislative session. [illegible] the privilege of the press room. The press room shall be under the control of the Press Committee, provided that all rules and regulations shall be approved by the President of the Senate and Speaker of the House.

Amendment.

27. Amendments to the constitutional rules may be introduced [illegible] and shall be ready only by unanimous consent.

[illegible]

At twelve o'clock and forty-five minutes p.m., on motion of Senator Gates, the President declared the Senate at recess until two o'clock p.m.

[illegible]

At two o'clock p.m. the Senate reconvened.

Lieutenant Governor Albert J. Weeks, President of the Senate, in the chair.

CONSIDERATION OF CONCURRENT RESOLUTION [illegible]

On motion of Senator Wright, the Senate resumed the consideration of Senate Concurrent Resolution No. 1, relative to Joint Rules.

WITHDRAWAL OF SENATE CONCURRENT RESOLUTION

Senator Wright asked for and was granted unanimous consent to withdraw Senate Concurrent Resolution No. 1 relative to Joint Rules.

Senate Concurrent Resolution No. 1 withdrawn and ordered stricken from the file.

ADJOURNMENT

At five o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned until Friday, January 10th, at eleven o'clock a.m.

[illegible]

[illegible]

[illegible]

[

A second objection is to the constitutionality of the legislative itself. Briefly, the amendment provides that votes having at least one hundred persons within such counties thereof to their choosing electors for those votes that person shall be entitled to Presidential shall be deemed a total full citizen to be a permanent count of such votes. All persons permanently sick, having only three days residence, although may self citizens and such persons only. From a consideration of the rule of citizenship by such as idiocy, pay tax, as given in Section Three herein.

The foregoing provisions are contrary to Section 11, Article XIV of the Constitution of the United States and opposing public policy.

No law in California that denies M. Ney consideration of the Union of the State speaking of the previous year. With section 10 are further proposals to clearly unconstitutional by that to be question public policy. If for no other reason it seems to create the situation necessary to prosecute.

We will attempt to the following decisions:

Van Huffington vs. People 134 Cal. 70

People vs. Ruiz 136 Cal. 244

S. W. [illegible]

President of Anti-Union League of [illegible]

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was taken up and read:

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed by a vote of [illegible] Senate Bill No. 1, the bill providing an appropriation to pay the expenses of Electors of President and Vice-President of the United States.

L. P. MARRANT, Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Senate Bill No. 1 ordered to enrollment.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received:

SACRAMENTO, January 10, 1913.

Mr. President: Your Committee on Contingent Expenses, to whom was referred the following resolution:

By Senator Chipman:

Resolved, That the Contingent Clerical and task account of the Senate be and he is hereby allowed $[illegible] for contingent expenses, as provided by the Constitution, payable out of the appropriation for the contingent expenses of the Senate.

By Senator Rolfe:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the Senators [illegible] other books for their official purposes.

By Senator Mott:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the members of the Senate and Senate committees the newspapers under later date, and the Committee on Senate is authorized to draw the warrant for the payment of the same and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back and recommend that they be adopted.

CLERKS, Chairman.

Report and resolution read.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Bryan, Benson, Boynton, Brandon, Brown, Bryant, Boynton, Burke, Chipman, Campbell, Cate, Cunningham, Conkey, Crawford, Colombet, Curtin, Finn, Flint, Gates, Gaffey, Gerdes, Hans, Hewitt, Irving, Jennings, Jenkins, Lane, Mott, Owens, Regan, Strobhar, Schabacker, Thompson, and Wright—41.

NOES—None.

5—ASJ

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, the compensation set opposite their names payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

John F. Michels—Stenographer	$5 00
Miss M. Krachen—Stenographer	5 00
Frank J. Waters—Engrossing and Enrolling Clerk	6 00
James Foppiana—Press Mailing Clerk	4 00
George Goldman—Bill Filer	4 00
William J. O'Brien—Bill Filer	4 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.

NOES—None.

RESOLUTION.

The following resolution was introduced:

By Senator Gates:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized to purchase for the use of the members of the Senate, thirty-three sets of the 1909 edition of Kerr's Pocket Codes of the State of California, five volumes in each set, with supplement, one volume to each set, six volumes in all in each set; with slips of the amendments of the session of 1911, pasted in each volume of the Civil Code, Code of Civil Procedure and Penal Code of each of said sets. Also thirty-three volumes of Treadwell's latest edition of the Constitution of the State of California, with slips of the constitutional amendments pasted in each of said volumes. Also eight sets of slips of the laws of 1911 suitable for pasting in said Civil Code, Code of Civil Procedure and Penal Code and eight volumes of the supplement of said codes, all of said sets and volumes and slips to be paid for out of the Contingent Fund of the Senate.

That the Secretary of the Senate be, and he hereby is, authorized and directed to deliver one of said sets of codes with slips inserted, together with one volume of said supplement and one volume of said Constitution, with slips inserted, to each Senator, who shall receipt for the same. And one volume of said supplement and one set of slips suitable for pasting, to each Senator, who shall receipt for the same. And each Senator, at the close of the fortieth session of the Legislature of the State of California, shall turn over to the State Librarian the books so delivered to him.

Resolution read, and referred to Committee on Contingent Expenses.

MOTION.

Senator Wright moved that the Senate take up for consideration the report of the Special Committee on Rules.

Motion carried.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received:

ON RULES.

SENATE CHAMBER, SACRAMENTO, January 9, 1913.

MR. PRESIDENT: Your Special Committee on Rules begs leave to submit the following as the standing rules of the Senate for the fortieth session of the Legislature of the State of California, and respectfully recommends that they be adopted:

STANDING RULES OF THE SENATE

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at the ordinary hour, and continuing for the space of one hour after the ordinary recess, unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tem., or some member presiding, shall call the Senate to order at the hour assigned, and if a quorum is present proceed with the order of business.

Order of Business.

3. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approving of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order; provided, that messages from the Assembly, notices given, the introduction and first reading of bills, and petitions of any nature, be permitted at any time.

Precedence: Bills Priority and Presentation.

4. The rooms, passages and lobbies are reserved for the use of the Senate and no person, except the members and officers of the Executive and other departments, shall be entitled to the privilege of the floor, unless introduced by a member of the Senate, or by some officer of the Senate; provided, however, that all officers of the Senate, general state departments, boards and duly accredited representatives of generally recognized newspaper representatives.

President May Order Lobby Cleared.

5. In case of disturbance or misconduct, contrary to this order, the President or Chairman of the Committee of the Whole shall have power to order the room cleared.

President May Call Member to Order.

6. The President shall have the right to name and require an apology for any breach of the peace, any abuse by words, during such time, or any of the members of the House during the session, which shall not have the right of reply to any question upon a preceding.

Appointment of Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate may determine.

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture, nine members.
2. Banking, eleven members.
3. Civil Service, five members.
4. Commerce and Navigation, nine members.
5. Corporate Expenses, nine members.
6. Corporations, eleven members.
7. County Government, seven members.
8. Education, Normal and Consolidated Land, nine members.
9. Forestry, fifteen members.
10. Fruits, eleven members.
11. Engrossment and Enrollment, three members.
12. Federal Relations, five members.
13. Finance, twenty-one members.
14. Fish and Game, seven members.
15. Hospitals and Asylums, seven members.
16. Insurance, seven members.
17. Irrigation, five members.
18. Judiciary, nine members.
19. Labor and Capital, nine members.
20. Military Affairs, nine members.
21. Mines and Mining, five members.

22. Municipal Corporations, nine members.
23. Oil Industries, five members.
24. Prison and Reformatories, thirteen members.
25. Public Health and Quarantine, eleven members.
26. Public Morals, seven members.
27. Revenue and Taxation, fifteen members.
28. Revision and Printing, three members.
29. Roads and Highways, fifteen members.
30. Rules, five members.

President pro tem.—His Powers and Privileges.

9. The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

The Duties of Secretary.

10. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attachés and employees of the Senate. To convey to and transmit to the Assembly all bills, resolutions, and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

6. To assign, reassign, or transfer all attachés and employees to their respective duties.

No Records or Papers to be Taken from Desk.

11. The Secretary of the Senate shall not suffer any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee, but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take their receipt therefor.

Sergeant-at-Arms.

12. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

Printed Bills, etc., Must be Placed on Desks.

13. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators at least one hour previous to the opening of session.

Doorkeeper.

14. It shall be the duty of the Doorkeeper to prohibit all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such reporters as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon written invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor of the Senate during a session.

Lobbying.

15. No person engaged in presenting to the Senate or its committees any business, or claim for legislation, shall be permitted to engage in such business during sessions of the Senate, or be permitted on the floor of the Senate during its sessions. And any person transgressing this rule shall be removed from the floor of the Senate and be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tem. are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Attendance, Duties and Obligations of Senators.

16. No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a majority of the Senate or private Senators to send the Sergeant-at-Arms or any other person for any and all absent Senators; the majority of such Senators present shall advise as to the propriety of such action, or the absence of such absent Senators; and when a quorum is convened, shall determine upon the action to be taken in the premises. Such order and proceedings shall be entered on the Journal. When a quorum is convened, shall judge thereof, and by their order the expense shall be paid out of the contingent funds of the Senate, and from time to time apply the same to the use and discharge of the debts of the Senate. At the hour fixed by adjournment to each day of the session after the hour has passed for calling the Senate shall adjourn. The Chairman or Acting Chairman of the Senate, or, in the absence of both, any Senator present, shall have the power to issue warrants, directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such warrant, issued and executed, or attempt shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms or any other person to whom such warrant may be addressed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the aid of the county, or of any county in the State.

Decorum and Debate.

17. 1. When a Senator desires to address the Senate he shall rise at his place, address the President, and confine himself to what is pertinent to speak.

2. No Senator shall speaking more than twice on any one subject on the same day, and no one speech; but this rule shall not apply to Senators who have been appointed to committees, or who have charge of business, when such shall be necessary in the due discharge of the duties of such committees or charge.

3. Senators who have not spoken shall be entitled to the floor in preference to those who have spoken.

4. No Senator shall be interrupted while speaking, and no interval shall be allowed between speeches, except through the presiding officer.

5. The method of a call previous to proceeding shall have the privilege of closing the debate.

Senator Entitled to Floor.

18. When two or more Senators rise at the same time the President shall name the Senator who is first to address the Senate; but the Senator who shall first address the Senate shall be entitled to the floor.

Senator When Called to Order, How to Act Then.

19. When a Senator shall be called to order he shall not speak until the President shall have determined whether he is in order or not, and every question of order shall be decided by the President without debate, but any Senator may appeal to the Senate on said decision. If a Senator be called to order for words spoken, the exceptionable language shall immediately be taken down in writing.

Voting.

20. When a Senator declines to vote on a call of the house he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate, "Shall said Senator be excused from voting?" which shall be decided without debate. And when practicable no such call shall take place but such call before the result is announced, and any Senator who shall refuse to answer when called as above, may be considered

Printing.

21. Seven hundred and fifty copies of any bill shall be printed, and the Sergeant-at-Arms shall be responsible to assign to the members of the Senate and all persons entitled, and the remainder to such Senators as may desire, and the balance shall be distributed according to law.

Number of Copies to be Printed.

22. Every resolution shall be printed at such Sergeant-at-Arms unless ordered, unless the Senate expressly directs a different number.

Number of Copies to be Printed of Journal.

23. The Secretary-Clerk of State Printing shall print five hundred copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number kept for the accommodation of visitors; such Secretary-Clerk shall also print a sufficient number of copies, separately bound, to furnish each of the Senators, at the end of the session, as required by law.

What Shall be Printed in the Journal.

24. Messages from the Governor, other than biennial messages and inaugural addresses, veto of bills, bills introduced, resolutions and memorials shall be printed in the Journal in full.

Record of Votes and Petitions.

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

When Not in Committee of the Whole, Proceedings Must be Entered in the Journal.

26. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Printing for the Senate.

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

28. 1. Any Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the same; and the title shall be announced from the Secretary's desk, shall be read the first time, when it shall be referred to a standing committee. No bill shall be introduced in the Senate by any member after the constitutional recess without the consent of three fourths of the members of the Senate nor shall more than two bills be introduced by any one member after such recess. Every bill shall be read on three several days previous to its passage (unless, in case of urgency, two thirds of the Senate shall by vote of ayes and noes, dispense with this provision), and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). Joint and concurrent resolutions shall be treated the same as bills, provided they shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise direct.

2. The titles of all bills, when introduced, shall be inserted in the Journal.

3. When a bill amending an existing law is introduced, the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill which portions of the law are proposed to be omitted, if any, shall be indicated by closed brackets; *provided, however*, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole the matter repealed need not be indicated.

All bills reported favorably or for consideration, if reported with amendments, shall have the new matter, if any, underscored, and the place of omission of parts of the law proposed to be omitted, if any, shall be indicated by brackets. All bills reported with amendments shall be immediately reprinted.

All matter underscored in the draft or amendment of any bill shall be printed by the Printer in italics, and all brackets shall be reproduced.

Order of Engrossing and Enrolling Bills.

29. All bills ordered engrossed shall be delivered to the Engrossing and Enrolling Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing and Enrolling Clerk, taken therefor; and all said bills shall be engrossed in the order of their receipt by said Engrossing and Enrolling Clerk. And all Senate bills shall, after their final passage by and receipt from the Assembly, be delivered to the Engrossing and Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Engrossing and Enrolling Clerk taken therefor; and said bills shall be enrolled by the Engrossing and Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

Engrossed Bills to Be Examined and Reported.

30. All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate.

Disposition of Assembly Bills.

31. When an Assembly bill has been received by the Senate, with a message announcing that the same has passed the Assembly, such bill shall be referred to a standing committee *provided, however*, that when an Assembly bill is received, the provisions of which are stated by a member to be identical with those of a Senate bill, which has already been considered and reported by a committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report forthwith whether or not said bill is identical with the Senate bill, and if reported identical, such Assembly bill shall be substituted for the Senate bill (the latter being considered withdrawn) and shall take its place on the second reading file, and be considered as having

Reference of Bills to Finance Committee.

32. All bills appropriating money from any fund within the control of the Senate shall be referred to the Committee on Finance without being read the second time.

Committee Amendments—How Made.

33. When amendments to a bill are offered by a committee, the form of such committee shall present those copies of said amendments which are ready that day to the Presiding Officer, and one to the Minority Clerk, and one to the Secretary of the Senate.

Committee Bills to Report.

34. All committees shall report all bills or other matters referred to them, and when acted upon shall be returned back to the Senate forthwith; and the Chairman of each committee is charged with the responsibility to that effect personally, that the Senate may at any time call up for unfinished business any resolution or a pending measure.

Standing Committee Questions—When Considered.

35. Each standing committee shall determine for itself, unless otherwise provided for, any two thirds vote of the majority of members constituting said committee, what, in any case considered, such questions are.

Times of Speaking in Committee.

36. When leave to address the Senate is granted, or any committee, select, or standing, or other matter submitted, no one shall occupy more than thirty minutes at one time, nor shall he be interrupted by motions or arrangement of speakers, which shall be allowed.

Clerks to Committee Shall Make Out to Committee on Contingent Expenses.

37. No clerk shall be paid out of the Contingent Fund of the Senate until the same shall have been allowed to and approved of by the Committee on Contingent Expenses.

Executive Communications and Nominations to Considered.

38. When executive communications or nominations shall be sent by the President to the Senate for confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, unless such shall be determined without debate.

The Journal Kept Till Read. Special order of Bills on File.

39. The Journal File shall be the journal which has been last finished and printed, as the Senate may determine, unless special dispensation be had to read any other journal, the reading of which shall not be interrupted, nor the time of the adjournment of the Senate, while it is under consideration.

Rule Passed on File Closed at End of Day.

40. When bills have been passed on the file the journal shall show such fact to stand at the end of the file to which motion unless otherwise ordered by the Senate.

Proposed Bill Read Twice.

41. All bills after the second reading of the same by the secretary, shall stand being numbered, shall be placed upon the calendar of the Senate and the first subject on said calendar for the order of the day.

Order of Questions to Stand to Vote.

42. When a question shall be offered to a motion made or filed and shall be debated and a different conclusion reach the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Order of Questions Under Debate.

43. When a question is under debate no motion shall be received but the following preferred questions, which shall have precedence in the following order:

1. To adjourn.
2. To take a recess.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Motion Not to be Debated Until Stated and Understood.

44. No motion shall be debated until the same be seconded and thereafter announced by the President; and it shall be competent to withdraw it before it is decided by the

President or any Senator, and read by the Secretary, before the same shall be debated.

Reading of a Paper, if Objected to, Determined Without Debate.

45. When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate.

Amendments and Substitutes—When in Order.

46. Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

Amendments and Substitutes—Must be Germane.

47. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

Least Sum and Shortest Time in Filling Blanks.

48. In filling up blanks, the least sum or number and the shortest time shall be put first.

Short of Final Question, Two Thirds Vote Not Requisite on Proposition to Amend Constitution.

49. When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

Notice of Reconsideration.

50. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on the motion of any Senator: *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn; and it shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. No notice of reconsideration shall be in order on the day preceding the last day of the session.

Reconsideration of Bills Sent to Assembly.

51. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

Secretary, Upon Notice of Reconsideration, Not to Report Bill to Assembly.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has been transmitted to the Assembly.

Motion to Reconsider May Be Debated.

53. A Senator, after a notice to reconsider is given, as provided in Rule 50, may, at the reconsideration thereof, present the main question in his argument thereon, and the same may be debated by the Senate provided that the subject matter is debatable.

Amendment to Original Question.

54. 1. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

2. If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert shall not be divided. But the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. And motions to amend the part to be stricken out shall have precedence.

Final Question on Second Reading of Bill—No Amendment on Third Reading, but May Commit.

55. The final question on the second reading of every bill originating in the Senate,

and requiring three motions previous to taking a question, shall not ... Shall who shall be disposed? And no amendment shall be received [illegible] on the third reading of any bill, but it shall at all times be in order before the final passage of such bill to move to commit [illegible] upon specific instructions to amend.

Special Orders.

56. Any subject may by vote of two-thirds of the Senators present, be made a special order and when [illegible] the time fixed for the consideration thereof, the presiding officer must [illegible] to announce the fact.

Form of Previous Question—Call of Senate.

57. The previous question shall be put in the following form: "Shall the question be now put?" It shall [illegible] be admitted when demanded by a majority of the Senators present [illegible] and the affirmative shall be put and [illegible] [illegible] the author of the bill or the gentleman who [illegible] and the question [illegible] Senators shall [illegible] be taken and [illegible] [illegible] pending question prior to a [illegible] of the Senate, a call of the Senate shall be in order.

Ayes and Noes—Members Must Answer—Call of Senate—Absentees.

58. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate [illegible] shall [illegible] [illegible] and without [illegible] [illegible] [illegible] [illegible] [illegible] and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Duty of Sheriff and Committee of the Whole.

59. The rules of the Senate shall be observed by Committees of the Whole, so far as may be applicable, except [illegible] [illegible] [illegible] [illegible] [illegible] except that the [illegible] shall not be taken.

Suspended and Obsolete Rules.

60. No standing rules or order of the Senate shall be rescinded or changed without one day's notice of the motion therefor, and no rule shall be suspended, except by the concurrence of two-thirds of the Senators present.

Executive Session.

61. On a question which is confidential in [illegible] the doors of the Senate may be closed on the motion of any Senator, and the Senate may direct the doors to be closed during the reception of any communication which, in the opinion of the Senate, requires secrecy, and the President shall require all persons except the Secretary, Principal and Senate Secretary, Sergeant-at-Arms, and Doorkeeper, or assistants, and during the discussion of said question the doors shall remain closed, and every Senator and officer of the Senate shall keep secret all votes, reports, resolutions, and [illegible] [illegible] Secrecy shall be enforced by order of the Senate.

Messages—When Introduced.

62. Messages sent by the President of the United States or the House of Representatives is being put, while the ayes and noes are being called, while the yeas and nays are being counted, or while a Senator is addressing the Senate.

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

Powers of Bureau of Statistics of the Senate Visiting Public Institutions.

64. No board of officials shall be allowed [illegible] committee, consisting of members, or any public institutions of the State or for any private purpose. No [illegible] and committee shall report to the Senate [illegible] [illegible] [illegible] [illegible] [illegible]

Cases Not Provided For, Robert to Govern.

65. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Robert's Rules of Order.

WRIGHT, Chairman.

Report read.

AMENDMENT.

Senator Wright moved to amend as follows:

Strike out of Section 8, committee number 19, the word "nine," and insert in lieu thereof the word "eleven."

Amendment adopted.

MOTION.

Senator Wright moved that the report and rules be adopted, as amended.

Motion duly seconded.

The question now being upon the adoption of the report and rules.

The roll was called, and the report and rules adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Colm, Curtin, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—33.

NOES—None.

RECESS.

At eleven o'clock and fifty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until twelve o'clock m.

RECONVENED.

At twelve o'clock m. the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, January 10, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following:

Resolution by Senator Gates:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized to purchase for the use of the members of the Senate, thirty-three sets of the 1909 edition of Kerr's Pocket Codes of the State of California, five volumes in each set, with supplement, one volume to each set, six volumes in all in each set; with slips of the amendments of the session of 1911, pasted in each volume of the Civil Code, Code of Civil Procedure and Penal Code of each of said sets. Also thirty-three volumes of Treadwell's latest edition of the Constitution of the State of California, with slips of the constitutional amendments pasted in each of said volumes. Also eight sets of slips of the laws of 1911 suitable for pasting in said Civil Code, Code of Civil Procedure and Penal Code and eight volumes of the supplement of said codes, all of said sets and volumes and slips to be paid for out of the contingent fund of the Senate.

That the Secretary of the Senate be, and he hereby is, authorized and directed to deliver one of said sets of codes with slips inserted, together with one volume of said supplement and one volume of said Constitution, with slips inserted, to each Senator, who shall receipt for the same. And one volume of said supplement and one set of slips suitable for pasting, to each Senator, who shall receipt for the same. And

[illegible]

Report and resolution read.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

[illegible]

Noes—None.

[illegible]

The following concurrent resolution was introduced:

By Senator Wright: Senate Concurrent Resolution No. 2—Relative to Joint Rules.

[illegible]

On motion of Senator Wright, Senate Concurrent Resolution No. 2 was taken up for consideration without reference by unanimous

[illegible]

Senator Wright moved that the standing rules of the Senate be suspended.

Motion duly seconded.

The question being upon the motion.

The roll was called, and the motion carried by the following vote:

[illegible]

Noes—None.

Whereupon the President declared the rules suspended.

SENATE CONCURRENT RESOLUTION NO. 2.

Relative to Joint Rules.

Resolved by the Senate, the Assembly concurring, That the following be and they are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California:

[illegible]

Joint Address to Governor.

1. When the Senate and Assembly shall order it proper to make a joint address to the Governor, it shall be considered as such, when the resolution directing the same shall have been concurred in by both of the respective Houses, and signed by the President of the Senate in the presence of the Senate, by the Speaker of the Assembly and a joint committee of six members from each house appointed for the respective presiding officers.

[illegible]

2. Senate, on the part of either house to appoint additional committees, the following standing committees shall be appointed by the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each house:

(1) Agriculture.
(2) Banking.
(3) Commerce and Navigation.
(4) Corporations.
(5) County Government.
(6) Drainage, Swamp and Overflowed Lands.
(7) Education.
(8) Elections.
(9) Federal Relations.
(10) Finance in the Senate and Ways and Means in the Assembly.

(11) Fish and Game.
(12) Hospitals and Asylums.
(13) Insurance.
(14) Irrigation.
(15) Judiciary.
(16) Labor and Capital.
(17) Military Affairs.
(18) Mines and Mining.
(19) Municipal Corporations.
(20) Oil Industries.
(21) Public Health and Quarantine.
(22) Public Morals.
(23) Prisons and Reformatories.
(24) Revenue and Taxation.
(25) Roads and Highways.
(26) Rules.

JOINT COMMITTEES.

3. Joint Standing Committees of Senate and Assembly shall be appointed as follows:

(1) Committee on Revision and Printing to consist of three (3) members from the Senate and five (5) from the Assembly.
(2) Committee on Joint Rules to consist of the members of the Rules Committee of each house.

Bill or Resolution in One House, Rejected in the Other, Requires Notice.

4. When a bill or resolution which shall have passed one house is rejected by the other, notice thereof shall be given immediately to the house in which the same shall have passed.

Each House to Transmit Papers.

5. Each House shall transmit to the other papers on which any bill or resolution shall be founded.

Joint and Concurrent Resolutions.

6. Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

Joint Resolutions Treated as Bills.

7. All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each house.

Amendments to Amended Bills Must Be Attached.

8. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other it shall immediately be reprinted as amended by the house making such amendment or amendments.. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

Bills Read and Referred to Committee.

9. When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee, unless otherwise ordered by the House.

Special File.

10. Ten (10) days after the close of the recess provided for in Section 1, Article IV, of the Constitution, the Senate and Assembly shall adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day, and be considered at least one hour and a half after being so taken up. This rule shall not be suspended in either house except by a three-fourths vote of such house.

After a Bill Has Been Passed by the Senate or Assembly.

11. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the House, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same

back to the Senate or Assembly (as the case may be) and the chairman of such committee is charged with the chairmanship of the conference committee. Only the Senate or Assembly may, at any time, order such bill reported back from said committee by a majority vote.

To Concur or Refuse to Concur in Amendments.

12. In case the Senate amend and pass an Assembly bill or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments.

When Amendments are Concurred in.

13. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall endorse the bill, stating the amendments, and the bill shall be ordered to be enrossed.

When Senate or Assembly Refuses to Concur.

14. If the Senate refuse to concur (if it be a Senate bill) or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments of such refusal and may return such bill, stating what amendments are disagreed to. If they refuse to recede (the preceding fifteen days shall constitute a reasonable time for such consideration) and the Secretary or Clerk shall immediately notify the other house of the action taken and request the appointment of a committee of conference. Upon such committee being named, the Secretary or Clerk shall report the names of the members thereof to the house from which the bill originated. Members of the committee from those voting with the majority on the question which gave rise to the conference may select from their house of such committee shall be selected from the majority party in the house from which the bill originated. The Committee on Conference shall report to the Senate and the Assembly (unless granted an extension of time) within fifteen days after the appointment of the committee from

IN SENATE

SENATE CHAMBER,
Monday, January 13, 1913

Pursuant to adjournment the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Belshaw, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Caswell, Cohn, Finn, Flint, Gates, Gerdes, Gerlach, Hare, Hewitt, Jones, Larkins, Lyon, Meek, Owens, Regan, Rush, Sanford, Shoemaker, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL

During the reading of the Journal of Friday, January 10, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE

Senator Curtin was, on motion of Senator Campbell, granted leave of absence for this day.

Senator Juilliard was, on motion of Senator Sanford, granted leave of absence for this day.

MOTION

Senator Boynton moved that Senator-elect William Kehoe, of the First Senatorial District, be permitted to take the oath of office.

Motion carried.

OATH OF OFFICE ADMINISTERED

Senator-elect Kehoe was called to the bar of the Senate, where he presented his certificate of election, and took and subscribed to the following constitutional oath of office, administered by the Hon. Albert J. Wallace, Lieutenant Governor, President of the Senate:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

COMMUNICATION

The President laid before the Senate the following communication, which was ordered read:

PIERRE, SOUTH DAKOTA, January 10, 1913.

A. J. Wallace, Lieutenant Governor, Sacramento, California.

The Senate of South Dakota in regular session, desires to convey to the people of your state its regret and sympathy for the great loss they have sustained by the freezing of their citrus fruits which press dispatches report at from fifteen to thirty million dollars.

E. ABEL, Lieutenant Governor.

[illegible]

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed as the inspectors, assistant inspectors and clerks as provided by law, for the ensuing election to be held in this city on the 14th instant, and the Secretary is directed to issue to each of them a certificate of appointment:

J. N. Hoffman, Superintendent	$ 4 00
J. E. Sanders, Inspector	3 00
C. W. Lawton, Assistant Inspector and Receiving Clerk	3 00
A. W. Coughlin, Assistant Inspector and Receiving Clerk	3 00
L. H. Wyckoff, Assistant Inspector	3 00
Wellington Rogers, Assistant Canvass Clerk	3 00
F. J. Cross, Hill Place	3 00
Thos. Sanders, Hill place	3 00
Louis Henderson, Hill Place	3 00
Irving McKay, Hill Place	3 00
Frank Connolly, Hill Place	3 00
Charles Wilson, Hill Place	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00
[illegible]	3 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

[illegible]

[illegible]

The President presented to the Senate H.R. S. W. Hall Traffic Company & Southern Pacific Low Angeles County, and a Presidential Election.

[illegible]

The following resolution was introduced:

By Senator Strobridge:

Resolved, That [illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

[illegible]

[illegible]

By Senator Reed:

Resolved, That the Superintendent of Charity Building [illegible]

[illegible]

[illegible]

IN SENATE.

SENATE CHAMBER,
Monday, January 13, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 10, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Curtin was, on motion of Senator Campbell, granted leave of absence for this day.

Senator Juilliard was, on motion of Senator Sanford, granted leave of absence for this day.

MOTION.

Senator Boynton moved that Senator-elect William Kehoe, of the First Senatorial District, be permitted to take the oath of office.

Motion carried.

OATH OF OFFICE ADMINISTERED.

Senator-elect Kehoe was called to the bar of the Senate, where he presented his certificate of election, and took and subscribed to the following constitutional oath of office, administered by the Hon. Albert J. Wallace, Lieutenant Governor, President of the Senate:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

COMMUNICATION.

The President laid before the Senate the following communication, which was ordered read:

PIERRE, SOUTH DAKOTA, January 10, 1913.

A. J. Wallace, Lieutenant Governor, Sacramento, California:

The Senate of South Dakota in regular session desires to convey to the people of your state its regret and sympathy for the great loss they have sustained by the freezing of their citrus fruits which press dispatches report at from fifteen to thirty million dollars.

E. ABEL, Lieutenant Governor.

RESOLUTION.

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed by the respective political committees and filed by the secretary of state, as members of the several precinct boards for the precincts in the county named, and the Secretary is hereby directed to pay the salaries for the said precincts allowed, and the Treasurer is directed to pay the same:

J. N. Hastings—Stenographer	$	6 00
E. B. Seaver—Stenographer		6 00
C. W. Jenkins—Assistant Engrossing and Enrolling Clerk		6 00
A. W. Carpenter—Assistant Engrossing and Enrolling Clerk		6 00
E. H. Walker—Assistant Horse Clerk		6 00
Wellington Bonner—Assistant Journal Clerk		6 00
E. J. Olson—Bill Filer		6 00
Thos. Sinclair—Bill Filer		6 00
Louis Hirschberg—Bill Filer		6 00
James McKay—Bill Filer		6 00
Frank Connolly—Bill Filer		6 00
Charles Wilson—Bill Filer		6 00
Chas. Hussey—Committee Clerk		6 00
Miss Nina McGonagle—Committee Clerk		6 00
Frank P. Shell—Committee Clerk		6 00
L. P. Dwyer—Committee Clerk		6 00
J. H. McClendon—Committee Clerk		6 00
C. W. Fitzgerald—Committee Clerk		6 00
C. L. Cox—Assistant Mimeo. Clerk		6 00
Robt. O. Bonnell—Assistant at the Desk		6 00
J. E. Calkins—Desk Service		6 00
Wm. A. Van Orden—Committee Clerk		6 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Avey, Baker, Benson, Birdsall, Bonner, Boynton, Brown, Bryant, Burke, Cartwright, Chan Cashman, Cronin, Finn, Gates, Gerdes, Gross, Hoey, Kemp, Lyon, Mott, Oliver, Roper, Rowell, Wolfrum, Strobridge, Thompson, Wood, and Wright—31.

Noes—None.

PRESENTATION.

The President presented to the Senate Hon. R. F. Del Valle, elected a Senator from Los Angeles County, and a Presidential Elector.

JOINT ORDER.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That W. J. McSorley, the Commissioner having in charge the erection of telephones in the Capitol, be and he is hereby authorized to place a telephone in the room of the Committee on Irrigation and Arid Lands, and that

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Avey, Baker, Benson, Birdsall, Bonner, Boynton, Brown, Bryant, Burke, Cartwright, Chan Cashman, Cronin, Finn, Gates, Gerdes, Gross, Hoey, Kemp, Lyon, Mott, Oliver, Roper, Rowell, Wolfrum, Strobridge, Thompson, Wood, and Wright—34.

Noes—None.

RESOLUTION.

By Senator Reed:

Resolved, That the Superintendent of County Building and Grounds is hereby directed to close the contiguous western entrances of Stockton and the [illegible] Governor and Secretary [illegible] a watchman at the same to the Stock [illegible]

and the Controller is hereby directed to draw his warrant in favor of each Senator for the amount remaining in his account, and the Treasurer is directed to pay the same.

Resolution read, and referred to the Committee on Contingent Expenses.

By Senator Strobridge:

Resolved, That the Superintendent of Capitol Building and Grounds be and he is hereby directed to provide a room on the second floor of the Capitol Building and in as close proximity to the Senate Chamber as possible for the exclusive use of Senate stenographers during the remainder of the legislative session.

Resolution read and adopted.

By Senator Avey:

WHEREAS, The Lieutenant Governor of the State of California has received a telegram from the Senate of the State of South Dakota in regular session assembled, expressing the regret and sympathy of that state for the recent damage by frost to the citrus industry of California; and

WHEREAS, Said telegram has this day been read in regular session of the Senate of the State of California; therefore, be it

Resolved, That the Senate of the State of California now in session does hereby express deep appreciation for the sympathy expressed in said telegram, and does hereby request and authorize the Hon. Albert J. Wallace, Lieutenant Governor of California, to transmit by telegraph a copy of this resolution to the Lieutenant Governor of South Dakota.

Resolution read and adopted.

APPOINTMENTS BY THE SECRETARY.

The following communication was read:

To the Senate of the State of California:

I beg leave to announce that I have this day appointed Eric Johnston and J. A. Miller, assistant secretaries at $6 per day each, and respectfully request the consent of the Senate.

WALTER N. PARRISH, Secretary of Senate.

MOTION.

Senator Thompson moved that the Senate consent to the appointments of the Secretary.

The roll was called, and the motion adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cartwright, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Larkin, Mott, Owens, Regan, Rush, Sanford, Shanahan, Tyrrell, and Wright—32.

NOES—None.

RESOLUTION.

The following resolution was introduced:

By Senator Tyrrell:

Resolved, That the following shall be the rule of procedure of the Senate in the introduction of bills: That the roll of Senators shall be called from "A" to "W" and then back from "W" to "A" and as each member's name is called he shall have the privilege of introducing one bill.

Resolution read and adopted.

MOTION.

Senator Thompson moved that the Senate proceed with the consideration of messages from the Governor.

Motion carried.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, JANUARY 13, 1913.

To the Senate and Assembly of the State of California.

I have just received from the State Board of Equalization the report of that Board's investigation and comparison of assessments and taxes for the various counties, which report is required of the Board by law. The work of assessing and collecting taxes is primarily a county matter, and the Board of Equalization is charged with the duty of seeing that the assessments in the several counties are equalized. I transmit to you herewith the report of the Board of Equalization, that you may immediately have before you the facts with which to consider such legislation as may be necessary upon the subject of the taxation of property in the State.

The Board finds the average tax rate in the State of California for all purposes except that of the Bullfrog public service corporations is $1.1[illegible] per one hundred dollars of assessed value. The report shows that the assessed valuation in the State pays this rate.

The assessed valuation of [illegible] for the several classes of [illegible] property are as [illegible] as determined under the basis of a [illegible] and [illegible] in accordance with the [illegible] law, are:

1. For railroads and street railways [illegible] [illegible] of actual value of property.
2. For gas and electric companies [illegible]
3. For telegraph and telephone companies [illegible]
4. For car companies (Pullman, Standard, etc.) [illegible]
5. For express companies (Wells Fargo & Co. only) $1,[illegible]

The situation therefore is [illegible]. Except in the single instance of the express company, which probably is not paying [illegible] [illegible] [illegible]

APPOINTMENT OF STANDING COMMITTEES.

The President announced that he had appointed the Senate standing committees, as follows:

Agriculture—Senators Cogswell, Chairman; Birdsall, Avey, Mott, Rush, Strobridge, Jones, Cohn, Grant.

Banking—Senators Tyrrell, Chairman; Thompson, Cogswell, Breed, Larkins, Mott, Gerdes, Finn, Benson, Curtin, Cohn.

Civil Service—Senators Anderson, Chairman; Brown, Flint, Hans, Sanford.

Commerce and Navigation—Senators Brown, Chairman; Breed, Flint, Hewitt, Regan, Wright, Butler, Grant, Owens.

Contingent Expenses—Senators Gerdes, Chairman; Kehoe, Shanahan.

Corporations—Senators Kehoe, Chairman; Gates, Bryant, Hans, Larkins, Beban, Gerdes, Butler, Tyrrell, Cohn, Juilliard.

County Government—Senators Breed, Chairman; Kehoe, Gerdes, Benson, Gates, Hans, Anderson, Shanahan, Caminetti, Juilliard, Sanford.

Drainage, Swamp and Overflowed Lands—Senators Benson, Chairman; Breed, Rush, Owens, Cohn.

Education—Senators Avey, Chairman; Strobridge, Thompson, Jones, Anderson, Cogswell, Carr, Larkins, Kehoe, Hans, Beban, Butler, Shanahan, Curtin, Caminetti.

Elections—Senators Hewitt, Chairman; Boynton, Carr, Lyon, Beban, Thompson, Cassidy, Anderson, Sanford, Campbell, Juilliard.

Engrossment and Enrollment—Senators Cassidy, Chairman; Lyon, Grant.

Federal Relations—Senators Wright, Chairman; Boynton, Carr, Cohn, Sanford.

Finance—Senators Strobridge, Chairman; Hewitt, Boynton, Birdsall, Thompson, Gates, Rush, Bryant, Tyrrell, Regan, Finn, Wright, Avey, Hans, Cassidy, Juilliard, Campbell, Sanford, Caminetti, Cartwright, Curtin.

Fish and Game—Senators Hans, Chairman; Birdsall, Beban, Flint, Gerdes, Regan, Lyon, Anderson, Bryant, Breed, Brown, Finn, Jones, Strobridge, Sanford, Campbell, Caminetti.

Hospitals and Asylums—Senators Rush, Chairman; Avey, Carr, Birdsall, Mott, Cassidy, Thompson, Tyrrell, Grant, Shanahan, Juilliard.

Insurance—Senators Bryant, Chairman; Wright, Gates, Tyrrell, Cogswell, Grant, Curtin.

Irrigation—Senators Mott, Chairman; Larkins, Anderson, Cartwright, Curtin.

Judiciary—Senators Gates, Chairman, Boynton, Anderson, Tyrrell, Carr, Hewitt, Kehoe, Benson, Thompson, Wright, Jones, Larkins, Shanahan, Campbell, Cartwright, Curtin, Caminetti, Juilliard.

Labor and Capital—Senators Lyon, Chairman; Bryant, Butler, Kehoe, Flint, Regan, Wright, Breed, Avey, Owens, Juilliard.

Military Affairs—Senators Beban, Chairman; Birdsall, Juilliard.

Mines and Mining—Senators Regan, Chairman; Boynton, Birdsall, Shanahan, Cohn.

Municipal Corporations—Senators Carr, Chairman; Hewitt, Benson, Brown, Hans, Beban, Regan, Owens, Campbell.

Oil Industries—Senators Larkins, Chairman; Mott, Cassidy, Cartwright, Campbell.

Prisons and Reformatories—Senators Finn, Chairman; Brown, Cogswell, Strobridge, Tyrrell, Gerdes, Rush, Benson, Lyon, Owens, Caminetti, Cohn, Grant.

Public Health and Quarantine—Senators Jones, Chairman; Butler, Mott, Avey, Brown, Beban, Lyon, Hewitt, Hans, Caminetti, Shanahan.

Public Morals—Senators Butler, Chairman; Avey, Hewitt, Brown, Bryant, Grant, Campbell.

Revenue and Taxation—Senators Thompson, Chairman; Kehoe, Strobridge, Breed, Cogswell, Cassidy, Gates, Wright, Boynton, Flint, Finn, Shanahan, Owens, Curtin, Sanford.

Roads and Highways—Senators Birdsall, Chairman; Gates, Strobridge, Cogswell, Carr, Flint, Finn, Benson, Larkins, Mott, Rush, Jones, Campbell, Cartwright, Owens.

Rules—Senators Boynton, Chairman; Thompson, Gerdes, Lyon, Cartwright.

Revision and Printing—Senators Flint, Chairman; Butler, Cartwright.

LEAVE OF ABSENCE.

Senator Anderson was, on his own motion, granted leave of absence for Tuesday, January 14, 1913.

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until one o'clock and fifty minutes.

AFTERNOON

At one o'clock and fifty minutes p.m. the Senate reassembled.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

ANNOUNCEMENT BEING COMPLETED.

The following communication was read:

SENATE CHAMBER, January 13, 1913.

Honorable A. J. Wallace, President of the Senate:

I hereby notify you that I successfully canvassed and in a joint session of the Committee on Engrossed and Enrolled Bills of the Senate, I was chairman of this committee on the part Senate and compared the bills enumerated in Senate 2 great amount of work I found some minor matters placed amongst the bills to be corrected.

Sincerely,

JOHN J. CASSIDY, State Senator.

RECESS.

At two o'clock and ten minutes p.m., on motion of Senator Ingram, the President declared the Senate at recess until four o'clock and thirty minutes p.m.

AFTERNOON

At four o'clock and thirty minutes p.m. the Senate reassembled.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

INTRODUCTION AND READING OF PAPERS.

The following resolutions were introduced:

By Senator Owens:

Resolved, That when the Senate adjourns this day it do so in part of respect to the memory of the late William B. English, formerly a member of this body from the Ninth Senatorial District.

Resolution read and adopted.

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, at the rate of compensation and payable from moneys payable monthly and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Wm. Wyatt—Committee Clerk	$5 00
Wm. J. Cranston—Committee Clerk	5 00
Thos. Lincoln—Committee Clerk	5 00
Chas. B. Fox—Committee Clerk	5 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Ayer, Black, Brown, Bunkers, Burke, Burnett, Cassidy, Chandler, Cogswell, Cone, Curtis, Dennett, Dunn, Flint, Gates, Ingram, Grace, Hare, Hewitt, Jones, Kehoe, Lanagan, Leslie, Mott, Reed, Sanford, Shumway, Strobridge, Thompson, Tyrrell, and Wagner—28.

NOES—None.

RECESS.

At five o'clock and five minutes p.m., on motion of Senator Ingram, the President declared the Senate at recess until five o'clock and thirty minutes p.m.

RECONVENED.

At five o'clock and thirty minutes p.m., the Senate reconvened. Hon. Albert J. Wallace, President of the Senate, in the chair.

MOTION.

Senator Boynton moved that messages from the Assembly be taken up for consideration.

Motion carried.

MESSAGE FROM THE ASSEMBLY.

SACRAMENTO, January 13, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day amended and adopted as amended Senate Concurrent Resolution No. 2 – Relating to Joint Rules.

L. B. MALLORY, Chief Clerk of Assembly.
By THOS. G. WALKER, Assistant Clerk.

The question being, "Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 2?"

AMENDMENT No. 1.

Add a new paragraph to be numbered 37 and to read as follows:

DISPENSING WITH JOINT RULES.

37. No joint rule shall be dispensed with except by vote of two thirds of each house; and if either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the house in which it originated, without further action. Or, at the option of such house, the President or Speaker may direct the Secretary or Clerk to mark the section or sections which conflict with the rules as non-concurrend in or negatived.

AMENDMENT No. 2.

Strike out Rule 25 and insert the following: "There shall be printed daily by both the Senate and Assembly a history of all the bills, joint and concurrent resolutions and constitutional amendments, which shall show the action taken by the house up to the day preceding the publication of such history. A regular form shall be prescribed, and no other form shall be used. Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess."

AMENDMENT No. 3.

Strike out all of Rule 29 and insert in lieu thereof the following:

29. Bills introduced in either house shall be indorsed with the date of introduction.

Also:

Strike out all of Rules 30 and 31 and insert in lieu thereof a new rule to be known as Rule 30, to read as follows:

30. Unless otherwise ordered by the house in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing. The committee, by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill.

Also:

Renumber Rules 32 to 37, inclusive, to read, 31 to 36, inclusive.

Also:

Add to Rule 16 a new paragraph, to read as follows:

"No member who has served on a Committee on Conference shall be appointed a member of a Committee on Free Conference on the same bill."

The roll was called, with the following result:

Ayes: Senators Ayer, Beban, Benson, Birdsall, Boynton, Brown, Burnett, Burnett, Butler, Caminetti, Campbell, Carey, Chandler, Chapman, Flint, Finn, Gerdes, Gerdes, Green, Hare, Hewitt, Inman, Jenkins, Leale, Mott, Rogers, Rush, Saunders, Savidge, Thompson, Tyrrell and Wright—32.

Noes: None.

Senate Concurrent Resolution No. 4 ordered to enrollment.

MOTION.

Senator Tyrrell moved that it be the sense of the Senate that each Senator introduce two bills only on this day.

Motion carried.

LEAVE OF ABSENCE.

Senator Hewitt was on motion of himself granted leave of absence for January 14th.

RECESS.

At five o'clock and fifty minutes p.m., on motion of Senator Gerdes, the President declared the Senate at recess until seven o'clock and thirty minutes p.m.

EVENING SESSION.

At seven o'clock and thirty minutes p.m., the Senate reassembled.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS ETC.

The following bills, etc., were introduced:

By Senator Anderson: Senate Bill No. 2—An Act to provide for an additional judge of the Superior Court of the county of Orange.

Bill read first time, and referred to Committee on County Government.

By Senator Avey: Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section two of article thirteen, adding a new section to article eleven and repealing section fourteen of article thirteen thereof, all relating to revenue and taxation.

Constitutional amendment referred to Committee on Revenue and Taxation.

By Senator Beban: Senate Bill No. 3—An Act to amend an Act, entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act." Approved March 22, 1913, as amended March 23, 1907, by amending Section 1, Subdivision 1, and Section 3, Subdivisions 1, 2, 3, 4, 5, and adding thereto a new subdivision to be numbered Subdivision 6.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Benson: Senate Bill No. 4—An Act appropriating money for building an assembly hall at San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Birdsall: Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking

holding, succession to and disposition of property, real and personal, within said State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 6—An Act to provide for the establishment, maintenance and control of sanatoria for the treatment of tuberculosis and making appropriation therefor, and authorizing counties and cities and counties within the State to send patients to said sanatoria and to pay the running expenses and maintenance of said sanatoria and of patients therein, and to levy taxes therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Breed: Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Senator Brown: Senate Bill No. 8—An Act to provide for the appointment of a commission to investigate the wages of women and minors and to report on the advisability of establishing permanent minimum wage commissions or boards.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Bryant: Senate Bill No. 9—An Act to amend Section 190 of the Penal Code relating to the punishment of murder

Bill read first time, and referred to Committee on Judiciary

By Senator Butler: Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

Bill read first time, and referred to Committee on Public Morals.

By Senator Caminetti: Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article to be designated and numbered Article IX*a*, of Chapter III, of Article III of Part III of said code, relating to elementary and secondary schools.

Bill read first time, and referred to Committee on Education.

By Senator Campbell: Senate Bill No. 12—An Act to amend the Civil Code of California by adding a new section thereto to be numbered 410*a*, and relating to the forfeiture of the right to do business by any corporation which shall remove or make application to remove actions brought against it, from the state courts to the courts of the United States.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Concurrent Resolution No. 3—Approving ten certain amendments to the charter of the city of Pasadena, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the 24th day of May, 1912.

Resolution referred to Committee on Municipal Corporations.

By Senator Cassidy: Senate Bill No. 13—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Cogswell: Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty fourth fiscal year.

Bill read first time, and referred to Committee on Education.

By Senator Cohn: Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Bill read first time, and referred to Committee on County Government.

By Senator Curtin: Senate Bill No. 16—An Act to provide for the survey, location and construction of a state highway from the town of Mariposa through Bear Creek, Missouri Gulch and Stockton Creek to the Yosemite Valley Railroad at Bear Creek Station in Mariposa County, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Finn: Senate Bill No. 17—An Act to add a new chapter to the Political Code providing for state aid for the support and maintenance of minor orphans, half-orphans and abandoned children not supported or maintained in any institution.

Bill read first time and referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Santana Gap, on the line between the counties of Santa Clara and Santa Cruz, to join and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Bill read first time and referred to Committee on Roads and Highways.

By Senator Gates: Senate Bill No. 19—An Act providing for the free use of all public school houses and property and to establish a civic center at each and every public school house in the State of California, and to provide for the maintenance of the same out of the school fund of the State of California, and providing for the conduct and management of the same.

Bill read first time and referred to Committee on Education.

By Senator Gerdes: Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hans: Senate Concurrent Resolution No. 4—Approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the tenth day of April, one thousand nine hundred and eleven.

Resolution referred to Committee on Municipal Corporations.

By Senator Hewitt: Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the power and powers of the trustees of colleges and seminaries of learning.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 22—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Larkins: Senate Bill No. 23—An Act to amend Section 172 of the Civil Code, relating to the power of the husband over community property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 24—An act to provide for the appointment of a commission to investigate the wages paid for labor and to report on the advisability of fixing a minimum rate of wages, and make an appropriation therefor.

Bill read first time, and referred to Committee on Labor and Capital.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eight o'clock p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator Mott: Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Rush: Senate Bill No. 26—An Act making an appropriation to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Bill read first time, and referred to Committee on Finance.

By Senator Sanford: Senate Bill No. 27—An Act to regulate the ownership and possession of real property in the State of California by certain classes of aliens and corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shanahan: Senate Bill No. 28—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Bill read first time, and referred to Committee on County Government.

By Senator Owens: Senate Bill No. 29—An Act to amend Section 2 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Strobridge: Senate Bill No. 30—An Act to amend section one hundred and ninety-seven of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

Bill read first time and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 31—An Act to amend Sections 2643, 2661, 2664 and 2666 of the Political Code, relating to the levy and apportionment of road tax, and to the acquisition, construction and maintenance of roads.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Tyrrell: Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the adoption as evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wright: Senate Bill No. 33—An Act appropriating two hundred thousand dollars to complete the construction of the exposition building of the State of California at the Panama-California Exposition to be held in San Diego, California, during the year 1916.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 34—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California, during the year 1915, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 35—An Act changing the law in relation to the sentence which may be imposed upon any person convicted of a felony or other crime punishable only by a fine or imprisonment in the state prison or both, and repealing all acts, or parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 36—An Act to amend Section 1207 of the Civil Code, relating to the recordation of certain instruments and certificates of acknowledgment, the notice such recordation shall impart and the effect as evidence of certified copies of the same.

Bill read first time, and referred to Committee on Judiciary.

By Senator Strobridge: Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the second

of the forty-ninth Legislature of the State of California during the sixty-fourth fiscal year.

Bill read first time and referred to Committee on Finance.

By Senator Shanahan: Senate Bill No. 38—An Act to amend Section 1577 of the Code of Civil Procedure relating to the sale of property of an estate and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sanford: Senate Bill No. 39—An Act to provide state aid for indigent mothers and children, in certain cases, and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Owens: Senate Bill No. 40—An Act to provide for the recall of elective officers of incorporated cities and towns.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Lyon: Senate Bill No. 41—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans and half-orphans, and for the education of such persons and other worthy persons, under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor; authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from taxation and private benefaction to be known as a "Children's Relief Fund" and as a "Scholarship Fund"; making appropriations for a campaign to secure private benefactions, and for the disposition of "transfer and collateral inheritance taxes" therefor, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds.

Bill read first time, and referred to Committee on Judiciary.

By Senator Larkins: Senate Bill No. 42—An Act to regulate the organization of fraternal insurance associations.

Bill read first time, and referred to Committee on Insurance.

By Senator Jones: Senate Bill No. 43—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Hewitt: Senate Bill No. 44—An Act to amend Section 1238 of the Code of Civil Procedure relating to the public uses on behalf of which eminent domain may be exercised.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hans: Senate Bill No. 45—An Act granting to the city of Alameda certain salt marsh, tide and submerged lands of the State of California including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gerdes: Senate Bill No. 46—An Act to establish a state training school for girls, to provide for the maintenance and management of the same and to make an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Senator Gates: Senate Bill No. 47—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Flint: Senate Bill No. 48—An Act to authorize the regents of the University of California for purposes specified by them in the construction of buildings and providing for the completion and equipment thereof for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Finn: Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Curtis: Senate Bill No. 50—An Act to declare the Sonora and Mono road to Tuolumne County, a state highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Caminetti: Senate Bill No. 51—An Act providing for the construction and equipment of a necessary, large and necessary small buildings for the use of the Department of Agriculture of the University of California, to any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read first time, and referred to Committee on Appropriations.

By Senator Cassidy: Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp and crabs within the shoreline, creeks, streams and tidal estuaries in the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Carr: Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and void, providing for actions by persons to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Bill read first time, and referred to Committee on Judiciary.

By Senator Campbell: Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California, an amendment of the Constitution of the State of California, by adding a new section to Article VI thereof, to be numbered Section 4½, in relation to the establishment of a state assessors' map.

Constitutional amendment referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and proceedings thereon and to limit the meaning of "conspiracy" in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Butler: Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape.

Bill read first time, and referred to Committee on Public Morals.

By Senator Bryant: Senate Bill No. 56—An Act to amend Section 4029 of the Penal Code under the provisions of Section 12 of Act 1828 of the general laws of the State of California, providing for the protection of employees on buildings and of an Act to establish and support the Bureau of Labor Statistics, approved March 3, 1883, and the several acts amendatory; to provide for all scaffolding and staging swung or suspended from an overhead support on any house, building or structure more than twenty feet in height from the ground or floor.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Brown: Senate Bill No. 57—An Act to amend Sections 412, 413, 413½ and 414 of the Penal Code relating to sparring exhibitions and prize fights and the betting of bets or wagers upon the result thereof.

Bill read first time, and referred to Committee on Public Morals.

By Senator Breed: Senate Bill No. 58—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Bill read first time, and referred to Committee on Finance.

By Senator Boynton: Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Bill read first time, and referred to Committee on Finance.

By Senator Birdsall: Senate Bill No. 60—An Act to amend Section 1404 of the Civil Code of the State of California, relating to inheritance by aliens.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benson: Senate Bill No. 61—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Benson: Senate Bill No. 62—An Act to provide for the erection of a memorial monument to George Washington, appointing an auxiliary commission therefor and providing an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Education.

By Senator Avey: Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding a new section thereto to

be numbered 77*a*, relating to the doing of work and making improvements upon railroad tracks and the method thereof exacting upon the streets of municipalities and the proceedings relating thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Anderson: Senate Bill No. 64—An Act to provide one additional judge of the Superior Court of the county of Riverside.

Bill read first time, and referred to Committee on County Government.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

[illegible]

SACRAMENTO, January 13, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills examined the following Senate bill:

Senate Bill No. 1—An Act making an appropriation to pay the electors of President and Vice-President of the United States and expert clerk and assistant hire [illegible] and presented the same to the Governor on the 13th day of January, 1913, at one o'clock p.m.

HENRY H. LYON,
Temporary Chairman Committee on Engrossed and Enrolled Bills.

RECESS.

Senator Thompson moved that the message from the Governor be recalled from the Committee on Executive Communications and be referred to the Committee on Rules.

Motion carried.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were introduced:

By Senator Hans:

Resolved, That on and after the first day of January, 1913, [illegible] whom copies of this shall be supplied, shall be limited to one to each Senator, and the Senators are requested to hand their desks to [illegible] the same expiring terms.

Resolution read and adopted.

By Committee on Contingent Expenses and Mileage:

Resolved, That the Secretary be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators for the amount set opposite his name, and the Secretary is hereby directed and ordered to pay the same, being the mileage due to [illegible] the session:

[illegible]	[illegible]	[illegible]	[illegible]
1. Kehoe, William	Humboldt	274	$[illegible]

And respectfully recommend that it be adopted.

GEORGE [illegible], Chairman.

Resolution read.

The question being upon the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Avey, Behan, Benson, Boynton, Breed, Brown, Burnett, Burnett, Campbell, Carr, Cassidy, Coggins, Cutten, Finn, Flint, Gaylor, Gerdes, Grant, Hans, Jones, Larkins, Lyon, Moir, Rush, Stanford, Thompson, Tyrrell, and Wright—28.

NOES—None.

ADJOURNMENT.

At eight o'clock and forty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned until Tuesday, January 14th, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER.

Tuesday, January 14, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following responded to their names:

Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

Quorum present.

PRAYER.

Prayer by the Rev. A. B. Patten.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 13, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Cohn was, on motion of Senator Grant, granted leave of absence for this day.

Senator Curtin was, on motion of Senator Lyon, granted leave of absence for this day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SACRAMENTO, January 14, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent the following:

Senate bills Nos. 1 to 64, inclusive, Senate Constitutional Amendments Nos. 1 and 2, Senate Concurrent Resolutions Nos. 3 and 4, respectfully report that they have examined the same and delivered the same to the State Printer, except Senate Bill No. 17, at the hour of 11:50 o'clock p.m., January 13, 1913.

FLINT, Chairman.

MOTION.

Senator Gerdes moved that Senate Bill No. 46 be withdrawn from Committee on Education, and re-referred to Committee on Prisons and Reformatories.

Motion carried.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That J. C. Holland be transferred from the position of Committee Clerk at $4.00 per day to the position of clerk of the Finance Committee at $6.00 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Avey, Benson, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—31.

NOES—None.

Also: Senate Bill No. 107—An Act appropriating money for building and equipping a tubercular ward at the Veterans' Home of California.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 108—An Act to amend section one of an Act entitled "An Act to provide for the completion of septic tank and the piping of water and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Campbell: Senate Bill No. 109—An Act to establish and maintain the mother lode polytechnic school of California, to provide for its government, to define the powers and duties of the trustees thereof and to make an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 110—An Act to add a new section to the Political Code, to be numbered section two hundred fifty-one, relating to clerks of committees and of members of the Legislature, and providing for the fixing of their compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 111—An Act appropriating money for reinforcing brick buildings at Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 112—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 113—An Act appropriating money for installing and supporting a heating system for the male department at the Stockton State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 114—An Act appropriating money for construction and equipment of dining buildings at the farm of Stockton State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 115—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 116—An Act appropriating money for the construction and equipment of new ward No. 25 at Stockton State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Larkins: Senate Bill No. 117—An Act to amend sections five, six, nine and eleven of an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers."

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Breed: Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 119—An Act to amend section four hundred fifty-two *a* of the Civil Code relating to the incorporation of mutual benefit associations.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Gerdes: Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the

manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city, or other local subdivision thereof.

Bill read first time and referred to Committee on Insurance.

Also: Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 124—An Act to amend section seven hundred ninety-one of the Political Code, relating to notaries public.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 125—An Act to amend an Act [illegible] An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and methods of treating the sick and afflicted in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act, such section shall be numbered section 21, relating to the issuance of a license to practice medicine and surgery to any physician or surgeon who was practicing in the year 1876 [illegible] by practicing in any other state or territory of the United States.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 126—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 127—An Act appropriating money for repairing and calcimining the heating school building at San Francisco State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 128—An Act appropriating money for [illegible] ing and repairing old buildings at San Francisco State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Bryant: Senate Bill No. 129—An Act to repeal section two hundred and forty-six of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 130—An Act to amend section [illegible] section of the Penal Code of this State, relating to punishment for treason.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 131—An Act to amend section two hundred and nineteen of the Penal Code, relating to the punishment of persons convicted of wrecking railroad trains.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 132—An Act to amend section seven, fourteen and nineteen of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California relating to the regulation of loading and unloading of vessels, to be known as and numbered three hundred and sixty-eight *a* of said code.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 135—An Act authorizing and directing the Commissioner of the Bureau of Labor Statistics to appoint an assistant deputy to perform the duties imposed upon said commissioner under section twelve of an Act entitled "An Act to establish and support the Bureau of Labor Statistics," approved March 3, 1883, and the several Acts amendatory thereof; prescribing his duties; providing for his compensation, and making an appropriation therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 136—An Act amending section one thousand and sixty-eight and section one thousand and seventy-four of the Code of Civil Procedure, relating to writs of review.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell: Senate Bill No. 137—An Act to add a new section to the Civil Code to be numbered thirteen hundred and fourteen and relating to the nomination of guardians by persons who may afterward become insane or incompetent.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 138—An Act to amend sections seventeen hundred and sixty-three and seventeen hundred and sixty-four of the Code of Civil Procedure in relation to the appointment of guardians of insane and incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners," approved March 23, 1893.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Constitutional Amendment No. 6—Relative to new trials.

Constitutional amendment referred to Committee on Judiciary.

By Senators Regan and Lyon: Senate Bill No. 140—An Act to provide for a day of rest from labor.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Owens: Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered section five hundred thirty-two *a*, relating to secret societies, fraternal societies, orders, or organizations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered

three hundred twenty-seven, relating to the sale or disposal of intoxicating liquors between certain hours.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 144—An Act to amend section three hundred twenty-six of the Penal Code of the State of California, relating to lottery tickets.

Bill read first time and referred to Committee on Public Morals.

Also: Senate Bill No. 145—An Act to amend section three hundred and seven of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks, either macadamized and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 146—An Act to provide for the issuance of bonds to municipal corporations for the purpose of facilitating the performance of street or other public work.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 146—An Act to amend section twenty-seven of the Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks, either macadamized, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 147—An Act to amend section twenty-six of the Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks, either macadamized, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time and referred to Committee on Municipal Corporations.

By Senator Finn: Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "Jacob Stamm" and "Dennis Sullivan" shall be borne and paid by the State of California out of the State Harbor Improvement Fund.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 149—An Act to amend section thirty-seven hundred thirteen of the Political Code of the State of California, relating to the levy of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 150—An Act to amend section seven hundred thirty-nine of the Political Code, relating to the salaries of officers connected with the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 151—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one-hundredths dollars out of the General Fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 152—An Act to prevent the importation into the State of California of horses, mules, asses or cattle which are affected with any infectious disease, providing for the inspection of said animals before they are brought into the State of California, providing the manner in which such animals shall be inspected and the issuance of the inspection certificates to cover such inspections, providing for the punishment of violations thereof, and repealing that certain Act of the Legislature of the State of California entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California" approved March 7, 1911, and also repealing that certain Act of the Legislature of the State of California entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California" approved March 7, 1911, and repealing acts and parts of acts in conflict with the provisions of this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 153—An Act to amend sections one and two of an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof, and prescribing fine for failure to comply with provisions of said Act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 155—An Act to amend section five hundred thirty-one of the Political Code, relating to the duties of the Superintendent of State Printing.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 156—An Act to amend section six hundred seventy-nine *a*, of the Penal Code.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 157—An Act [illegible] and declaring [illegible] compulsory for women and making appropriation therefor.

Bill read first time and referred to Committee on Finance and Retrenchment.

Also: Senate Bill No. 158—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor and providing an appropriation to carry the [illegible] effect.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 159—An Act [illegible] providing a state [illegible] and defining their duties; fixing their compensation and providing a special fund and providing for the [illegible] of plumbers.

Bill read first time and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 160—An Act to prevent the [illegible] and provide for the investigation and suppression of contagious or infectious diseases and appropriating money to be used by such persons.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 161—An Act making an appropriation to pay the claim of the United States Fidelity and Guaranty Company against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 162—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 163—An Act appropriating money to pay the claim of R. A. Seale against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 164—An Act to amend the Penal Code of the State of California by adding thereto a new section to be known as Section Five hundred fifteen relating to punishment for the crime of embezzlement.

Bill read first time, and referred to Committee on Judiciary.

By Senator Birdsall: Senate Bill No. 165—An Act authorizing the appointment of two delegates from California as members of a commission [illegible] to investigate European systems of rural credits and report thereon and making an appropriation therefor.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hotel Healey, Valley, thence to Yosemite Valley and making an appropriation therefor.

Bill read first time and referred to Committee on Roads and Highways.

Also: Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meyer's Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe to McKinney's.

Bill read first time and referred to Committee on Roads and Highways.

Also: Senate Bill No. 168—An Act to make an appropriation for the location, survey and construction of a state highway from Colfax westerly to Weimar, thence to Applegate, thence to Clipper Gap, thence to Bowman and thence to Auburn.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 169—An Act to make an appropriation for the location, survey and construction of a state highway from Emigrant Gap, Placer County, in a westerly direction following the main county road, through or near Blue Canyon, thence to Towle, thence to Alta, thence to Dutch Flat, thence to Gold Run, thence to Colfax.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 171—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a state highway and making an appropriation for the improvement thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 172—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 173—An Act to amend section six hundred twenty-six of the Penal Code relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 174—An Act to amend section sixteen hundred twenty-two of the Political Code of the State of California, relating to expenditure of state and county school money.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 175—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 176—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor."

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered fifteen hundred ninety-one.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 178—An Act providing for working of the day of telegraph companies to receive and transmit dispatches, and limiting their liability for mistakes, errors or delays in the transmission, delivery or non-delivery of any repeated or unrepeated message.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 179—An Act relating to the duties of public officers, and repealing certain acts and parts of acts relating thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 180—An Act appropriating money to pay the claim of Francisco Silva Brun against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 181—An Act requiring legislative counsel, and legislative agents retained or employed for compensation by any person, corporation or association to promote or oppose the passage of bills, resolutions or the approval of the same, to file with the Secretary of State a statement in writing subscribed by such counsel or agent stating the name of the person, firm, corporation or association by whom or on whose behalf he is retained or employed, together with a brief description of the legislation as to whom such services are to be rendered, requiring itemized statement of expenditures to be filed, prohibiting legislative agents or counsel from going upon the floor of the Legislature, providing penalties for the violation of the Act, with an emergency clause.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Joint Resolution No. 1—Relative to the construction by the United States of postage for the transportation of storage battery submarines for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and praying they be appropriated for and forwarding the work as speedily as possible.

Resolution referred to the Committee on Federal Relations.

Also: Senate Joint Resolution No. 2—Relative to the national Forests situated within the State of California and requesting the War Department of the United States to station and maintain Federal troops or such national forests during certain months.

Resolution referred to Committee on Federal Relations.

Also: Senate Bill No. 183—An Act to amend section 4 of an Act entitled "An Act to regulate the practice of physicians in the State of California, and to punish a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Physicians," approved March 20, 1901, and amended March 21, 1907, and April 21, 1909.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Metz: Senate Bill No. 184—An Act to amend section seven hundred and thirty-seven of the Political Code relating to the salary of superior judges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 184—An Act to amend section twenty-three hundred nineteen of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 185—An Act to amend an Act entitled, "An Act to establish and maintain a State Hygienic Laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the State Hygienic Laboratory.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 187—An Act appropriating money for constructing a Mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 188—An Act to provide an appropriation for the purpose of equipping a machinery building for the use of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 190—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Education.

By Senator Avey: Senate Bill No. 191—An Act to authorize any county in the State which claims to have sustained a net loss in county revenue by the withdrawal of railroad property from county taxation in accordance with the provisions of section fourteen of article thirteen, of the Constitution of the State of California, as said Constitution was amended November 8, 1910, to commence suit against the State of California, for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 192—An Act appropriating money for con-

structing equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 194—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 195—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 196—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

By Senator Power: Senate Bill No. 198—An Act appropriating money for the construction of a new gymnasium, new playground, basket ball courts and tennis court at San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Rolph: Senate Bill No. 201—An Act to amend section seven hundred ninety-one of the Political Code, relating to notaries public.

Bill read first time and referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 202—An Act to amend section twenty-one hundred ninety-seven of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 203—An Act to amend section seventeen hundred seventy-three of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 204—An Act to amend section seventeen hundred seventy-four *a* of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 205—An Act to amend section seventeen hundred and seventy-seven of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 206—An Act to amend section twenty-one hundred and sixty-seven of the Political Code of the State of California, relating to insane persons.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Kehoe: Senate Bill No. 207—An Act to amend the Penal Code by adding a new chapter to Title IX of Part I thereof, to preserve one day in the week as a day of rest, and to promote health, morals and the public welfare.

Bill read first time, and referred to Committee on Public Morals.

By Senator Jones: Senate Bill No. 208—An Act to amend section twenty-nine hundred and sixty-nine of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 209—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 210—An Act appropriating money for building a staff house for assistant physicians at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 211—An Act to amend an Act entitled "An Act providing for the management of the California Redwood Park and creating a board of five commissioners with power to manage said California Redwood Park," by adding a new section granting to the board of commissioners the power to acquire property by gift, bequest, donation, contribution, devise, purchase, condemnation, and otherwise.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters;

and to prescribe the duties and fix the compensation of county forester; and to empower such boards to perform all acts necessary and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Lyon (by request): Senate Bill No. 215—An Act to amend section two, two and three-tenths of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prescribing the selling or offering for sale of land by reference to said maps within the same are repealed," approved March 15, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 214—An Act to promote education in rural districts and the arts, and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also (by request): Senate Bill No. 213—An Act to amend section one of an Act entitled "An Act to prevent the the spreading of contagious diseases," approved April 23, 1903, relating to the reporting of contagious diseases.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Gates: Senate Bill No. 216—An Act to amend section sixty-seven of the Code of Civil Procedure, relating to the number of Superior Court Judges and providing for the appointment of eight additional Superior Court Judges; providing for the first class and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 217—An Act granting to the regents, trustees and employees of the Los Angeles Department of the College of Medicine of the University of California, and vesting in them certain rights.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 218—An Act to amend section one thousand four hundred seventy-five of the Code of Civil Procedure, relating to the setting off of the exempt homestead and the proceedings of claims against and homestead and the sale of the homestead thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 219—An Act to amend section [illegible] and thirteen of the Civil Code, relating to the recording of conveyances and notice of the record of such instruments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 220—An Act to amend section [illegible] hundred thirty-nine and one-half of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read first time, and referred to Committee on Judiciary.

By Senator Juilliard: Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners; providing for the selection of its officers; defining its powers and duties; and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Cogswell: Senate Bill No. 222—An Act appropriating money for building and equipping a hospital for girls at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 223—An Act appropriating money for building, equipping and furnishing cottages at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 224—An Act appropriating money for constructing and equipping an industrial building or buildings at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Butler: Senate Bill No. 228—An Act to add ten new sections to the Political Code, to be numbered forty-two hundred twenty-five *a*, forty-two hundred twenty-five *b*, forty-two hundred twenty-five *c*, forty two hundred twenty-five *d*, forty-two hundred twenty-five *e*, forty-two hundred twenty-five *f*, forty-two hundred twenty-five *g*, forty-two hundred twenty-five *h*, forty-two hundred twenty-five *i*, and forty-two hundred twenty-five *j*, all relating to county boards of health and sanitary inspectors.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 230—An Act to amend section four thousand and forty-one *a* of the Political Code, relating to the general permanent powers of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

By Senator Thompson: Senate Bill No. 241—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, by adopting sections two, three, four, five, twenty-four, thirty-three and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

Bill read first time and referred to Committee on Revenue and Taxation.

By Senator Wright: Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 243—An act to amend an Act entitled, "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1897, and amended March 3, 1909, by adding a new section thereto to be numbered section two a relating to the dissolution of such districts whose they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns.

Bill read first time and referred to Committee on Irrigation.

RESOLUTIONS—(Out of Order.)

The following resolutions were introduced:

By Senator Strobridge:

Resolved, That the foregoing named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, with the compensation set opposite each respectively, payable weekly; and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

James A. Burke—Assistant Sergeant-at-Arms	$ 5 00
A. L. Van Alstine—Bill Files	4 00
Miss Robyn Alexander—Assistant Engrossing and Enrolling Clerk	5 00
Leroy Joseph—Committee Clerk	4 00
Ray Prescott—Committee Clerk	4 00
S. A. Kesler—Committee Clerk	4 00
M. A. Hubbard—Assistant Engrossing and Enrolling Clerk	5 00
Mrs. Alma Williams—Committee Clerk	4 00
Miss Ruth Gidney—Committee Clerk	4 00
F. C. Hubbard—Committee Clerk	4 00
M. A. Silva—Committee Clerk	4 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Avey, Beban, Boyd, Brown, Bryant, Burbe, Campbell, Carr, Cassidy, Cogswell, Flint, Gates, Gerdes, Gesmer, Hans, Jones, Leviston, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shortall, Strobridge, Thompson, Tyrrell, and Wright—29.

NOES—None.

By Senator Gerdes:

Resolved, That eight (8) new typewriter desks be purchased for the use of Senate stenographers, said purchase to be made by and under the direction of the chairman of the Committee on Contingent Expenses. Said typewriter desks shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishing of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly.

Resolution referred to the Committee on Contingent Expenses.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Cogswell, the President declared the Senate adjourned until Wednesday, January 15th, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 15, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 14, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Kehoe was, on motion of Senator Gates, granted leave of absence for this day.

Senator Cartwright was, on motion of Senator Sanford, granted leave of absence for this day.

Senator Beban was, on motion of Senator Cassidy, granted leave of absence for this day.

Senator Hans was, on motion of Senator Benson, granted leave of absence for this day.

PETITIONS.

The following petitions were presented to the Senate:

By Senator Wright: Protesting against the enactment of legislation pertaining to a day of rest from Southern California Conference of Seventh Day Adventists of Los Angeles.

By Senator Leon. On the same subject. From the Pacific Union Conference, Seventh Day Adventists, of Mountain View.

By Senator Juilliard. On the same subject. From S. Heckt, Judea Congregation B'nai B'rith, Los Angeles, and others.

By Senator Hewitt. On the same subject. From the Central California Conference of Seventh Day Adventists, of Fresno.

RECESS.

Senator Juilliard moved that the foregoing petitions be referred to the Committee on Public Morals.

Motion carried.

PETITIONS.—(RESUMED.)

Senator Owens presented the following:

Petition of Farm & Agricultural Club, Mayhew, Imperial and Coachella Valleys, in relation to support of the Panama-California Exposition.

To the Honorable, the Senate of the State of California, Sacramento, California.

Gentlemen: January 9, 1913.

The Farm and Agricultural Club of Mayhew, Imperial and Coachella Valleys, California, at a regular meeting held on the evening of January 9, 1913, at 8 o'clock p. m., at Mayhew, Imperial County, California, duly and regularly called and assembled, at which meeting there were present 10 members, and no more, and no less, and the following preamble and resolutions were duly and regularly adopted by a unanimous vote of all members present, to wit:

Whereas, The people of Imperial County, California, have a deep interest in the success of the Panama-California Exposition, to be held in San Diego, California, in the year 1915, and

REPORT OF SPECIAL COMMITTEE.

ON RULES.

SACRAMENTO, January 15, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following:

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, January 7, 1913.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the extraordinary session of the Legislature on the 24th day of December, 1911, I have made the following appointments and request your concurrence therein and consent thereto:

January 12, 1912. *John S. Chambers*, of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice Richard Belcher, resigned.

January 13, 1912. *Charles L. Vermilier*, of Stockton, a member of the State Board of Prison Directors, vice Robert T. Devlin, term expired.

January 16, 1912. *J. W. Clark*, of Santa Rosa, a member of the Board of Managers of the Napa State Hospital, vice H. M. Meacham, resigned.

January 16, 1912. *David Rutherford*, of Oakland, a member of the Board of Managers of the Napa State Hospital, vice J. H. Steves, resigned.

February 10, 1912. *Horace Wilson*, of San Francisco, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

February 23, 1912. *Don C. Fuqua*, of Los Angeles, Port Warden of the Port of San Pedro, vice J. W. Walton, term expired.

March 14, 1912. *Charles A. Ramm*, of San Francisco, a member of the Board of Regents of the State University, vice Peter C. Yorke, term expired.

March 14, 1912. *Charles S. Wheeler*, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

March 20, 1912. *David P. Barrows*, of Berkeley, a member of the Board of Directors of the California Institution for the Deaf and Blind, vice Melvin C. Chapman, resigned.

March 20, 1912. *George I. Cochran*, of Los Angeles, a member of the Board of Trustees of the State Normal School at Los Angeles, vice self, term expired.

March 27, 1912. *William T. Lewis*, of San Francisco, a member of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island and Benicia, vice E. M. Freeman, deceased.

April 1, 1912. *Dr. James A. B. Scherer*, of Pasadena, a member of the Board of Trustees of the State Normal School at Los Angeles, vice William E. Oliver, term expired.

April 4, 1912. *Dr. John R. Haynes*, of Los Angeles, a member of the State Board of Charities and Corrections, vice Clara Shortridge Foltz, term expired.

April 29, 1912. *John F. Ellison*, of Red Bluff, a member of the Board of Trustees of the State Normal School at Chico, vice J. F. Campbell, term expired.

May 20, 1912. *Jessica B. Peixotto*, of Berkeley, a member of the State Board of Charities and Corrections, vice Louis Rosenthal, term expired.

May 21, 1912. *E. M. Norton*, of Healdsburg, a member of the Board of Managers of the Sonoma State Home, vice Jos. P. Barry, term expired.

May 21, 1912. *Robert A. Poppe*, of Sonoma, a member of the Board of Managers of the Sonoma State Home, vice Walter Frear, term expired.

June 6, 1912. *Prescott F. Cogswell*, of El Monte, a member of the Board of Trustees of the Whittier State School, vice Walter Lindley, resigned.

July 30, 1912. *Dr. Ellis Herbert*, of Stockton, a member of the Board of Managers of the Stockton State Hospital, vice N. F. Pickle, term expired.

July 30, 1912. *John H. McCallum*, of San Francisco, a member of the Board of State Harbor Commissioners, vice George M. Hill, deceased.

August 23, 1912. *George P. Morse*, of Oroville, a member of the Board of Trustees of the State Normal School at Chico, vice F. C. Lusk, term expired.

August 26, 1912. *George E. Crothers*, of San Francisco, a member of the Board of Trustees of the State Normal School at San Francisco, vice H. G. W. Dinkelspiel, term expired.

September 10, 1912. *C. J. Corcoran*, of San Francisco, a member of the Board of Managers of the Napa State Hospital, vice Thomas B. Dozier, term expired.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Have had the same under consideration, and respectfully report the same back, and recommend that the Senate advise and consent to the appointments therein mentioned.

BOYNTON, Chairman.
THOMPSON.
LYON.
GERDES.

MOTION.

Senator Boynton moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of John S. Chambers of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice Richard Belcher, resigned?"

The roll was called, with the following result:

AYES—Senators Avey, Beban, Benham, Boynton, Brown, Bryan, Burnett, Campbell, Carr, Chandler, Chapman, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gerlach, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Owens, Rigdon, Rush, Sanford, Sheridan, Strobridge, Thompson, and Wright—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of John S. Chambers of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice Richard Belcher, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Charles L. Nemmiller, of Stockton, a member of the State Board of Prison Directors, vice Robert T. Devlin, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Beban, Benham, Boynton, Brown, Bryan, Burnett, Campbell, Carr, Chandler, Chapman, Cutten, Finn, Flint, Gates, Gerdes, Gerlach, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Owens, Rigdon, Rush, Sanford, Sheridan, Strobridge, Thompson, and Wright—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Charles L. Nemmiller, of Stockton, a member of the State Board of Prison Directors, vice Robert T. Devlin, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of J. W. Clark, of Santa Rosa, a member of the Board of Managers of the Napa State Hospital, vice H. M. Meacham, resigned?"

The roll was called, with the following result:

AYES—Senators Avey, Beban, Benham, Boynton, Brown, Bryan, Burnett, Campbell, Carr, Chandler, Chapman, Cutten, Finn, Flint, Gates, Gerdes, Gerlach, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Owens, Rigdon, Rush, Sanford, Sheridan, Strobridge, Thompson, and Wright—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of J. W. Clark, of Santa Rosa, a member of the Board of Managers of the Napa State Hospital, vice H. M. Meacham, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of David Rutherford, of Oakland, a member of the Board of Managers of the Napa State Hospital, vice J. H. Stoney, resigned?"

The roll was called, with the following result:

AYES—Senators Avey, Beban, Benham, Boynton, Brown, Bryan, Burnett, Campbell, Carr, Chandler, Chapman, Cutten, Finn, Flint, Gates, Gerdes, Gerlach, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Owens, Rigdon, Rush, Sanford, Sheridan, Strobridge, Thompson, and Wright—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of David Rutherford, of Oakland, a member of the Board of Managers of the Napa State Hospital, vice J. H. Steves, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Horace Wilson, of San Francisco, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Horace Wilson, of San Francisco, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Don C. Fugitt, of Los Angeles, Port Warden of the Port of San Pedro, vice J. W. Walton, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—31.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Don C. Fugitt, of Los Angeles, Port Warden of the Port of San Pedro, vice J. W. Walton, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Charles A. Ramm, of San Francisco, a member of the Board of Regents of the State University, vice Peter C. Yorke, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—31.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Charles A. Ramm, of San Francisco, a member of the Board of Regents of the State University, vice Peter C. Yorke, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Charles S. Wheeler, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

Whereupon the President announced that the Senate had advised and

consented to the appointment of Charles S. Wheeler, of San Francisco, a member of the Board of Regents of the State University, for the full term expired.

The President put the question: "Will the Senate advise and consent to the appointment of David P. Barrows, of Berkeley, a member of the Board of Directors of the California Institution for the Deaf and the Blind, vice Melvin C. Chapman, resigned?"

The roll was called with the following result:

AYES—Senators Avey, Benson, Boynton, Bryant, Butler, Campbell, Carr, Cassidy, Caminetti, Chandler, Cogswell, Cutler, Flint, Gerdes, Gerlach, Hewitt, Hurley, Inman, Jailliard, Lanktree, Leale, Lewis, Mott, Owens, Rigdon, Rush, Sanford, Savage, Scott, Selvage, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed and Wolfe—38.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of David P. Barrows, of Berkeley, a member of the Board of Directors of the California Institution for the Deaf and the Blind, vice Melvin C. Chapman, resigned.

The President put the question: "Will the Senate advise and consent to the appointment of George I. Cochran, of Los Angeles, a member of the Board of Trustees of the State Normal School at Los Angeles, vice ——, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Bryant, Butler, Campbell, Carr, Cassidy, Caminetti, Chandler, Cogswell, Cutler, Flint, Gerdes, Gerlach, Hewitt, Hurley, Inman, Jailliard, Lanktree, Leale, Lewis, Mott, Owens, Rigdon, Rush, Sanford, Savage, Scott, Selvage, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed and Wolfe—39.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of George I. Cochran, of Los Angeles, a member of the Board of Trustees of the State Normal School at Los Angeles, vice ——, term expired.

The President put the question: "Will the Senate advise and consent to the appointment of William F. Lewis, of San Francisco, a member of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island and Benicia, vice E. M. Freeman, deceased?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Chandler, Cogswell, Cutler, Flint, Gerdes, Gerlach, Hewitt, Hurley, Inman, Jailliard, Lanktree, Leale, Lewis, Mott, Owens, Rigdon, Rush, Sanford, Savage, Scott, Selvage, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed and Wolfe—39.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of William F. Lewis, of San Francisco, a member of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island and Benicia, vice E. M. Freeman, deceased.

The President put the question: "Will the Senate advise and consent to the appointment of Dr. James A. B. Scherer, of Pasadena, a member of the Board of Trustees of the State Normal School at Los Angeles, vice William E. Oliver, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Chandler, Cogswell, Cutler, Flint, Gerdes, Gerlach, Hewitt, Hurley, Inman, Jailliard, Leale, Lewis, Mott, Owens, Rigdon, Rush, Sanford, Savage, Scott, Selvage, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed and Wolfe—38.

NOES—None.

Whereupon the President announced that the Senate had advised

and consented to the appointment of Dr. James A. B. Scherer, of Pasadena, a member of the Board of Trustees of the State Normal School at Los Angeles, vice William E. Oliver, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Dr. John R. Haynes, of Los Angeles, a member of the State Board of Charities and Corrections, vice Clara Shortridge Foltz, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, and Thompson—28.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Dr. John R. Haynes, of Los Angeles, a member of the State Board of Charities and Corrections, vice Clara Shortridge Foltz, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of John F. Ellison, of Red Bluff, a member of the Board of Trustees of the State Normal School at Chico, vice J. F. Campbell, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Thompson—28.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of John F. Ellison, of Red Bluff, a member of the Board of Trustees of the State Normal School at Chico, vice J. F. Campbell, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Jessica B. Peixotto, of Berkeley, a member of the State Board of Charities and Corrections, vice Louis Rosenthal, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Thompson—27.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Jessica B. Peixotto, of Berkeley, a member of the State Board of Charities and Corrections, vice Louis Rosenthal, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of E. M. Norton of Healdsburg, a member of the Board of Managers of Sonoma State Home, vice Jos. P. Barry, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Thompson—27.

NOES—None.

Whereupon the President announced that the Senate had advised

and consented to the appointment of E. M. Norton, of Healdsburg, a member of the Board of Managers of the Sonoma State Home, vice Jos. P. Barry, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Robert A. Peppe, of Sonoma, a member of the Board of Managers of the Sonoma State Home, vice Walter Frear, term expired?"

The roll was called, with the following result:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cameron, Campbell, Carr, Cassidy, Caswell, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gray, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Owens, Regan, Rush, Sanford, Shumway, Stubblebe, Thompson, and Wright—29.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Robert A. Peppe, of Sonoma, a member of the Board of Managers of the Sonoma State Home, vice Walter Frear, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Prescott F. Cogswell, of El Monte, a member of the Board of Trustees of the Whittier State School, vice Walter Lindley, resigned?"

The roll was called, with the following result:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cameron, Campbell, Carr, Cassidy, Caswell, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gray, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Owens, Regan, Rush, Sanford, Shumway, Stubblebe, Thompson, and Wright—29.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Prescott F. Cogswell, of El Monte, a member of the Board of Trustees of the Whittier State School, vice Walter Lindley, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Dr. Ellis Herbert, of Stockton, a member of the Board of Managers of the Stockton State Hospital, vice N. F. Pickle, term expired?"

The roll was called, with the following result:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cameron, Campbell, Carr, Cassidy, Caswell, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gray, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Owens, Regan, Rush, Sanford, Shumway, Stubblebe, Thompson, and Wright—29.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Dr. Ellis Herbert, of Stockton, a member of the Board of Managers of the Stockton State Hospital, vice N. F. Pickle, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of John H. McCallum, of San Francisco, a member of the Board of State Harbor Commissioners, vice George E. Hill, deceased?"

The roll was called, with the following result:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cameron, Campbell, Carr, Cassidy, Caswell, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gray, Hewitt, Jones, Juilliard, Leale, Mott, Owens, Regan, Rush, Sanford, Shumway, Stubblebe, Thompson, and Wright—29.

Noes—None.

Whereupon the President announced that the Senate had advised

and consented to the appointment of John H. McCallum, of San Francisco, a member of the Board of State Harbor Commissioners, vice George M. Hill, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of George P. Morse, of Oroville, a member of the Board of Trustees of the State Normal School at Chico, vice F. C. Lusk, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cannetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—29.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of George P. Morse, of Oroville, a member of the Board of Trustees of the State Normal School at Chico, vice F. C. Lusk, term expired.

The President put the question "Will the Senate advise and consent to the appointment of George E. Crothers, of San Francisco, a member of the Board of Trustees of the State Normal School at San Francisco, vice H. G. W. Dinkelspiel, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cannetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Wright—29.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of George E. Crothers, of San Francisco, a member of the Board of Trustees of the State Normal School at San Francisco, vice H. G. W. Dinkelspiel, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of C. J. Corcoran, of San Francisco, a member of the Board of Managers of the Napa State Hospital, vice Thomas B. Dozier, term expired?"

The roll was called, with the following result:

AYES—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cannetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Thompson, and Wright—28.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of C. J. Corcoran, of San Francisco, a member of the Board of Managers of the Napa State Hospital, vice Thomas B. Dozier, term expired.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES

SACRAMENTO, January 15, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

RESOLUTION.

By Senator Breed:

Resolved, That the Superintendent of Capitol Building and Grounds is hereby directed to close the contingent expense accounts of Senators and the Lieutenant Governor, and forthwith transmit a statement of the same to the State Controller,

and the Controller is hereby directed to draw his warrant in favor of said Senate for the amount appearing to be owing, and the Treasurer is directed to pay the same upon the usual conditions and requisite action of both houses and concurred in by the Senate.

Report and resolution read and adopted.

The following resolution was introduced:

By Senator Wright:

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to read four thousand (4000) copies of the Senate Journal during the remainder of the present legislative session.

Senator Wright moved that the standing rules of the Senate be suspended.

Motion duly seconded.

The question being upon the motion.

The roll was called, and the motion carried by the following vote:

Ayes—Senators Ayer, Benson, Brandt, Breyfogle, Brown, Burnett, Burnham, Campbell, Carey, Chandler, Cogswell, Cohn, Cutten, Dennett, Flint, Gerdes, Gerlach, Hewitt, Holohan, Lanagan, Leake, Lee, Lewis, Lipman, Lyon, Mahan, Mathews, Owens, Rush, Sanford, Shoemaker, Thompson and Wright—38.

Noes—None.

Whereupon the President declared the rules suspended.

Resolution read and adopted.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That Frank P. Myers be transferred from the position of Sergeant-at-Arms to fill out the position of Clerk of the Committee on Enrollment in the place of [illegible].

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Ayer, Benson, Brandt, Breyfogle, Brown, Burnett, Burnham, Campbell, Carey, Chandler, Cogswell, Cohn, Cutten, Dennett, Flint, Gerdes, Gerlach, Hewitt, Holohan, Lanagan, Leake, Lee, Lewis, Lipman, Lyon, Mahan, Mathews, Owens, Rush, Sanford, Shoemaker, Thompson and Wright—38.

Noes—None.

The following bills were introduced:

By Senator Keller: Senate Bill No. 278—An Act adding a new section to the Civil Code, to be numbered section twenty-seven hundred and sixty-seven, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read first time and referred to Committee on Insurance.

Also: Senate Bill No. 279—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as section four hundred and twenty-two, relating to the collection of coupons and bonds held by insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 236—An Act establishing a State Normal School in Humboldt County, State of California, and making an appropriation for the maintenance of said school.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 237—An Act to amend section five hundred and ninety-four of the Political Code of the State of California, relating to the classification of insurance business.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 238—An Act amending section six hundred and two *a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 240—An Act relating to life insurance companies and prohibiting discrimination.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer or employee of such company.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 242—An Act prohibiting selling a mortgage to an insurance company by a director, officer, employee or controlling stockholder of such company, and providing a penalty for a violation of the same.

Bill read first time, and referred to Committee on Insurance.

By Senator Owens: Senate Bill No. 243—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 244—An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charges on official bonds when given by surety companies that have deposited securities with the State Treasurer, and regulating the deposit, management and disposition of such bonds.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 245—An Act to amend Section 1185 of the Civil Code of the State of California, relating to the requisites for the acknowledgment of instruments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 246—An Act to amend Section 1189 of the Civil Code of the State of California, relating to the general form of certificate of acknowledgment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 247—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the

University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen of the University Farm and Agricultural School at Davis and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

PRESIDENT PRO TEM. RESUMES THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—CONTINUED.

The following bills, etc., were introduced:

By Senator Stockwell: Senate Bill No. 251—An Act to appropriate money to pay the expense of distributing state text books free to the school children of the State, in accordance with the provisions of the Constitution.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 252—An Act to amend Section 3414 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 253—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title of said Act and by amending sections one, seventeen and eighteen thereof, to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes, and to add a new section, to be known as section one hundred ten and one half.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

Resolution referred to Committee on Federal Relations.

By Senator Birdsall: Senate Bill No. 254—An Act establishing a state mining department, creating the office of state mining inspector, providing for the appointment of a state mining inspector who shall be ex officio State Mineralogist, and for the appointment of deputy inspectors, geologists, curator and other employees of such department, fixing their salaries and prescribing their duties; providing for an

exhibit at the Panama-Pacific Exposition, providing for the inspection of mines, quarries, machinery and other appliances used in connection therewith, and for the examination of the competency of persons employed in mines, mining operations and quarries, and also providing for the better protection of persons employed in mines and mining operations, making it the duty of persons in charge of mines, mining operations and quarries to give notice of accidents occurring in mines and quarries, making an appropriation for the purpose of carrying out the provisions of this Act, and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Senate Bill No. 255—An Act making an appropriation for university extension work for the University of California.

Bill read first time, and referred to Committee on Finance.

By Senator Gerdes: Senate Bill No. 256—An Act to amend Section 751½ of the Political Code of the State of California, relating to the salary of the stenographer of the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 258—An Act to amend the Penal Code of California by adding a new section thereto to be numbered three hundred and seventy three *b*, relating to the regulation of the height of bill boards or fences.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 259—An Act to regulate the receiving and keeping of food in cold storage, and regulating the sale of such food, and providing a penalty for the infringement and violation of said Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hewitt: Senate Bill No. 260—An Act to establish a state civil service commission and to regulate the civil service of the State of California.

Bill read first time, and referred to Committee on Civil Service.

Also: Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotel keepers on property of guests for charges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 262—An Act to amend Section 284 of the Code of Civil Procedure of the State of California, relating to change of attorneys.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 263—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes, and validating and confirming grants of such lands made by such municipal corporations to the United States.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Caminetti: Senate Bill No. 264—An Act to amend section one hundred ninety-seven of the Civil Code of the State of California, relating to the custody, services, and earnings of children, and entitling the father and the mother jointly thereto, and providing in case of death or abandonment by either that the other shall be entitled thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereof of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article IV thereof, to be designated section three-eight, relating to the establishment, construction and maintenance of state rail highways for steam, electric, motor or other train service.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Joint Resolution No. 4—Joint resolution relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds in school districts.

Resolution referred to Committee on Federal Relations.

By Senator Juilliard: Senate Bill No. 266—An Act appropriating five thousand dollars for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross or Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 267—An Act appropriating ten thousand dollars to further develop and increase the water supply and to extend the water system of the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing the work and improvements to be done.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 268—An Act appropriating ten thousand five hundred dollars for the construction of septic tanks and making such repairs, alterations and additions as may be necessary to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County,

California, and authorizing and directing such work to be done and performed.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 269—An Act appropriating twenty thousand dollars therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 270—An Act appropriating five thousand dollars therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 271—An Act appropriating nineteen thousand dollars therefor, and authorizing and directing the construction and furnishing of a nursery for males, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 272—An Act appropriating twenty thousand dollars therefor, and authorizing and directing the construction and furnishing of one cottage for female epileptic patients, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 273—An Act appropriating five thousand dollars therefor, and authorizing and directing the construction and furnishing of one cottage for the use of the first assistant physician at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Lyon: Senate Bill No. 274—An Act to amend an Act entitled "The Code of Civil Procedure of California," by adding thereto four new sections, to be numbered 204*a*, 204*b*, 204*c* and 204*d*, relating to jury commissioners, their duties, appointment and compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 275—An Act regulating the payment of wages of persons engaged in public or private employment, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 276—An Act to authorize the appointment of an interpreter of the Italian and Slavonian languages and their dialects, in criminal proceedings, in counties of the first class, and prescribing his duties and compensation.

Bill read first time, and referred to Committee on County Government.

By Senator Butler: Senate Bill No. 277—An Act to punish the making or use of false statements to obtain property or credit.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 278—An Act to amend Section 69 of the Civil Code, relating to marriages that are incestuous and void.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 279—An Act making an appropriation of four hundred thirty four and 33/100 three one hundredths dollars to pay the claim of Alice J. Miller against the State of California.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 280—An Act to amend Sections 1185, 1186, 1186, 1187 and 1202 of the Code of Civil Procedure, to add a new section thereto, to be numbered 1200 and to repeal Sections 1191, 1193 and 1203 1/2, of said code, all relating to partition liens.

Bill read first time and referred to Committee on Judiciary.

By Senator Campbell—Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 629c, relating to sea otter.

Bill read first time and referred to Committee on Fish and Game.

By Senator Gates—Senate Bill No. 282—An Act to amend section three hundred and thirty nine of the Code of Civil Procedure, relating to the time of commencing certain actions.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 283—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 285—An Act to amend section thirteen hundred sixty five of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 286—An Act to amend section eight hundred fifty seven of the Civil Code, relating to express trusts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 288—An Act to amend section one thousand six hundred sixty five a, of the Political Code, relating to the establishment of cosmopolitan schools, in cities of certain classes.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 289—An Act to add a new section to the Code of Civil Procedure, to be numbered seventeen hundred sixty-seven a, relating to the power to nominate guardians of estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 290—An Act to amend section seven hundred fifteen of the Civil Code, relating to restraints upon alienation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 291—An Act to amend Sections 276, 277 and 279 of the Code of Civil Procedure, relating to the admis-

sion and license of attorneys and counsellors-at-law, and to add three sections to said code, to be known as Sections 276*a*, 276*b* and 276*c*, relating to the same subject, and making an appropriation to carry out the purpose of this Act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Regan: Senate Bill No. 292—An Act to regulate the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Finn: Senate Bill No. 293—An Act to provide for a California building at the Panama-Pacific International Exposition, to be held in San Francisco, California, in 1915, providing for its erection, maintenance and use and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 294—An Act to provide for the appointment of a ship subsidy commission.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Avey: Senate Bill No. 295—An Act to amend section two thousand nine hundred eighty-two, of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 296—An Act to amend section twenty-nine hundred eighty-one of the Political Code relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Breed: Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry defining its duties and powers and prescribing a penalty for the violation of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Tyrrell: Senate Bill No. 298—An Act to provide for the appointment of policemen to serve upon the premises, cars or boats of railroads and steamship companies, prescribing their qualifications for appointment, and powers of such policemen, and a penalty for the violation of their authority.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 8—Proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature.

Constitutional amendment referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 299—An Act to add a new section to the Political Code of the State of California, to be known as number two thousand nine hundred eighty-two *a*, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 300—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the

people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Thompson: Senate Bill No. 301—An Act to amend section twenty-one hundred seventy-two of the Political Code, relating to the disposition of insane persons upon examination, and repealing all acts or parts of acts inconsistent therewith.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wright: Senate Bill No. 302—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 303—An Act to amend section four hundred ninety-nine (a) of the Political Code of the State of California, relating to stealing electricity.

Bill read first time, and referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 304—An Act to amend Section 628f, of the Penal Code of the State of California, relating to clams and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 305—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628g, relating to shipping or transporting abalone out of the State, and prescribing a penalty for shipping for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 306—An Act to amend section eight hundred sixty-nine of the Penal Code of the State of California, relative to the taking, filing and authentication of testimony and proceedings on examinations in criminal cases and to provide for the fees in payment therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 307—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Avey: Senate Bill No. 308—An Act to amend the Political Code of the State of California by adding a new section thereto to be numbered twenty-six hundred and forty-eight, relating to county government.

Bill read first time, and referred to Committee on County Government.

By Senator Sanford: Senate Joint Resolution No. 5 Relative to ratifying and approving the amendment of the Constitution of the United States providing for the election of United States Senators by the direct vote of the people.

Resolution referred to Committee on Federal Relations.

SENATOR FLINT IN THE CHAIR.

At twelve o'clock and twenty-five minutes p.m., Senator Flint of the Eleventh District in the chair.

INVITATION EXTENDED.

Senator Caminetti, on behalf of the citizens of Stockton, extended an invitation to the Senate to visit that city on Sunday, January 19, 1913, to inspect the public institutions and the water front.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Senator Gerdes, the Acting President declared the Senate adjourned until Thursday, January 16th, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
Thursday, January 16, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor:

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 15, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Bryant announced to the Senate that the wife of Senator Beban had passed away, and moved that Senator Beban be granted leave of absence for the day.

Motion carried.

Senator Cartwright was, on motion of Senator Sanford, granted leave of absence for this day.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

SACRAMENTO, January 16, 1913.

MR. PRESIDENT: Your Committee on Revision and Digest, to whom were referred Senate Bills Nos. 234 to 305, inclusive, Senate Constitutional Amendments Nos. 7 and 8, and Senate Joint Resolutions Nos. 2 to 5, inclusive, respectfully reports that they have examined the same and delivered them to the printer at the hour of 10 o'clock p.m., January 15, 1913.

ELIAS C. HARRIS,
Chairman.

MOTION

Senator Thompson moved that the Superintendent of State Printing be directed to print five hundred copies of the report submitted by the State Board of Equalization to the Governor on January 13, 1913, for the use of the Senate.

Motion carried.

RESOLUTION

The following resolution was introduced:

By Senator Bryant:

WHEREAS, The Senate of the State of California has learned the sad intelligence of the death of the wife of our distinguished member, Hon. H. J. Nolan, and we, the members of the Senate of the State of California, by formal expression, tender our profound sorrow in the said affliction which has befallen our distinguished member, and we extend to him heartfelt sympathy; and be it

Resolved, That when the Senate adjourns on this day it do so in fact as a mark of respect to the memory of the deceased.

The resolution was unanimously adopted by a rising vote.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Tyrrell: Senate Bill No. 439—An Act to provide for retirement salaries for public school teachers of this State and to provide for the revenue therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 440—An Act to amend an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 20, 1901, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1903, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911, by amending Section 25 thereof.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 441—An Act appropriating the sum of seventy-two thousand dollars for the use and benefit of the University of

California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the third class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 313—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 314—An Act to amend Section 1557 of the Penal Code of the State of California, relating to the return of fugitives from the State of California, and authorizing the employment of persons to bring back such fugitives, and providing for the auditing of the accounts of persons employed in bringing back fugitives.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 315—An Act to more effectually prevent the detinue, without bail, of persons suspected of crime, providing a manner in which bail must be fixed, and providing a penalty for the violation of this Act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Strobridge: Senate Bill No. 316—An Act to repeal section one thousand two hundred and ninety-eight of the Civil Code, and to amend section one thousand two hundred and ninety-nine of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rush: Senate Bill No. 317—An Act appropriating money to pay J. A. Filcher for services performed for the State of California as a delegate to the State Constitutional Convention of 1878-79.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 318—An Act to amend Sections 16 and 17 of an Act entitled "An Act to establish the California State Reformatory; to provide for the purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor." approved April 24, 1911; to transfer the lands heretofore selected and purchased under the provisions of this Act to the commission appointed under, and to make available for the purposes of an Act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees; the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909; and to appropriate, transfer and make available for the purposes of the Act of which this Act is amendatory the

moneys heretofore appropriated under the provisions of said Act relating to the establishment of a state trades and training school.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 319—An Act to amend Sections 2 and 4 of an Act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphan, half-orphans, abandoned children and children committed to court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909, and to transfer and make available for the purposes and location of said California Trades and Training School the site heretofore selected and purchased by a commission under and in pursuance of an Act entitled "An Act to establish the California State Reformatory, to provide for purchase of land therefor, and the construction of buildings and other improvements in connection therewith, to provide for the commitment and transfer of prisoners thereto and therefrom, to provide for the equipment, control and management thereof, and to make an appropriation therefor," approved April 24, 1911, and to appropriate, transfer and make available the moneys heretofore appropriated under the Act of which this Act is amendatory for the purposes of the said Act, providing for the state reformatory, and to make further appropriation for the purpose of said trades and training school.

Bill read first time, and referred to Committee on Education.

By Senator Grant: Senate Bill No. 320—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from permitting, conducting or permitting said nuisance.

Bill read first time, and referred to Committee on Public Morals.

By Senator Larkins: Senate Bill No. 321—An Act to amend Section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

Bill read first time, and referred to Committee on Judiciary.

By Senator Bryant: Senate Bill No. 322—An Act to repeal an Act entitled "An Act to provide for the appointment of policemen with the powers of peace officers, to serve upon the premises, cars or boats of railroad and steamship companies," approved March 23, 1901.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Boynton: Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts inconsistent therewith.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

Bill read first time, and referred to Committee on Judiciary.

Also Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title to cemetery lots.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered six hundred eighteen, relating to membership in cemetery corporations and the rights of members to the assets thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 328—An Act to amend section twelve hundred twenty-eight of the Penal Code of California, relating to punishment of death.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 329—An Act to amend section three hundred seventy-seven of the Civil Code of California, relating to records of corporations and providing a penalty for violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 330—An Act to repeal section three hundred seventy-eight of the Civil Code of California, relating to records of corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 331—An Act to amend section four hundred five of the Civil Code of California, relating to foreign corporations.

Bill read first time, and referred to Committee on Corporations.

By Senator Hewitt: Senate Bill No. 332—An Act to add a new section of the Code of Civil Procedure, to be numbered section eighteen hundred and ten *a*, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 333—An Act to prevent wrongs to children and dumb animals, and to establish a bureau of child and animal protection.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 334—An Act to amend Sections 953*a*, 953*b* and 953*c* of the Code of Civil Procedure, and providing for an alternative method for the trial and appeal of cases in equity and those tried by the court without a jury.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sanford: Senate Bill No. 335—An Act to amend section four thousand two hundred seventy-five of the Political Code relating to the compensation of officers of counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 336—An Act to amend Section 3681 of the Political Code of the State of California, relating to the revision of the assessment list by supervisors of counties.

Bill read first time, and referred to Committee on County Government.

Also, Senate Bill No. 337—An Act to amend Section 3670 of the Political Code of the State of California, relating to the subpoena of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Bill read first time, and referred to Committee on County Government.

By Senator Juilliard, Senate Bill No. 338—An Act to amend section twelve hundred seventy-two of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 339—An Act establishing a state normal school at Santa Rosa, county of Sonoma, State of California, and making an appropriation for the maintenance of said school.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 340—An Act to amend section eight (8) of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Bill read first time, and referred to Committee on Judiciary.

By Senator Owens, Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and deepening the channel of San Rafael Creek.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also, Senate Bill No. 342—An Act to amend section three hundred eighty-two of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Flint, Senate Bill No. 343—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also, Senate Bill No. 344—An Act to amend section six hundred twenty-seven a of the Penal Code of the State of California, relating to the protection and preservation of wild game.

Bill read first time, and referred to Committee on Fish and Game.

Also, Senate Bill No. 345—An Act to amend section six hundred twenty-six f of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Cannetti, Senate Bill No. 346—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also, Senate Joint Resolution No. 6—Relative to recognition by the United States of the Republic of China.

Resolution referred to Committee on Federal Relations.

By Senator Breed: Senate Bill No. 347—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 348—An Act to amend section sixty-one of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, as amended by an Act entitled "An Act to amend that certain Act of the Legislature of the State of California entitled 'An Act to define and regulate the business of banking,' approved March 1, 1909, by amending sections eleven, twenty, twenty-three, thirty-three, thirty-five, thirty-nine, forty-three, forty-nine, sixty, sixty-two, eighty, eighty-two, eighty-three, ninety-six, one hundred twenty-three, one hundred thirty-three, one hundred twenty-four, and one hundred twenty-one thereof, and by adding new sections twelve *a*, fifty-two, fifty-three, and eighty-four thereto," approved April 21, 1911.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 351—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 352—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Birdsall: Senate Bill No. 354—An Act to provide for the medical treatment of indigent residents afflicted with incipient pulmonary tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 355—An Act to provide that fruit or produce or fruit and produce brokers or commission merchants doing business

in this State shall within ten days of sale make certain returns and to provide certain penalty, liability and accountability in case of violation thereof.

Bill read first time and referred to Committee on Agriculture.

By Senator Thompson: Senate Bill No. 358. An Act to amend sections two, four and six of an Act entitled "An Act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909, relating to the issuance of licenses to hunt wild birds and animals and providing for the disposition of the moneys collected therefrom.

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 359—An Act to amend section six hundred seven c of the Civil Code, relating to the incorporation of societies organized for the prevention of cruelty to animals or for the prevention of cruelty to children.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 360—An Act to amend sections one hundred twenty-eight and nine hundred twenty-nine of the Penal Code, relating to grand juries, their powers and duties.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 361—An Act to amend section two of an Act entitled "An Act to establish a tax on gifts, legacies, collateral inheritances, bequests, devises, successions and transfers to provide for the collection, and to direct the disposition of the proceeds to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for the collection, and to direct the disposition of the proceeds to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection, and to direct the disposition of the proceeds," approved March 27, 1893, and all amendments thereto, and to repeal all acts and parts of acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Bill read first time and referred to Committee on Revenue and Taxation.

Also: Senate Concurrent Resolution No. 5—Approving the charter of the County of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, nineteen twelve.

Resolution referred to Committee on County Government.

By Senator Avey: Senate Bill No. 360—An Act to amend section seven hundred thirty-seven, of the Political Code, relating to the salaries of superior judges.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 361—An Act to amend section four thousand two hundred and seventy-six of the Political Code of the State of Cali-

fornia, relating to salaries and fees of officers in counties of the forty-seventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Cassidy: Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses, or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places, and providing for the punishment for violation of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 363—An Act controlling the sanitation of oyster and other shellfish grounds and premises where oysters and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Wright: Senate Bill No. 364—An Act to amend section four thousand two hundred and thirty-six of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office.

Constitutional amendment referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 365—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure of the State of California, and to repeal section nine hundred and seventy-five thereof, both relating to appeals from judgment of justices' or police courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 366—An Act to amend section nine hundred and seventy-six of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 367—An Act to amend section nine hundred and seventy-seven of the Code of Civil Procedure of the State of California, relating to the transmission of papers to Appellate Courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 368—An Act to repeal section nine hundred and eighty of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 369—An Act to amend section ninety-two of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 370—An Act providing for the support, maintenance and equipment of the department of agriculture of the University of California, including the station at Berkeley, and the various substations throughout the State, and making an appropriation therefor.

Bill read first time and referred to Committee on Appropriations.

By Senator Hans: Senate Bill No. 371—An Act relating to divorce, designating who is a wife beater, providing that no subsequent marriage license be issued to such, providing that a register of wife beaters be kept by county clerks, and providing penalties for violation of this Act.

Bill read first time and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 372—An Act to provide for the protection of stockholders, investors and creditors by requiring unions or partnerships, joint stock companies and corporations to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of provisions hereof.

Bill read first time and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

SACRAMENTO, January 14, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the city of Alameda, in Alameda County, submitted by the qualified electors of said city at a general municipal election held thereon on the first day of April, 1912, have had the same under consideration, and respectfully report the same back, with the recommendation that it be adopted.

CARR, Chairman.
BENSON
CAMPBELL
DEWITT
BROWN
OWENS
HANS

Also:

SACRAMENTO, January 15, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 4—Approving certain amendments to the charter of the city of Pleasant Hill, of California, passed and adopted by the electors of said city at a general municipal election held thereon on the 14th day of May, 1912, have had the same under consideration, and respectfully report the same back, with the recommendation that it be adopted.

CARR, Chairman.
BENSON
CAMPBELL
DEWITT
BROWN
OWENS
HANS

MOTION.

Senator Carr moved that Senate Concurrent Resolutions Nos. 4 and 3 be taken up for consideration.

Motion carried.

SENATE CONCURRENT RESOLUTION No. 4.

Approving three certain amendments to the charter of the city of Alameda in Alameda County, California, voted for and adopted by the qualified electors of said city at a general municipal election held thereon on the first day of April, one thousand nine hundred and twelve.

WHEREAS, The city of Alameda in the county of Alameda, State of California, contains a population of over ten thousand inhabitants, and has been ever since

the year one thousand nine hundred and seven and is now, organized and acting under a freeholders' charter, adopted under and by virtue of section eight of article eleven of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose in manner, form and substance as required by law, and approved by the Legislature of the State of California, and said charter has not been amended at any time less than two years; and

WHEREAS, The legislative body and authority of the city of Alameda, in Alameda County, California, that is to say the council of the city of Alameda did, by resolution and proclamation passed and adopted by said council on the seventh day of March, one thousand nine hundred and eleven, and approved by the mayor of said city subsequently thereto and on the seventh day of March, one thousand nine hundred and eleven, and pursuant to section eight of article eleven of the Constitution of the State of California, duly propose to the qualified electors of the said city of Alameda, three certain amendments to the charter of the said city of Alameda, to be submitted to the said qualified electors at a general municipal election to be held in said city on the tenth day of April, one thousand nine hundred and eleven, which said amendments were and are in the words and figures following, to wit:

Amend Article III, Chapter II, Section 7, relating to the office of auditor and assessor, so that the said section shall read as follows:

"SEC. 7. An auditor shall be elected at the same time and in the same manner as the mayor. He shall be an elector of the city, and shall have been such for three years preceding his election. He shall hold office for four years. He shall be ex officio assessor. His compensation for acting in both capacities shall be a salary to be fixed by the council."

Amend Article IX, Chapter I, Section 8, relating to the apportionment of moneys for use of the department of electricity, so that the said section shall read as follows:

"SEC. 8. All moneys apportioned by the council for use of the department of electricity, together with all moneys collected by the board of electricity, shall be set apart in a fund to be known as the electric fund, which fund shall be drawn on only by order of the board of electricity except as otherwise provided in this charter; *provided*, that in making the apportionment for the expense of lighting the public streets and buildings of the city and for the cost of current for the fire alarm system and such other public use of electric current or supplies as may be required, the council shall apportion an amount adequate to meet such expense at the rates fixed therefor and the moneys so apportioned shall be paid into the general fund. Thereafter such moneys shall be subject only to transfer into the electric fund upon monthly demands to be presented by the board of electricity in the same manner as other demands and to be based upon service rendered or supplies furnished to the various departments of the city for the preceding month."

Also amend Article IX, Chapter I, Section 14, relating to contracts for electric supplies so that the said section shall read as follows:

"SEC. 14. All contracts for supplies, materials, machinery or construction work where the amount to be expended exceeds five hundred dollars shall be advertised and awarded to the lowest bidder, except that the board may determine to reject all bids;" and

WHEREAS, Said proposed amendments were, and each of them was published in a daily newspaper, printed and published in said city, and of general circulation in said city, to wit, the Alameda *Daily Argus*, for twenty (20) days; and

WHEREAS, Thereafter the said council of the city of Alameda, did, by resolution and proclamation, which was duly passed and adopted by said council on the seventh day of March, one thousand nine hundred and eleven, order the holding of a general municipal election in said city of Alameda, in the county of Alameda, California, on the tenth day of April, one thousand nine hundred and eleven (which last named day was at least twenty days after the publication of said proposed amendments for ten days in said daily newspaper of general circulation in said city of Alameda, to wit, the Alameda *Daily Argus*), and did provide in said resolution and proclamation for the submission of said proposed amendments to the said charter, to the qualified electors of said city, for their ratification at said general municipal election, which said resolution and proclamation was approved by the mayor of said city on the seventh day of March, one thousand nine hundred and eleven, and was published in the manner and for the time required by law; and

WHEREAS, Said amendments were submitted as aforesaid to the qualified electors of said city, at said general municipal election, previously duly called and thereafter held therein (at least twenty days after the publication of said proposals for ten (10) days in a daily newspaper of general circulation in said city of Alameda, to wit, in the Alameda *Daily Argus*, on the tenth day of April, one thousand nine hundred and eleven; and

WHEREAS, At such general municipal election more than a majority of the qualified electors voting thereon at such general municipal election, did vote in favor of and in favor of the ratification of and did ratify each and all of said proposed amendments to said charter; and

WHEREAS, The said council of the city of Alameda, in county of Alameda, California, at a meeting thereof held on Monday, the seventeenth day of April, one

thousand nine hundred and seven, duly canvassed the returns of said election, and duly found, determined and declared that there was a majority of such qualified electors voting thereon in favor of said proposition, and found the said amendment to said charter.

State of California,
County of Alameda, } ss.
City of Alameda.

This is to certify that we, William H. Kay, mayor of the city of Alameda, and Frank E. Bonnefoy, clerk of the city of Alameda, have compared the foregoing copy with the original resolution and declaration of result of said election and canvass of the returns of said election, and that the same is a full, true, correct and complete transcript therefrom and of the whole thereof.

In witness whereof, we have hereunto set our hands and caused the corporate seal of the city of Alameda to be affixed this 8th day of January, one thousand nine hundred and thirteen.

[SEAL] W. H. KAY,
Mayor of the City of Alameda.

ERNEST E. BONNEFOY,
City Clerk of the City of Alameda.

And whereas, The said proposed amendments so ratified as hereinbefore set forth, have been duly presented and authenticated to the Legislature of the State of California for approval or rejection, without change of substance or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved, By the Senate, the Assembly concurring, That the said proposed amendments to the charter of said city of Alameda, as hereinbefore set forth, be and the same are hereby approved as a whole and not as to any part thereof, and be it further

Resolved, That the Secretary of State be and he is hereby directed to transmit to the clerk of said city of Alameda a certified copy of this resolution and concurring thereto, and be it further

Resolved, That the said amendments to the said charter of said city of Alameda, as hereinbefore set forth, be numbered consecutively, beginning with the number next following the number of the last amendment to said charter heretofore adopted and ratified by the qualified electors of said city of Alameda, the said amendments so approved as a whole to be numbered as hereinbefore set forth by the Secretary of State.

Senate concurrent resolution read.

The question being upon the adoption of the Senate concurrent resolution.

The roll was called and Senate Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Barnes, Birdsall, Burnett, Bond, Boynton, Cartwright, Caminetti, Cassidy, Cogswell, Curtin, Curtis, Flint, Gates, Gerdes, Gillett, Hans, Hewitt, Hoyt, Jones, Kehoe, Larkins, Leon, Metz, Owens, Sanford, Shearer, Stetson, Strobridge, Thompson and Tyrrell—28.

NOES—None.

Senate Concurrent Resolution No. 4 ordered engrossed and transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 4.

Approving the certain amendments to the charter of the city of Pasadena, State of California, ratified by and ratified by the electors of said city at a special municipal election held therein on the 24th day of May, 1912.

WHEREAS, The city of Pasadena, in the county of Los Angeles, State of California, contains a population of more than thirty-five hundred inhabitants, and has been ever since the year nineteen hundred and has said to such consolidated and acting under a freeholders' charter, adopted under and by virtue of certain rights, of certain clauses, of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for the purpose on the twenty-fifth day of November, A. D. nineteen hundred and eleven, by the Legislature of the State of California, on the seventeenth day of January, nineteen hundred and one, (Statutes of 1901, page 884); and

WHEREAS, The said charter of said city of Pasadena has by ordinance No. 1217 adopted by said city council and approved by the mayor of said city on the 18th day of April, 1912, and pursuant to Section 8 of Article XI of the Constitution of the State of California duly proposed to the qualified electors of the said city of Pasa-

dena, eleven certain amendments to the charter of said city of Pasadena, to be submitted to said qualified electors at a special municipal election to be held in said city on the 24th day of May, 1912; said Amendment Number 11 was submitted as an alternative proposition to Amendment Number 10; and

WHEREAS, Said proposed amendments were, and each of them was published for ten (10) times in a daily newspaper, printed, published and circulated in said city of Pasadena and having a general circulation therein, to wit, the Pasadena *Daily News*, said publication beginning on the 23rd day of April, 1912, and ending on the 3rd day of May, 1912; and

WHEREAS, The city council of said city did, by ordinance No. 1218, adopted by said city council and approved by the mayor of said city on the 7th day of May, 1912, duly order the holding of a special municipal election in said city of Pasadena on the 24th day of May, 1912, said day being at least twenty days after the completion of the publication of such proposals for ten (10) times in a daily newspaper of general circulation printed, published and circulated in said city, to wit, the Pasadena *Daily News*, and did provide in said ordinance for the submission of the proposed charter amendments numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, to the qualified electors of said city for their ratification at said election; said ordinance was published for five (5) days in the Pasadena *Daily News*, a daily newspaper printed and published in said city of Pasadena, said publication beginning on the 8th day of May, 1912, and ending on the 13th day of May, 1912. Said ordinance specified the purpose and time of such election and established election precincts and designated the polling places therein and the names of the election officers for each of such precincts; and

WHEREAS, At said election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify ten of the proposed amendments to said charter; proposed Amendment Number 11 submitted as an alternative proposition to proposed Amendment Number 10 did not receive a majority of the votes of the qualified electors voting thereon; and

WHEREAS, the city council of said city of Pasadena duly met on the first Monday after the day of election, to wit, the 27th day of May, 1912, at their usual time and place of meeting and duly canvassed the returns of the said election and duly found, determined and declared that a majority of the qualified electors of said city voting thereon had voted for, and ratified ten of the said proposed amendments to the charter of said city of Pasadena, to wit: proposed amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10; and

WHEREAS, The mayor and city clerk of said city of Pasadena did, on the 19th day of December, 1912, duly certify to the submission to the electors of said city of Pasadena of said eleven proposed amendments to said charter and to the ratification of said ten of said proposed amendments, and did further certify to a copy of said proposed amendments authenticated by the seal of the said city of Pasadena, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, } ss.
CITY OF PASADENA,

Certificate of Ratification of Proposed Charter Amendments to the Charter of the City of Pasadena.

The undersigned, William Thum, mayor of the city of Pasadena, State of California, and Heman Dyer, city clerk of said city, do hereby certify as follows, to wit:

That the city of Pasadena, in the county of Los Angeles, State of California, contains a population of 3,500 inhabitants, and has been ever since the year 1901, and now is organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 20th day of November, 1900, and approved by the Legislature of the State of California on the 29th day of January, 1901 (Statutes of 1901, page 884).

That the city council of the city of Pasadena did, by ordinance No. 1217, adopted by the city council on the 18th day of April, 1912, and approved by the mayor of the city on the 18th day of April, 1912, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of Pasadena, certain amendments to the charter of said city, to be submitted to the qualified electors at a special municipal election to be held in said city on the 24th day of May, 1912, which said amendments were, and are in words and figures as follows, to wit:

Proposed Charter Amendment No. 1.

That the charter be amended by adding thereto a new article to be known as Article No. XXII and to read as follows:

ARTICLE XXII.

SECTION 1. At the general city election in April, 1913, there shall be elected five commissioners, who shall take office at noon on the first Monday in May after their election. The commissioners first elected shall so classify themselves by lot

that two shall hold office for four years and three for two years, and until their respective successors are elected and qualified. Their successors shall hold office for four years each and shall thereafter be elected and qualified. Said officers shall be nominated and elected at large. If any vacancy occurs in any said office, the remaining commissioners shall appoint a person to fill such vacancy during the balance of the unexpired term.

SEC. 2. Each commissioner shall receive a salary of three thousand dollars per annum, payable monthly; shall have an office at the city hall, and shall devote his time to the city's business.

SEC. 3. The city shall be governed by a commission consisting of the commissioners elected as herein provided, each of whom shall have the right to vote on all questions coming before the commission. Every commissioner shall experience a question and the affirmative vote of three commissioners shall be necessary. Each shall be authorized to adopt any ordinance, resolution or motion he may desire and may submit a question to a majority for approval. Whenever more than a majority vote of the city council are required to adopt any measure, then an affirmative vote of four of the commission shall be necessary to adopt such measure. Upon every vote the yeas and nays shall be called and recorded. Every ordinance or measure when adopted by the commission must be signed by the chairman before the commission shall submit it to the commissioners.

SEC. 4. The commission shall have and possess all legislative and judicial powers, vested in or possessed by the mayor, city council, board of commissioners, board of water commissioners, board of health and board of police commissioners, and said commission and each commissioner shall have and possess and shall exercise all executive and administrative powers, functions and duties now vested in, possessed or exercised by the mayor, city council, board of commissioners, board of water commissioners, board of health, and board of police commissioners. Said commissioners and each commissioner shall be the successors of the officers, boards and boards, respectively herein specified. The commission shall designate and assign the executive and administrative powers, functions and duties of the city among five departments, shall determine the powers and duties to be exercised and performed by said departments and shall assign a commissioner to the head of each such department. The performance of administrative or executive acts may be delegated to the departments so created.

SEC. 5. The commission shall have the power of appointment and removal of all officers and employees of the city (except members of the board of education) and may by the appointment, compensation, promotion and removal of officers and employees. Civil defense provisions is made. The officers provided for in this charter (except those officers and boards hereinbefore specified, the powers and duties of which are vested in the commission and which are suspended hereby) shall continue but the commission may at any time abolish or consolidate such offices or change the compensation or qualifications, powers and duties of the remaining thereof and provide for other offices, powers and conditions.

SEC. 6. This article shall be liberally construed to carry out the purposes hereof and there shall be no presumption that it is not intended to change or supersede other provisions of the charter or ordinances inconsistent herewith. Nothing contained in this article, however, shall affect the appointment of selection methods for in Article XVI. So far as this article is inconsistent with the provisions of Sections 1 and 2 of Article III, Sections 1, 4, 6, 7 and 11 of Article V, and Sections 1, 2, 3, 33, 4, 5 and 6 of Article VIII, they shall be deemed to have been superseded hereby, to the extent of such inconsistency, but the specific references to said sections shall not be deemed to be necessary. This article shall go into effect for all election purposes on the first day of the publication by the Legislature, and for all other purposes on the first Monday in May, 1913, upon the qualification of the commissioners first elected hereunder.

That Section 1 of Article II be amended to read as follows:

SECTION 1. The elective officers of the city shall be:

Five commissioners and a board of education, consisting of five members.

The appointive officers of the city shall be:

City treasurer, who shall be ex officio tax and license collector.

City clerk.

City attorney.

Judge of the police court.

City prosecutor, who shall be ex officio city assessor.

City engineer.

Superintendent of streets and such other officers as are now or may hereafter be provided for, all subject, however, to the provisions of Article XVII.

This section shall go into effect so soon for the purpose of nominating the officers to be elected at the general municipal election in April, 1913, and for all purposes upon the election and qualification of the commissioners provided for in Article XVII. With the exception of the officers chosen and duties assigned by the foregoing, the present officers of the city shall continue until the commission shall make different provision.

That Section 7 of Article VIII be amended to read as follows:

SEC. 7. The enacting clause of all ordinances shall be, "The Commission of the City of Pasadena ordains as follows:".

This section shall go into effect upon the election and qualification of the commissioners provided for in Article XXII.

That the charter be amended by adding thereto a new article to be known as Article XXIII, and to read as follows:

ARTICLE XXIII—REFERENDUM

SECTION 1. The commission may submit to a referendary vote of the qualified electors of the city at any general or special election any proposed ordinance that the commission itself might adopt. If a majority of the qualified electors voting on such proposed ordinance vote in favor of the same, it shall be deemed to be adopted and shall take effect upon the declaration of the result of such election by the commission, and it shall have the same force and effect as an ordinance adopted under the provisions of this article relating to the referendum.

SEC. 2. No general penal ordinance passed by the commission in the exercise of the police power vested in the city, and no ordinance granting any franchise shall go into effect until the expiration of thirty days from its publication, except an ordinance required for the immediate preservation of the public peace, health, or safety which shall contain a specific statement showing its urgency, and which is passed by a unanimous vote of the commission, and except ordinances fixing the rates to be charged by public utilities. No grant of any franchise, however, shall ever be construed as an emergency measure but all grants of franchises shall be subject to a referendary vote as hereinafter provided. All other ordinances shall go into effect upon their publication or at such time as may be provided therein, and shall not be subject to the referendum.

SEC. 3. At any time within the thirty days mentioned in the preceding section a petition addressed to the commission and signed by the qualified electors of said city equal in number to at least fifteen per cent of the number of votes cast at the last general municipal election, may be filed with the city clerk demanding the submission of any such ordinance passed by the commission to a vote of the qualified electors of such city. Any such petition shall be known as a referendary petition and shall contain the ordinance in full, the submission of which to a vote is thereby demanded. Such petition as to form and verification shall be governed by the provisions of Section 15 of Article VIII.

SEC. 4. Within ten days from the date of filing a referendary petition, the city clerk shall examine and ascertain whether or not said petition is signed by the requisite number of electors entitled to vote, and if necessary the commission shall allow him extra help for that purpose. He shall attach to said petition his certificate showing the result of such examination. If the petition shall be found to be sufficient, the clerk shall submit the same to the commission without delay.

SEC. 5. If the city clerk shall be unable to make a certificate to the sufficiency or insufficiency of any referendary petition within thirty days after the publication of the ordinance, the submission of which to a referendary vote is thereby demanded, such ordinance shall be suspended from taking effect within the expiration of said thirty days and until the date of the certificate of the city clerk to the sufficiency or insufficiency thereof.

SEC. 6. If by certificate of the city clerk such petition is certified to be sufficient, such ordinance shall not go into effect until it shall be adopted by vote of the electors of the city, as hereinafter provided, but if by such certificate such petition is certified to be insufficient, such ordinance shall go into effect upon the date of such certificate; *provided, however*, that no such ordinance shall take effect until the expiration of the said thirty days.

SEC. 7. Upon the presentation to the commission by the city clerk of a referendary petition, the ordinance, the submission of which to a referendary vote is thereby demanded, must be either repealed by the commission without delay or submitted to a vote of the qualified electors of the city for approval or rejection at the next general municipal election occurring subsequent to forty days from the date of the presentation of such referendary petition to the commission; *provided*, that if before such general election, and subsequent to said forty days, a special election shall be held for any other purpose, then such ordinance shall be so submitted at such special election, or in the discretion of the commission at any special election called for that purpose.

SEC. 8. Whenever any ordinance is submitted to a referendary vote, as herein provided, there shall be printed on the ballots to be used at such election the words "Shall the ordinance (stating the nature of the ordinance) be adopted?" and opposite such proposition to be voted on, and to the right thereof, the words "Yes" and "No" shall be printed in separate lines in voting squares. If an elector shall stamp a cross (×) in the voting square after the printed word "Yes," his vote shall be counted in favor of the adoption of the ordinance, and if he shall stamp a cross (×) in the voting square after the printed word "No," his vote shall be counted against the adoption of the same. The provisions of this section shall apply where an ordinance is submitted to a referendary election at the initiative of the commission, as provided in Section 1 of this article.

SEC. 9. No ordinance that has been submitted to a referendum vote shall go into effect unless a majority of the qualified electors voting thereon shall vote in favor thereof; and if more than one ordinance is submitted at the same election, the number of votes in favor of each question voting thereon, to entitle it to be declared to be adopted and to take effect upon the declaration by the proclamation of the result of the election at which it shall have been so submitted, sufficient, however, that any ordinance so adopted shall be subject to amendment or repeal in the manner and upon the terms and conditions in this section provided in the case of ordinances not submitted to a vote; but no amendment or repeal of any ordinance adopted by the people under the provisions of this section shall be made within one year from the date of the election at which such ordinance was adopted, unless such amendment or repeal shall first be approved by a majority vote.

SEC. 10. Any measure or ordinance proposed by petition, whether to be submitted by the Council to a vote of the electors or passed by the Council without submission, or any measure referred to the people by petition, may be withdrawed by the petitioners at any time prior to the fifth day before the day fixed by the Council for the election at which such measure is to be voted upon, by a petition signed by a majority of the persons who signed the petition requesting the submission of the measure; and thereupon the proposed measure shall not be submitted or if it has been adopted at such election, shall not go into effect.

SEC. 11. After an election upon any proposed measure, the publication of such petition, or any portion thereof, shall not be necessary in publishing the ordinance or measure approved.

SEC. 12. This article shall not affect or repeal the powers and functions of the commissioners provided for in section XVII.

Proposed Charter Amendment No. 4.

That Section 3 of Article XIII be amended to read as follows:

SEC. 3. On the first Thursday in April, 1913, and thereafter biennially, there shall be held in the city a general municipal election at which shall be elected the successors to those of the elective officers provided for by this charter whose terms then expire on the first Monday of May next succeeding such election, and which general election shall take place on the first Monday in May, nineteen hundred and thirteen, and biennially thereafter; *Provided, however*, that if proposed Charter Amendment No. 3 providing for the consolidation of the election for school trustees with the election for officers mentioned in Article XIII, as adopted and revised, should prevail, then the election at which the successors to those of the officers of said board of education whose terms then expire shall be elected shall be held on the first Tuesday after the first Monday in May, nineteen hundred and thirteen, and biennially thereafter; and such election for the successors of the members of the board of education shall be conducted and regulated in all respects as provided in Article XIII, except as to the number of the members of the board of education to be elected, which shall be governed by the provisions of Article XIII as amended; and the successors to the officers of city clerk of city treasurer and such other officers whose terms then expire shall be elected at the election provided for in Article XIX as amended.

That Section 3 of Article XIII be amended to read as follows:

SEC. 3. Candidates to be voted for at any general municipal election shall be nominated at a primary nominating election, and no names shall be printed upon the ballot for such general election other than those selected by the primary nominating election.

That Article XIX be amended by adding thereto [illegible] to be known as Section 3(a), 3(b), 3(c), 3(d), 3(e), 3(f), 3(g), and 3(h), and to read as follows:

SEC. 3(a). The primary nominating election shall be held on the third Thursday preceding such general election, unless said Thursday shall fall on a legal holiday, in which case such election shall be held on the next succeeding day. The officers of election who shall be appointed for the primary nominating election shall be so far as possible identical in the selection of such persons with the officers of the general election next to be held at the same place; but no candidate, and no such person shall be opposed and voted at the same polls as shall be provided for the primary nominating election.

SEC. 3(b). Any person desiring to become a candidate for any office to be filled at such general election shall at least ten days prior to the primary election file with the city clerk a statement of such candidacy in substantially the following form:

"STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, } ss.
CITY OF PASADENA,

I, _____, being first duly sworn, say that I reside at _____ street in the city of Pasadena, county of Los Angeles, State of California; that I am a candidate for nomination to the office of _____ to be voted upon at the primary election to be held on the _____ Thursday of _____, 19__; that I am legally qualified to act said office, and I hereby request that my name be printed upon the primary ballots for nomination at such primary election for said office.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19__.

_____

And shall at the same time file therewith the petition of at least twenty-five qualified

voters requesting such candidacy. Each petition shall be verified by one or more persons as to the qualifications and residence, with street number of each of the persons so signing the said petition, and the said petition shall be in substantially the following form:

Petition Accompanying Nominating Statement.

"The undersigned, duly qualified electors of the city of Pasadena, residing at the places set opposite our respective names, do hereby request that the name of _____ _____ (name of candidate) be placed on the ballot as a candidate for nomination for _____ (name of office) at the primary election of _____ 19____. We further state that we know him to be a qualified elector of said city and a man of good moral character, and qualified, in our judgment, for the duties of such office.

Names of qualified electors	Number	Street

Immediately upon the expiration of the time of filing the statements and petitions for candidates, the city clerk shall cause to be published at least once in a daily newspaper, published and circulated in the city, the names of the offices to be filled and of the persons as they are to appear upon the primary ballots.

SEC. 3(*c*). The city clerk shall cause ballots to be printed and numbered and bound. Each ballot shall contain the list of candidates and the respective offices as published with the following caption:

"*Primary Nominating Election.*

City of Pasadena.

(Insert date thereof.)

To vote, stamp a cross opposite the name of the candidate except when the name of the candidate is written in by voter."

The names of the offices to be filled shall be arranged on the ballot in the order in which the officers of the city to be elected are named in this charter and the names of the candidates for each office shall be arranged on the ballot of the primary nominating election in alphabetical order. There shall be nothing on any ballot indicative of the party affiliation, source of candidacy or the support of any candidate.

SEC. 3(*d*). Each ballot shall contain a blank space underneath the printed names of each office wherein the voter may write the name of any candidate whose name is not printed on the ballot, and for whom he may wish to vote.

SEC. 3(*e*). The two candidates receiving the highest number of votes for any given office at the primary nominating election shall be the candidates and the only candidates for such office whose names shall be printed upon the ballots to be used at the general municipal election, *provided*, that where more than one office of the same kind is to be filled candidates therefor equaling in number twice the number of such offices, and who received the highest number of votes at the primary nominating election shall be the candidates and the only candidates for such offices whose names shall be printed upon the ballots to be used at such general election.

SEC. 3(*f*). The ballots at such general election shall be in the same general form as for such primary nominating election so far as possible and without any indication as to the party affiliation, source of candidacy, or support of any candidate.

SEC. 3(*g*). The provisions of the general law of the State governing municipal elections where the same are not held separate from the general state elections, except as otherwise herein provided, shall govern in the holding of said elections.

SEC. 3(*h*). No election, either general or special shall be set aside for any error, irregularity or defect in the proceedings leading up to said election or in said election when the provisions of law governing the same are substantially complied with and where a fair expression of the will of the electorate is secured.

That Section 4 of Article XIX be amended to read as follows:

SEC. 4. The conduct and canvassing on of all city elections shall be under the control of the city council and the mayor and city council shall, by ordinance, provide for the holding of all municipal elections, and may divide and subdivide the municipality into municipal election precincts for the holding of municipal elections, and change and alter such precincts and redistrict the municipality for such elections as often as occasion may require. Unless the boundaries of the precincts shall be changed, as herein provided, they shall remain as fixed for the election of State and county officers at the last general election preceding the city election. Sample ballots and instructions to voters may be sent out to the registered electors entitled to vote at any municipal election, but the sending of such ballots and instructions shall not be necessary, and no notice of any such election other than the publication of the ordinance calling for the same shall be necessary.

That Section 5 of Article XIX be amended to read as follows:

SEC. 5. At all general city elections each of the election officers shall receive for his services the sum of $6.00, unless the city council, by ordinance, shall provide a

less amount and at all sessions any member of the freeholders shall succeed for his services the sum of $5.00 unless the full number of freeholders shall provide a less amount.

Proposed Charter Amendment No. 2.

That Article XIII is amended to read as follows:

[illegible]

Section 1. Plenary control over all property and necessary uses of the streets and other public places is vested in the city. Franchises may be granted to persons, firms or corporations upon such terms, conditions, restrictions or limitations as may be prescribed by the city council by ordinance. But no franchise shall be granted without consent of the city council recommending that the proposition submitted shall not [illegible] be granted for a longer period than twenty-five years, unless they be granted to the city, which shall have power to grant them for a fifty years and property constructed under the grant as their absolute property [illegible] and without compensation for franchise at such time. The city council may by permanent ordinance be empowered to grant franchises for a period not exceeding twenty-five years and from time to time to grant franchise changes and extensions as provided. Only such provisions as annex the residual guarantee by the general laws of the State shall apply.

Proposed Charter Amendment No. 3.

That subdivision second of Section 10 of Article VIII be amended to read as follows:

Subdivision Second. To make and pass all ordinances, resolutions and orders not repugnant to the Constitution of the United States or of the State of Tennessee or to the provisions of this charter, necessary for the municipal government and the management of the affairs of the city, for the execution of the powers vested in the city and for carrying into effect the provisions of this charter. The powers of the city council, however, to make general money ordinances, except ordinances in the exercise of the police power vested in the city shall be limited to the passing of Appropriation and Market Ordinances, Revenue and Assessment and Tax Ordinances, Ordinances for the improvement of the city council after imperatively demanded for the immediate preservation of the public peace, health or safety. The limitations herein made upon the power of the city council shall be construed strictly in the enforcement but allowed to and upon the city in the enjoyment of other ordinances which the city council is empowered to make.

Proposed Charter Amendment No. 4.

That Section 7 of Article I be amended by adding thereto a new subdivision, to be known as subdivision twenty-fifth and to read as follows:

Subdivision Twenty-fifth. To grant rights and franchises to any person, firm or corporation for the purpose of the establishing, maintaining, operating, control of any facilities or services for public utilities and public [illegible] without the city, of which facilities or services are to be located or transported for the transportation of persons, sewage, water, heat, or natural gaseous fluid, with piping and conveying and to the extent granted, but by consent from or by ordinance, and by which limited [illegible] for such purposes, provided that the city shall not be held for any such purposes or [illegible] company, any interest of a municipal in the [illegible] of the city, having the city, however, as a power to grant or [illegible] as such may question may be submitted.

Proposed Charter Amendment No. 5.

That subdivision second of Section 10 of Article VIII be amended to read as follows:

Subdivision Second. To regulate the construction of and the material used in or in connection with all buildings, chimneys, and fire and other structures, to prevent the erection and maintenance of unsafe or unsanitary buildings, chimneys, and other structures, to provide for the safety of persons and property in any building or structure, by providing for the safety of escapes and entrances, the manner of construction and location of fences, fire walls, the materials used in and the thickness and construction of roofs, walls, chimneys, and the manner of [illegible] and construction of chimneys, fire escapes and other means of egress from buildings or structures, and the [illegible] and location of [illegible] and the manner and conditions used in wiring buildings or other structures for the use of electricity for lighting, power or other purposes, and the proper and necessary [illegible] for access to buildings or other structures for the purpose of extinguishing same with [illegible] and generally the construction of buildings and structures [illegible] the city council in such regulations.

This subdivision shall not and nothing in this charter shall be taken or construed as exempting or withdrawing any public school buildings from regulations made by the city council pursuant to this and other subdivisions of section, but

such buildings and the electrical wiring and plumbing installation therein shall be subject to any such regulations equally and to the same extent as other buildings.

Proposed Charter Amendment No. 7.

That Article XII be amended by adding thereto a new section to be known as Section 10 (*a*) and to read as follows:

SEC. 10 (*a*). The council shall appropriate in the aggregate during each year not less than five thousand dollars ($5,000.00) or more than fifteen thousand dollars ($15,000.00) to be expended for protection, publicity and entertainment purposes.

Proposed Charter Amendment No. 8.

That Article XII be amended by adding thereto a new section to be known as Section 10 (*b*) and to read as follows:

SEC. 10 (*b*). The council shall appropriate in the aggregate during each year not less than five thousand dollars ($5,000.00) or more than ten thousand dollars ($10,000.00) to be expended for the care of the sick and helpless.

Proposed Charter Amendment No. 9.

That Article XV be amended by adding two sections to be known as Section 11 and Section 12 and to read as follows:

SEC. 11. The council shall have power to provide for the separate detention and trial of, and a probation system for, juvenile offenders against municipal ordinances and also all juvenile offenders in all cases of other crimes of which this court has jurisdiction.

SEC. 12. The judge may in his discretion, upon good cause shown, grant a parole during good behavior to any person convicted in this court; *provided*, that said parole so granted may be revoked at any time by the judge within six months after the granting of the same, and the sentence imposed against such person shall thereupon be carried into execution.

Proposed Charter Amendment No. 10.

That Article XIV of the charter be amended to read as follows:

ARTICLE XIV—ALCOHOLIC LIQUORS.

SECTION 1. No person, either as principal, agent, servant, or employee, shall open, establish, keep, maintain or carry on within the corporate limits of Pasadena any tippling house, dram shop, cellar, saloon, bar, bar-room, sample-room, buffet or other place where spirituous, vinous, malt or other alcoholic liquors are sold or given away; *provided, however*, that it shall be lawful:

(*a*) For any hotel having at least one hundred (100) sleeping rooms, to furnish such liquors in its dining rooms, with its regular service of meals, to its bona fide registered guests (except minors); except as permitted by the following subdivision, no resident of Pasadena shall be deemed a bona fide guest unless he be a permanent resident guest of such hotel.

(*b*) For any hotel, boarding house or restaurant under such restrictions and regulations as may be adopted by the council, to furnish vinous or malt liquors to its guests (except minors) in the dining rooms thereof with and as a part of a regular meal costing not less than twenty (20) cents, exclusive of such vinous or malt liquors, and served and consumed between the hours of 11.30 a.m. and 2.00 p.m., and between the hours of 5.30 p.m. and 8.00 p.m., and at no other time or place.

(*c*) For any regularly licensed druggist (1) to sell such liquors upon the written prescription of a practicing physician regularly licensed in the State of California, and (2) to sell alcohol for scientific and mechanical uses.

SEC. 2. The city council shall have power to grant a permit to any person to furnish liquors as provided in Section 1 hereof, and may revoke any such permit when the person to whom it has been granted shall have been proven to such council guilty of a violation of any of the provisions of this article or the ordinances adopted pursuant thereto, or shall have been convicted in any court of competent jurisdiction of such violation. Such permit shall be issued without charge, and without it, no person shall engage in the business of selling or furnishing liquor.

SEC. 3. It shall be lawful to deliver any such liquors to the hotel, boarding house, restaurant or drug store for which a permit has been issued, or to any resident at his home, provided that such liquors shall be delivered in receptacles effectively concealed from view, in vehicles without any advertisement thereof or any mark or designation of any manufacturer thereof; any other delivery shall be unlawful.

SEC. 4. Any person violating any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable for a first offense by a fine of not more than five hundred dollars ($500), nor less than one hundred dollars ($100) at the discretion of the court in which such conviction is had; and for any subsequent conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) nor less than two hundred dollars ($200) and by imprisonment for not more than six (6) months nor less than ninety (90) days.

SEC. 5. All provisions of Ordinance No. 1157 prohibiting sales to minors, soliciting, advertising, screens and pool-room connections and regulating the filing and

inspection of passengers and no traffic thereon was instituted to 1:30 floor and effect.

Proposed Charter Amendment No. 11 submitted to the [illegible] Charter Amendment No. 10.

That Article XIV of the charter be amended to read as follows:

ARTICLE XIV—SUBMISSION OF AMENDMENTS.

SECTION 1. No petition filed, amendment or supplement, either by individual, board, or agency shall [illegible] [illegible] [illegible]

Charter Amendment No. 4.

Yes	5877
No	1118

Charter Amendment No. 5.

Yes	6422
No	1036

Charter Amendment No. 6.

Yes	5385
No	2253

Charter Amendment No. 7.

Yes	4443
No	3508

Charter Amendment No. 8.

Yes	6678
No	1325

Charter Amendment No. 9.

Yes	7009
No	722

Charter Amendment No. 10.

Yes	5234
No	4979

Charter Amendment No. 11.

Yes	4809
No	5325

That the city council of said city of Pasadena at a regular meeting thereof held on Monday, May 27, 1912, duly canvassed the returns of said election and duly found, determined and declared a majority of such qualified electors voting thereon had voted for and ratified said proposed amendments numbered 1 to 10, inclusive, and had not ratified said proposed amendment No. 11 submitted as an alternative proposition to said proposed amendment No. 10. That we have compared the foregoing proposed and ratified amendments with the original ordinance proposing said amendments and find that they are correct.

In witness whereof, we have hereunto set our hands and affixed the corporate seal of the city of Pasadena, this 19th day of December, 1912.

[SEAL]

WILLIAM THUM,
Mayor of the City of Pasadena.

HERMAN DYER,
City Clerk of the City of Pasadena

AND WHEREAS, The said ten proposed amendments so ratified as hereinbefore set forth, have been duly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California, now therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the ten proposed amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, of the city of Pasadena, designated as proposed amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, hereinabove set forth, as presented and submitted to, and adopted and ratified by the qualified electors of said city, be, and the same are hereby approved as a whole, for and as amendments to the city charter of the city of Pasadena.

Senate concurrent resolution read.

The question being on the adoption of the Senate concurrent resolution.

The roll was called, and Senate Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Senate Concurrent Resolution No. 3 ordered engrossed and transmitted to the Assembly.

ADJOURNMENT

At eleven o'clock and forty-five minutes a.m., on motion of Senator Jones, the President declared the Senate adjourned until eleven o'clock a.m., Friday, January 17, 1913.

IN SENATE

SENATE CHAMBER,
Friday, January 17, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Bonnett, Boynton, Burk, Burnett, Bunnell, Butler, Cassidy, Chandler, Chan, Conroy, Cornwell, Cosgrove, Crowley, Dixon, Flint, Gates, Grant, Harris, Hewitt, Jones, Kelly, Kirk, Lanterman, Leeds, Lewis, Mac, Oswald, Regan, Sanford, Shearer, Stevenson, Thompson, and Wyllie—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dean Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 16, 1913, the further reading was dispensed with, on motion of Senator Hare.

LEAVES OF ABSENCE.

Senators Birdsall and Gerdes were, on motion of Senator Bryant, granted leave of absence for this day.

Senator Cartwright was, on motion of Senator Sanford, granted leave of absence for this day.

Senator Purcell was, on motion of Senator Breed, granted leave of absence for this day.

Senator Rush was, on motion of Senator Strobridge, granted leave of absence for this day.

PRESENTATION OF PETITION.

Senator Shanahan presented the following petition, which was ordered printed in the Journal:

PETITION OF THE JOINT TEMPORARY INSTITUTE OF MINES AND LABOR CONVENTION, ASSEMBLED OCTOBER 25, 1912.

Resolved, That [illegible] and that [illegible] and to the consideration of the Legislature of California and that copies of these resolutions be sent to the [illegible] and to Hon. T. W. H. Shanahan.

P. G. CHAPMAN (and others).

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE OFFICE.
SACRAMENTO, January 17, 1913.

To the Senate and Assembly of the State of California:

A proposed amendment to the Constitution of the United States has been received by this department and is hereby transmitted to you for your ratification or rejection. The amendment is in the form of a joint resolution, and is as follows:

"*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled* (two thirds of each house concurring therein), That in lieu of the first paragraph of Section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three fourths of the states:

"The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

"When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: *provided*, that the Legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

The message was referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SACRAMENTO, January 17, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent Senate Bills Nos. 309 to 372 (inclusive), Senate Constitutional Amendment No. 9, Senate Concurrent Resolution No. 5, Senate Joint Resolution No. 6, respectfully report that they have examined the same and delivered them to the printer at the hour of 6 o'clock p.m., January 16, 1913.

FLINT, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 17, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate concurrent resolutions:

Senate Concurrent Resolution No. 1—Approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 10th day of April, 1911.

Also:

Senate Concurrent Resolution No. 3—Approving ten certain amendments to the charter of the city of Pasadena, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the 24th day of May, 1912.

And report that the same have been correctly engrossed.

HENRY H. LYON.
Temporary Chairman Committee on Engrossment and Enrollment.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Anderson:

Resolved, That the Secretary of the Senate is authorized and directed to furnish stationery to the standing committees of the Senate; that requisition on the

Secretary of the Senate for such assistance as entitled by Legislative usage and the requirements of Senate and Assembly and the actual work of the Legislature during extraordinary, daily committee expenditures to be signed by the chairman thereof.

Resolution read and adopted.

By Senator Gates.

Resolved, That a special committee of three senators of the Senate be appointed by the President of the Senate, and that the said committee be instructed to investigate the committee to confer with the Senate committee as appointed by the two branches of the Legislature a policy to be adopted and followed relative to the consideration of measures introduced and pending before the unadjourned session.

Resolution read and adopted.

By Senator Shanahan.

Whereas, Hon. Lee J. Eaton has introduced in the House of Representatives a bill appropriating $50,000.00 to enable and authorize the United States ship Portsmouth to sail to Portsmouth, Ohio; and

Whereas, Hon. G. Aubrey Lewis, Secretary of the Navy, has informed that if the State of California will accept the said vessel and produce and save for the same henceforth, the United States will transfer the said vessel to the State of California; and

Whereas, Lewis will be a bill introduced, this day providing for the possession of the said vessel and the construction and care of the same by the State of California; and

Whereas, The history of said vessel should be known to the assembling senate; therefore

Resolved, That the history of said U. S. Ship Portsmouth, as shown in the following letter from the Bureau of Library and War Records, Navy Department, Washington, D. C., be printed in full in the Journal of this day:

Navy Department
Library and Navy War Records
Washington, D. C., April 21, 1911

My Dear Senator Prentice: I have the honor to acknowledge your note of the 22d instant, and in reply send you the following brief history of the old Portsmouth:

U. S. S. Portsmouth, sloop of the second class, Captain Commodore N. H. Octavius, May 1, to 1843. Her battery mounted at different periods from 22 to 14 guns.

First cruise, 1844-1848, in the Pacific under command of Commodore J. P. Mullenberg, squadron of Commodore J. D. Sloat. Took a prominent part in, made to California in war with Mexico.

June 3, 1846, arrived in the harbor of San Francisco, Cal., and July 5, 1846, landed a party of seamen and marines. On the proceeding 27 Americans staged and citizens, under command of Lieut. J. S. Missroon, United States Navy, and Lieut. H. B. Watson, United States Marine Corps.

July 9, 1846, war having been declared, landed a force at Yerba Buena, by order of Commodore Sloat, took possession of San Francisco, and at 8 A.M. hoisted the United States flag in front of the custom house. Sent detachments of officers and men to raise the United States flag at Sonoma, Sutter's Fort, Sonoma, Sonoma and Bodega.

March 11, 1847, to October 29, 1847, captured three Mexican vessels. Five of them were recovered for $14,670.

February 24, 1848, sailed from Valparaiso, reached Boston, May 9, 1848.

From 1849 to 1851, one of the African Squadron.

From 1851 to 1854, Pacific Squadron.

From 1856 to 1858, East India Squadron, under Commander A. H. Foote, took most prominent part in the capture and destruction of the Barrier Forts, Canton River, November 16-27, 1856. In this engagement eight men were killed and 22 wounded. The Portsmouth was struck by shot 74 times. As one result of the action she was given three running stripes in the cross of the British man-of-war lying near.

From 1859 to 1861, Africa Squadron, several cruises.

From 1861 to 1867, West Gulf Squadron, with Admiral Farragut, commanded by Commander S. Swartwout, at capture of Forts St. Philip and Jackson, occupation of New Orleans, and subsequent operations on the lower Mississippi. Made 4 number of prizes.

In 1867, quarantine ship, New York Harbor.

In 1867 to 1868, lying as a training ship, and on special duty.

From 1869 to 1871, South Atlantic Squadron.

From 1872 to 1877, several cruises in Europe and Pacific Squadron.

In 1877, training ship for Boys, San Francisco.

In 1878, special service in connection with the Paris Exposition.

From 1879 to 1894, training ship for apprentices, Atlantic coast.
January 17, 1895, transferred by the Navy Department to the Naval Militia, State of New Jersey.
At the present date lying at the New York Navy Yard.
Total cost of building and repair to December 15, 1851, $313,632.33.
Very respectfully,

CHARLES W. STEWART,
Superintendent Library and Naval War Records.

HON. GEORGE C. PERKINS,
United States Senate.

Resolution read and adopted.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Sanford: Senate Bill No. 373—An Act to promote safety for laborers and the traveling public, and to provide a penalty for its violation.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Juilliard: Senate Bill No. 375—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of and providing for penalties for the violation of the provisions of this Act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Finn: Senate Concurrent Resolution No. 6—Approving seven certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

Resolution referred to the Committee on Municipal Corporations.

RUSH ORDER TO PRINTER.

On motion of Senator Finn, the Secretary was directed to issue a rush order for printing Senate Concurrent Resolution No. 6.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator Larkins: Senate Bill No. 376—An Act to amend section thirty-four hundred and ninety-one of the Political Code of the State of California, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 377—An Act authorizing the land owners in the several counties of this State to create a "Farmers' Loan Fund" for the purpose of furnishing the owners of real estate therein, with money at a low rate of interest, and providing for the manner of raising such fund, and for the loan and distribution thereof.

Bill read first time, and referred to Committee on Banking.

By Senator Anderson: Senate Bill No. 378—An Act to amend section forty-two hundred sixty-five of the Political Code of the State of

California, relating to the compensation of officers of counties of the thirty-sixth class.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 279—An Act to amend sections eight hundred fifty-eight and eight hundred sixty-one of "An Act to provide for the organization, incorporation and government of municipal corporations."

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 280—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read first time and referred to Committee on Municipal Corporations.

By Senator Regan: Senate Bill No. 281—An Act to amend section ten hundred and fifty-six of the Code of Civil Procedure of the State of California, relating to corporations which may become sureties on undertakings and bonds.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 282—An Act to amend section sixty-seven of the Code of Civil Procedure.

Bill read first time, and referred to Committee on County Government.

By Senator Shanahan: Senate Bill No. 283—An Act providing for the acceptance of the U. S. ship Portsmouth by the State of California from the government of the United States, and providing for the care and preservation of the same.

Bill read first time, and referred to Committee on Federal Relations.

By Senator Kehoe: Senate Bill No. 284—An Act to add a new section to the Penal Code of California, to be known as section one hundred seventy-two *b*, relating to the sale, keeping for sale, exposing for sale, giving away or serving malt, vinous, spirituous or other alcoholic liquors in buildings or upon grounds used for exposition purposes, where such exposition is aided by state funds.

Bill read first time, and referred to Committee on Public Morals.

By Senator Cassidy: Senate Bill No. 285—An Act defining punishment by whipping, providing for a whipping post in each county or city and county and directing where and who shall inflict such punishment and who shall be present.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 286—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 287—An Act to add a new section to the Penal Code of California, to be numbered two hundred forty-seven, relating to wife beating.

Bill read first time, and referred to Committee on Judiciary.

Senator Hewitt: Senate Bill No. 388—An Act to add a new article to the Code of Civil Procedure, to be designated Article VII of Chapter III of Title V, Part IV of the Code of Civil Procedure, relating to interrogatories to parties to actions and special proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Senator Grant: Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 390—An Act to amend an Act entitled "An Act in relation to pandering; to define and prohibit the same, to provide for punishment thereof; for the competency of certain evidence at the trial therefor," and approved February 8, 1911, Statutes of California of 1911, page 9.

Bill read first time, and referred to Committee on Public Morals.

By Senator Campbell: Senate Bill No. 391—An Act to establish police courts in cities of the sixth class, and to fix their jurisdiction.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Jones: Senate Bill No. 392—An Act to amend section two hundred eighty-*b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 393—An Act to amend section thirteen hundred and twenty-two of the Penal Code, relating to witnesses and testimony of husband and wife.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred ninety-seven and section two thousand six hundred ninety-eight, relating to the abandonment of highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Birdsall: Senate Bill No. 395—An Act to amend section four thousand and eighty-five and one half of the Political Code of the State of California, authorizing the board of supervisors of the several counties of this State, to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Hans: Senate Bill No. 396—An Act to appropriate the sum of two hundred and fifty thousand dollars for the acquisition of land and the erection, construction, equipment and furnishing of an

armory thereon in the city of Oakland for the use of the National Guard of the State of California.

Bill read first time and referred to Committee on Military Affairs.

By Senator Wright: Senate Bill No. 297—An Act to amend section three thousand six hundred seven, three thousand six hundred eight, three thousand six hundred seventeen, three thousand six hundred twenty-seven, three thousand six hundred twenty-eight, three thousand six hundred twenty-nine, three thousand six hundred thirty-one, three thousand six hundred forty-two, three thousand six hundred forty-three, three thousand six hundred fifty-three, three thousand six hundred seventy-eight, three thousand six hundred seventy-nine, three thousand six hundred ninety-two, three thousand six hundred ninety-six, three thousand seven hundred one, three thousand seven hundred fourteen, three thousand seven hundred twenty-eight, three thousand seven hundred thirty-two, three thousand seven hundred thirty-four, three thousand seven hundred thirty-seven, three thousand seven hundred fifty-three and three thousand seven hundred sixty-four of the Political Code, to repeal sections three thousand six hundred nine, three thousand six hundred ten, three thousand six hundred sixty-four, three thousand six hundred sixty-five, three thousand six hundred sixty-six, three thousand six hundred sixty-seven, three thousand six hundred sixty-eight, three thousand six hundred sixty-nine, three thousand six hundred seventy, three thousand six hundred seventy-one, three thousand seven hundred nineteen, three thousand seven hundred fifty-seven and three thousand seven hundred eighty-one a of the Political Code and to add a new section to the Political Code, to be numbered three thousand seven hundred fourteen, a relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill, No. 298—An Act appropriating money for two thousand dollars to aid in the construction of a bridge across the Cache Creek.

Bill read first time and referred to Committee on Roads and Highways.

Also: Senate Bill No. 299—An Act to repeal an Act entitled "An Act to provide for the issuance and sale of state bonds to create a fund for the construction by the Board of State Harbor Commissioners for the bay of San Diego of harbor improvements, consisting of a sea wall, wharves, piers, state railroad, spurs, bulkheads and appurtenances in the county of San Diego, to create a sinking fund for the payment of said bonds, to define the duties of state officers in relation thereto, to make an appropriation of one thousand five hundred dollars for the expense of printing said bonds and to provide for the submission of this Act to a vote of the people."

Bill read first time and referred to Committee on Commerce and Navigation.

By Senator Leon: Senate Bill No. 300—An Act defining investment companies and vendors and providing for their registration and publicity and for full disclosures concerning investments offered to the public for sale; to prevent fraud in the offering of such investments

for sale; to create a registrar of investment companies and vendors to administer this and other laws, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Caminetti: Senate Joint Resolution No. 7—Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

Resolution referred to Committee on Federal Relations.

By Senator Boynton: Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered five hundred and eighty-one *b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Bill read first time, and referred to Committee on Judiciary.

SENATOR GATES IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Senator Gates of the Thirty-fourth District in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator Boynton: Senate Bill No. 402—An Act relating to the carrying of loaded firearms and other dangerous weapons, and regulating the sale of firearms which may be concealed upon the person.

Bill read first time, and referred to Committee on Judiciary.

APPROVAL OF JOURNALS.

The Journals of Monday, January 6, 1913; Tuesday, January 7, 1913; Wednesday, January 8, 1913; Thursday, January 9, 1913; Friday, January 10, 1913; and Monday, January 13, 1913, having been corrected, were read and approved.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills, etc., were introduced:

By Senator Cohn: Senate Bill No. 403—An Act providing for the extension of the manufacturers' building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Bill read first time, and referred to Committee on Finance.

COMMUNICATION

The following communication from State Controller A. B. Nye was presented and read:

[illegible]

[illegible]

Gentlemen: In compliance with the requirements of Section 251 of the Political Code I herewith transmit to you the report which I was required to make for [illegible] the result that it will require action by the Legislature. It includes a list of all claims for appropriations, both general and special, as well as estimates of receipts and disbursements, together with such other data as may be necessary to explain and a list of all appropriations made by the preceding Legislature which will be required for the support of the State and Institutions for the Biennial period now beginning. In addition there is also submitted with this report a list of claims of which action was asked by the Legislature of 1909, but which remain unpaid for the reason that no appropriation was made for their payment.

The appropriations required may be grouped as follows:

For maintenance, etc., for appropriations as provided under section 240	$ [illegible]
By miscellaneous acts for special appropriations	[illegible]
Total for Appropriations, etc.	[illegible]

Attention is also drawn to the fact that Assembly Joint Resolution No. [illegible] requires the payment of the following amounts:

By members of Senate	$1,110
By members of Assembly	[illegible]
Total of proposed additional appropriations as per last column	[illegible]
Gross loss in depreciation property and additional expenses	[illegible]
Gross proposed by members of Legislature	[illegible]
Number of claims [illegible] for [illegible] amounts, for which appropriations have been made during the Legislature of the present session of [illegible]	[illegible]
Claims filed with the State Board of Control prior to [illegible]	[illegible]
Will be filed in [illegible]	[illegible]

The Board of Control and the Controller, acting jointly, recommend the appropriation of the following amounts:

General appropriation bill	$ [illegible]
Special appropriations	[illegible]
Total of [illegible]	[illegible]
In 1911 the total [illegible]	[illegible]
Decrease [illegible]	[illegible]
Per cent of decrease in total recommendations and appropriations for 1911	[illegible]

The [illegible] of Control made additional recommendations, in which the Governor did not [illegible], amounting to:

Salaries	[illegible]
Special	[illegible]
[illegible]	[illegible]
Total of [illegible]	[illegible]
Total of recommendations by Board of Control	[illegible]
Per cent of increase in Board of Control recommendations over appropriations in 1911	[illegible]

This report [illegible] in order to [illegible] of part of last session may be [illegible] to comply with the requirements of Section [illegible] of the Political Code and give the Legislature at the beginning of the session a full list of pressing deficiencies. A majority of the members of Senate and Assembly do not appear to [illegible] the appropriation bills which they believe to [illegible] and economy of the [illegible] which called upon many of those who are able to make the [illegible] sacrifices because they [illegible] are not able.

I [illegible] the [illegible] to [illegible] the present report [illegible] as possible for of proposed appropriations as has the case [illegible] many years ago.

I beg to suggest also that if the Legislature will withhold the present report long [illegible]

and will return it to be considered after the first thirty days of the session. It will be possible then to make a report which will be complete and, I trust, will be of use and value to the Legislature.

Respectfully submitted.

A. B. NYE, Controller.

MOTION.

Senator Thompson moved that the letter of transmittal, without the tabulated statement, be printed in the Journal.

Motion carried.

ANNOUNCEMENT.

Senator Caminetti announced that the trip to Stockton, to which members of the Senate had been invited on a previous day, had been postponed from Sunday, January 19, 1913, to Sunday, January 26, 1913.

APPOINTMENT OF COMMITTEE.

The Acting President announced the appointment of Senators Boynton, Caminetti and Wright as the committee to confer with a similar committee from the Assembly as provided in the resolution of Senator Gates, adopted this day.

RECESS.

At eleven o'clock and fifty-five minutes a. m., on motion of Senator Boynton, the Acting President declared the Senate at recess for five minutes.

RECONVENED.

At twelve o'clock m. the Senate reconvened, Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

RESOLUTION.

The following resolution was introduced:

By Senator Hewitt:

Resolved, That a special committee of the Senate be appointed to consist of the chairman of the Finance Committee of the Senate, and two other members of the Finance Committee, to be selected at hand, for the purpose of conferring with a like committee of the Assembly to be composed of three members of the Ways and Means Committee of the Assembly, regarding the use of committee rooms in the State Capitol Building by committees of the two houses, and the necessity of providing adequate office room for other departments of the State now temporarily using rooms heretofore assigned for legislative purposes in the Capitol Building.

Resolution read and adopted.

ANNOUNCEMENT.

Senator Strobridge announced the appointment of Senators Hewitt and Curtin to act on the above committee.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—ORDER OF BUSINESS.

The following bills, etc., were introduced:

By Senator Lyon: Senate Bill No. 407—An Act to amend sections nine and ten of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Breed, Senate Concurrent Resolution No. 1—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, ratified and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 5th day of April, 1912.

Resolution referred to committee on Municipal Corporations.

ADJOURNMENT.

Senator Thompson requested that one of the Senate Chamber at 2 o'clock p.m. and for evening sessions on such dates as might be required, on and after Monday, January 20, 1913, for the purpose of holding joint sessions and hearings of the Committees on Revenue and Taxation.

MOTION.

Senator Strobridge moved that the request be granted.

Motion carried.

ADJOURNMENT.

At twelve o'clock and twenty minutes p.m., on motion of Senator Thompson, the President pro tem declared the Senate adjourned until eleven o'clock a.m., Monday, January 20, 1913.

IN SENATE.

SENATE CHAMBER,
Monday, January 20, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following responded to their names:

Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Butler, Caminetti, Campbell, Carr, Cassidy, Chantry, Cogswell, Curtin, Dennett, Flint, Gates, Gerdes, Gerrity, Hans, Harris, Hatch, Holohan, Inman, Irwin, Johnson, Kehoe, Leavitt, Lewis, Lukens, Lyon, Mott, Owens, Rolfe, Saylor, Scott, Sharkey, Shearer, Stetson, Strobridge, Thompson, Tyrrell, and Wright.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Fred Newby.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 17, 1913, the further reading was dispensed with, on motion of Senator Hans.

LEAVES OF ABSENCE.

Senators Juilliard and Cartwright were, on motion of Senator Stafford, granted leave of absence for this day.

Senator Rush was, on motion of Senator Butler, granted leave of absence for this day.

Senator Belcher was, on motion of Senator Gerdes, granted leave of absence for this day.

Senator Benson was, on motion of Senator Avey, granted leave of absence for this day.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

SACRAMENTO, January 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Benedict, Chandler and Smith a committee to confer with a like committee appointed by your honorable body as to what arrangements might be made for the use of committee rooms by the committees of the two houses and to make recommendations thereon.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Chief Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SACRAMENTO, January 20, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent Senate Bills Nos. 373 to 407, inclusive; also: Senate Joint Resolution No. 7; also: Senate Concurrent Resolutions Nos. 6 and 7, respectfully report that they have examined the same and delivered them to the printer at the hour of 7:40 o'clock p.m., January 17, 1913, except Senate Concurrent Resolution No. 6, which, in obedience to a "rush order" of the Senate, was delivered to the printer at the hour of 1 o'clock p.m, January 17, 1913.

FLINT, Chairman.

ON FINANCE.

SACRAMENTO, January 20, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Also: Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 37 and 59 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 408—An Act to amend Section 799 of the Penal Code, relating to the time within which certain criminal actions may be commenced.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 409—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 410—An Act to amend Section 800 of the Penal Code, relating to limitation of time within which a prosecution for certain offenses must be commenced.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carlin: Senate Bill No. 414—An Act to amend Section 4764 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 415—An Act to amend Section 1461 of the Political Code of the State of California, relating to the powers and duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Senator Larkins: Senate Bill No. 416—An Act to amend Section 671 of the Civil Code, relating to the ownership of property in this State.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 417—An Act to amend Section 29 of an Act entitled "An Act relating to the liability of employers for injuries or death sustained by their employees, providing for compensation for the accidental injury of employees, establishing an industrial accident board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 418—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1929, amended, approved June 13, 1929; amended, approved March 19, 1937; amended, approved March 26, 1937; amended, approved March 19, 1937; amended, approved April 24, 1941, by providing certain terms and conditions whereby corporations which have failed to pay the license

tax mentioned in said Act may pay the same and be restored to their former rights.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 419—An Act to add a new section to the Civil Code of the State of California, to be numbered as Section 3284, relating to injuries resulting from treatment for diseases.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 420—An Act to amend Section 1183 of the Code of Civil Procedure, relating to the liens of mechanics and others.

Bill read first time, and referred to Committee on Judiciary.

By Senator Strobridge: Senate Bill No. 421—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 422—An Act to provide for and regulate primary elections and providing for the election of candidates at such primary elections, and providing the method whereby electors may express their choice at such primary elections for United States Senator, and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911, and the amendments thereto.

Bill read first time, and referred to Committee on Elections.

By Senator Grant: Senate Bill No. 423—An Act to add a new section to the Penal Code to be known as Section 373*b*, relating to the height of fences in incorporated cities, or cities and counties.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 424—An Act to amend Section 1083 of the Political Code of the State of California, relating to the qualifications of a voter.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 425—An Act to amend the Political Code of the State of California by adding a new section thereto to be numbered Section 3897*a*, relating to sales by the State of property sold to it for taxes and to the proceeds of such sales.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 426—An Act to amend Section 1111 of the Penal Code of the State of California, relating to conviction on the testimony of an accomplice.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 427—An Act to amend Section 6 of an Act entitled, "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20,

1905; amended, approved June 13, 1909; amended, approved March 19, 1907; amended, approved March 20, 1907; amended, approved March 19, 1909; amended, approved April 24, 1911 for providing certain terms and conditions whereby corporations which have failed to pay the license tax mentioned in said Act may pay the same and be restored to their former rights.

Bill read first time and referred to Committee on Revenue and Taxation.

By Senator Gates: Senate Bill No. 428—An Act to amend Section 1769 of the Code of Civil Procedure relating to consent and duties of guardian.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and minor children and the taking of acknowledgments in the consent to such adoption.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners, providing for the appointment of the same, defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California and to repeal all Acts or parts of Acts in conflict herewith.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 431—An Act to amend Section 1649 of the Political Code of the State of California providing for the duties of clerks of school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 432—An Act to amend Section 1661 and 1664 of the Political Code of the State of California, relating to the teachers' institute, joint institutes, and penalties for failure to hold institute.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 433—An Act to repeal Section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, defining the duties of the county superintendent of schools of each county.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 435—An Act to promote the agricultural interests of the State of California, to provide for the appointment of a board of agricultural examiners, of a state agriculturist, and of county inspectors of citrus fruits, defining their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the

Constitution of the State of California, by amending Section 6 of Article VI thereof, relating to the number of Superior Court judges in the counties of the State of California and providing a method for the appointment of such judges.

Constitutional amendment referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District 999" and providing for the control and management thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 437—An Act making an appropriation for the purpose of constructing the California State Reformatory for first offenders.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 10½ of Article XI thereof, relating to the deposits of moneys belonging to the State or to any county or municipality within the State.

Constitutional amendment referred to Committee on Banking

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 4½ of Article VI thereof, relating to appeals

Constitutional amendment referred to Committee on Judiciary.

By Senator Hewitt: Senate Constitutional Amendment No. 13—A resolution proposing to the people of the State of California an amendment of the Constitution of the State by amending Section 13½ of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States and in any money, domestic or foreign.

Constitutional amendment referred to Committee on Judiciary

Also: Senate Bill No. 438—An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties and to provide penalties for the violation thereof, and repealing an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 439—An Act to authorize and empower municipal corporations which own or possess tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed

navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights-of-way to such navigable waters and to prevent the encroachment or obstruction thereof.

Bill read first time and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 440—An Act to establish police courts in cities of the first and second class, to fix the compensation of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and second class, to fix their jurisdiction and provide for officers of said courts, and to fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 441—An Act to reserve for the use of the State electricity generated by water power from the waters of the lakes, rivers, creeks and streams of this State, and to protect the development of the State of electricity as aforesaid.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 442—An Act to amend sections 2 and 3 of an Act, which became a law February 15, 1901, entitled "An Act authorizing the conveying of tidelands by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof."

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sanford: Senate Bill No. 443—An Act making appropriation to repay to L. H. Hogan moneys paid into the state treasury for state lands which state lands were conveyed to said L. H. Hogan.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 444—An Act to repeal Section 200 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 445—An Act legalizing the consolidation and reorganization of Reclamation District No. 730 with Reclamation District No. 108, in the counties of Yuba and Colusa, State of California, and establishing the boundaries of the consolidated district, providing for its management and control, subject to the provisions of the Political Code of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 446—An Act to amend Sections 1733, 1738, 1739, 1749, 1750, 1755, and 1756 of the Political Code of the State of California, relating to boards of high schools and high school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 447—An Act to amend Section 626f of the Penal Code of the State of California, relating to the protection of male deer.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 448—An Act to create a guaranty fund from which the depositors of insolvent banks shall be paid.

Bill read first time, and referred to Committee on Banking.

Also: Senate Joint Resolution No. 8—Relative to House Bill No. 13500, by Congressman John E. Raker, of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic and pauper labor.

Resolution referred to Committee on Federal Relations.

By Senator Shanahan: Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose.

Bill read first time, and referred to Committee on Agriculture.

By Senator Cohn: Senate Bill No. 450—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Kehoe: Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing; providing for the employment by said commission of a secretary, agents and other employees; authorizing said commission to fix their compensation; prescribing the duties of said commission; providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 452—An Act to amend Section 408 of the Code of Civil Procedure of the State of California, relating to the issuance of alias summons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 453—An Act to require certain vehicles to carry lights at night on public highways and bridges.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Thompson: Senate Bill No. 454—An Act to amend Section 601 of the Penal Code, relating to the malicious use of explosives and providing penalties therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 455—An Act to amend Section 1532 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 456—An Act to amend Section 443 of the Political Code, relating to the State School Fund.

Bill read first time, and referred to Committee on Education.

Also Senate Bill No. 457—An Act to amend Sections 1712, 1713, and 1714 of the Political Code, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

Bill read first time, and referred to Committee on Education.

Also Senate Bill No. 458—An Act to amend Section 1805 of the Political Code, relating to the apportionment of school moneys by the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill 459—An Act to amend Section 22½ of an Act entitled "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby, the taking and condemnation of citations in such districts, the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and matters pertaining for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1903.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also Senate Bill No. 460—An Act providing for the placing of a bust or statue of Thomas Starr King in the National Capitol at Washington, D. C., and appointing a commission therefor, and providing an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Finance.

By Senator Lyon: Senate Bill No. 461—An Act to amend Section 1793 of the Political Code of the State of California, relating to the duties of teachers.

Bill read first time, and referred to Committee on Education.

Also Senate Bill No. 462—An Act to amend an Act entitled "An Act to provide for the change of name of school districts and the manner of making such change," approved March 11, 1903.

Bill read first time, and referred to Committee on Education.

Also Senate Bill No. 463—An Act to amend Section 1581 of the Political Code of the State of California, relating to joint districts by changing the apportionment from annual children to average daily attendance.

Bill read first time, and referred to Committee on Education.

Also Senate Bill No. 464—An Act to amend Section 1615 of the Political Code of the State of California, relating to the trustees of school trustees in newly formed districts by changing the date of the beginning of their terms from July to May.

Bill read first time, and referred to Committee on Education.

Also Senate Bill No. 465—An Act directing the Bureau of Vital Statistics to collect and compile certain statistics relating to marriage and divorce, and repealing an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in connection with the provisions of this Act," approved March 18, 1905.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 466—An Act to regulate the hours of employment and safeguard the health of females employed in any mill, factory, manufacturing, mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Anderson: Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 468—An Act to amend Section 1662 of the Political Code of the State of California, relating to course of study for the elementary day and evening schools, the admission of pupils to such schools, and the exclusion of pupils from such schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 469—An Act appropriating money to pay claim of Riverside County against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Avey: Senate Bill No. 470—An Act concerning children receiving public or charitable aid, providing a placing out system therefor; providing for inspection of institutions therefor; defining the duties of officials in relation thereto.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hewitt: Senate Bill No. 471—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all other Acts and parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Carr: Senate Bill No. 472—An Act amending section 1142 of the Political Code, relating to the appointment of election boards and the qualifications and duties of the members of such boards.

Bill read first time, and referred to Committee on Elections.

By Senator Wright: Senate Bill No. 473—An Act providing for submitting to the electors of the State of California the question of calling a convention to revise the Constitution of the State.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 475—An Act to add a new section to the Civil Code of California, to be numbered 6077, relating to term of office of commissioners, meetings, compensation, partial disposition of fines imposed in humane cases, penalties attached to violation

of the provisions of Section [illegible] of the Civil Code and of this section.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. [illegible]. An Act to add a new section to the Civil Code to be numbered [illegible], relating to the state [illegible], prescribing the composition, rights and duties thereof, and regulations for the more efficient transaction of [illegible] work.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE—[illegible]

The following report was submitted:

Mr. President: Your special committee [illegible] [illegible]

[illegible]

[illegible], Chairman.
[illegible]
[illegible]

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Curtin, the President declared the Senate at recess for five minutes.

REASSEMBLED.

At twelve o'clock and forty-five minutes p.m., the Senate reassembled, Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

COMMITTEE REPORT AMENDED.

Senator Boynton moved to amend the report as follows:

Strike out all of paragraph two, and insert in lieu thereof the following:

"Second. [illegible]"

Motion carried.

MOTION.

Senator Boynton moved that the report be adopted as amended.

Motion carried.

Whereupon the President declared the report adopted.

PRESS REPRESENTATIVES.

The President announced that he had approved the applications of the following press representatives and had assigned them seats on the floor:

Karl M. Anderson, San Francisco *Chronicle*; [illegible], Associated Press; [illegible]; [illegible], Los Angeles *Express* and *Tribune*; F. T. [illegible], United Press; [illegible], Los Angeles [illegible]; Paul [illegible], San Francisco *Examiner*; [illegible]; Edward A. O'Brien, Oakland [illegible]; [illegible], Associated Press; A. S. Petterson, San Francisco *Post*; H. W. [illegible]; [illegible] Van Smith, San Francisco *Call*; H. F. W[illegible], San Francisco [illegible]; [illegible] Warner, San Francisco *Call*; George P. West, San Francisco *Bulletin*.

RESOLUTION— OUT OF ORDER.

The following resolution was introduced:

By Senator Thompson:

Resolved, That the Controller of the State be and he is hereby authorized to draw his warrant in favor of the Secretary of the Senate for one hundred ($100) dollars, payable out of the Contingent Fund of the Senate, for the purchase of postage stamps to be used by the Press Mailing Clerk.

Resolution referred to the Committee on Contingent Expenses.

INTRODUCTION AND FIRST READING OF BILLS, ETC.— OUT OF ORDER.

The following bill was introduced:

By Senator Shanahan: Senate Bill No. 477—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870*a*.

Bill read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At one o'clock and twenty-five minutes p.m., on motion of Senator Gates, the President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Tuesday, January 21, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following responded to their names:

Senators Anderson, Avey, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 20, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Benson was, on motion of Senator Jones, granted leave of absence for the remainder of the week.

Senator Beban was, on motion of Senator Gerdes, granted leave of absence for this day.

Senators Cartwright and Juilliard were, on motion of Senator Sanford, granted leave of absence for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

[illegible]

SPRINGFIELD, January 20, 1913.

MR. PRESIDENT: Your Committee on Insurance and Pensions, to which was referred Senate Bill No. 46, as amended, Senate Committee Amendments Nos. 1 and 2, to 13 inclusive, and Senate Joint Resolution No. 8, respectfully report that we have considered the same and recommend that it be passed as the hour of one o'clock and twenty minutes p.m. Request the roll.

ELLIOTT, Chairman.

[illegible]

SPRINGFIELD, January 20, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution:

Resolved, That the Secretary of the Senate be and he is hereby authorized to grant the assistance of three of the Stenographers of the Senate for one hundred (100) hours, payable out of the Contingent Fund of the Senate, for the purpose of preparing copy to be used by the Press Meeting room.

Have had the same under consideration and unanimously report back same back and recommend that it be adopted.

GRIMES, Chairman.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES: Senators Ackerman, Aris, Bidwell, Boyle, Brady, Brown, Bruce, Chamberlin, Campbell, Capps, Connolly, Cudmore, Culkin, Curtis, Dale, Dixon, Dunn, Dunne, Evans, Hans, Hewitt, Hoag, Holden, Lindgren, Mead, Rose, Sanford, Shumway, Stuckart, Trainor, Tuttle, and Wright—39.

NOES: None.

[illegible]

SPRINGFIELD, January 20, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 15—An Act changing the law in relation to the manner which may be imposed upon any person convicted of a felony, or other crime punishable only by a fine or imprisonment in the county jail, and repealing all acts or parts of acts inconsistent herewith, have had the same under consideration, and respectfully report the same back, and recommend it be referred to the Committee on Prisons and Reformatories.

GATES, Chairman.

Senate Bill No. 15 ordered transferred to Committee on Prisons and Reformatories.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 36, An Act to amend section twelve hundred forty-six of the Civil Code, relating to the recognition of certain instruments and proceedings of judgments, have had the same under consideration, and report back the same as evidence of carefully prepared, and recommend that the same pass.

GATES, Chairman.

Senate Bill No. 36 ordered on the file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 38—An Act to amend section fifteen thousand seven hundred and fifty-one of Chapter one hundred and fifty-nine of the Civil Practice Act, relating to the sale of property of an insane, and to amend section fifteen hundred eighty of the Code of Civil Procedure, relating to the same subject, have had the same under consideration, and respectfully report the same back with recommendation and recommend that it do pass.

GATES, Chairman.

Senate Bill No. 38 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS

SACRAMENTO, January 20, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 6, [illegible] amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco at a special municipal election held therein on the 10th day of December, 1912, have had the same under consideration, and respectfully report the same back with the recommendation that it be adopted.

CARR, Chairman.
HEWITT
BROWN
CAMPBELL.
HANS.

Also: Senate Concurrent Resolution No. 7 [illegible] amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912, have had the same under consideration, and respectfully report the same back with the recommendation that it be adopted.

CARR, Chairman.
HEWITT.
BROWN
CAMPBELL.
HANS.

Senate Concurrent Resolutions Nos. 6 and 7 ordered on file.

The following resolution was offered:

By Senator Strobridge:

Resolved, That Alice Perrin be transferred from the position of Committee Clerk at $4 per day to the position of Assistant Journal Clerk at $5 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Main, Rush, Sanford, Savage, Strobridge, Wolfe, Wright—28.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 478—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey Custom House grounds.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 479—An Act to amend the Penal Code by adding a new section thereto, to be numbered eleven hundred twenty-seven *a*, and relating to the fixing of penalties by juries in felony cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cohn: Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Mr. Jones bill No. 268, to appropriate money for preservation of fish, buildings at Fulton fish ponds.

Bill read first time, and referred to Committee on Private and Reformatories.

Mr. Jones bill No. 267, to appropriate money for general repairs and improvements at Fulton fish ponds.

Bill read first time, and referred to Committee on Private and Reformatories.

Mr. Gibbs bill No. 266, to appropriate money for the construction of two buildings at the state prison at Fulton, and for construction of a wall around said prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Mr. Steele bill No. 265, to appropriate money for the construction of a hospital building and the equipment of the same at Fulton State Prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Mr. Steele bill No. 264, to appropriate money for the construction and equipment of shop buildings at Fulton State Prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Gaffney, Senate bill No. 263, to add to section two hundred and seventy-one of the Political Code of the State of California, relating to the salaries and fees of officers, a member of the Board of Control.

Bill read first time, and referred to Committee on Public Buildings and Grounds.

By Senator Sanford, Senate bill No. 262, to add to section four hundred and fourteen of the Political Code, relating to salaries of county officers, a section to the fifth class.

Bill read first time, and referred to Committee on Local Government.

Mr. Adams bill No. 261, to add to county seats the Political Code, relating to salaries of county officers, a section to the fifth class.

Bill read first time, and referred to Committee on Local Government.

By Senator Flint, Senate bill No. 260, to provide for the organization of the state produce exchange, prescribing its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or prepared therefrom which shall be grown, raised, produced, prepared or manufactured within the State of California, and to provide a penalty for the refusal or neglect of the members of the board or any officer appointed by such commission, and appropriating money for establishing and carrying out the provisions of this act, creating the "State Produce Exchange Fund," and providing for the manner in which moneys shall be placed therein and paid therefrom, and appropriating the moneys therein as specified for the payment of the [illegible] and [illegible] provisions of this act, and [illegible] of this act and parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Avey: Senate Bill No. 491—An Act to amend Section eleven hundred ninety-seven of the Political Code of the State of California, relating to election ballots and said section as amended also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 492—An Act to amend section eleven hundred ninety-five *a* of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and said section as amended relating to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people and creating a board for the purpose of preparing statements as to the effect and purpose of such questions, propositions and constitutional amendments.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 493—An Act to amend section four thousand twenty-eight of the Political Code of the State of California.

Bill read first time, and referred to Committee on County Government.

By Senator Kehoe: Senate Bill No. 494—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits, and authorizing the State to accept the same.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 495—An Act to create the California highway commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 496—An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act and repealing an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, and all Acts or parts of Acts amendatory thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 497—An Act to provide for the care, management and protection of state highways and to repeal an Act entitled "An Act to provide for the care, management, and protection of state highways," approved March 24, 1903, and all Acts or parts of Acts amendatory thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 498—An Act amending sections one and three of an Act entitled, "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improve-

...sent of any state structure, building, road, or other state improvement of any kind and to report at 3:4 and Gil." An Act to authorize exchange on behalf of the State to relation to structure and facilities..." approved March 26, 1956." approved June 22, 1949

Bill read first time, and referred to Committee on Health and Hygiene.

By Assembly Committee: Senate Joint Resolution No. 7—Relative to the continuance in the United States of the government now of Germany, and to express to Chief, in the usual way, and the continuing thereof to Pacific segments on the western coast of the United States on the establishing of the Panama canal.

Resolution referred to the Committee on Federal Relations.

By Senator Rush: Senate Bill No. 1001—An Act to amend section ... of an Act entitled "An Act to regulate the location of fishing, and to provide landings houses for the preparation, salting and preservation of fish in the waters of the State of California," approved March 14, 1903

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 1002—An Act to enable counties to issue refunding notes and bonds within such counties in the form and structure of public buildings to be used which for county and municipal purposes.

Bill read first time and referred to Committee on County Government.

By Committee on Education: Senate Bill No. 1003—An Act appropriation for money in the State School Fund for the purpose of paying expenses of publishing and distributing state textbooks free to the school children of the State in accordance with the Constitution.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1004—An Act to amend section ... of the Political Code of the State of California, relating to the election of members of high school boards.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1005—An Act to amend section ... of the Political Code of the State of California relating to the election of members of high school boards.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1006—An Act to amend section ... of the Political Code of the State of California, relating to sessions of boards of high school districts.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1007—An Act to amend section ... of the Political Code of the State of California, relating to contracts by boards of school trustees and city boards of education.

Bill read first time and referred to Committee on Education.

By Senator Gates: Senate Bill No. 1008—An Act to amend section ... of the Political Code of the State of California, relating to the salaries of ... [illegible] ... and to repeal ... [illegible]

eighty-six, eleven hundred eighty-seven and twelve hundred two of the Code of Civil Procedure, to add a new section thereto to be numbered twelve hundred, and to repeal sections eleven hundred ninety-one, twelve hundred three and a half and twelve hundred three *a*, of said code, all relating to mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 508—An Act to amend section three hundred seventy-two of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 510—An Act to regulate the practice of medicine, surgery, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners and a board of registration of religious practitioners.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 511—An Act to amend section five hundred fifty-nine *a* of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 512—An Act to amend section six hundred seven *f* of the Civil Code of the State of California, relating to the appointment, qualification, duties, and powers of humane officers.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 513—An Act relating to the treatment of live birds or fowls, known as poultry when confined in crates, coops or cages, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 514—An Act to amend section five hundred fifty-nine *c*, of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Bryant: Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State, and making an appropriation of two thousand dollars for such purpose.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the

state of California by reducing and providing a penalty for the misuse thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Weichel: Senate Bill No. 1214—An Act to amend section [illegible] of the Penal Code of the State of California, relating to burglary.

Bill read first time and referred to Committee on Judiciary.

Also: Senator Jean Engelbrecht: Senate Joint Resolution No. 11—Relative to the twenty-seventh anniversary of Pearl Harbor and requesting the California congressional delegation to use every effort in securing an additional appropriation under the Office of the Wacks Act.

Resolution referred to Committee on Federal Relations.

By Senator Dolwig: Senate Joint Resolution No. 12—Relative to requesting our senators in Congress to support a bill [H. R. No. 2961] providing to the people of the United States.

Resolution referred to Committee on Federal Relations.

Also: Senate Constitutional Amendment No. 5—Relative to the training and education of retarded children, and providing for their board of Education to investigate the training and education now provided for crippled children and the feasibility of providing for public school training of the State to provide for their training and education, and to report thereon to the Forty-first session of the Legislature of the State of California.

Resolution referred to Committee on Education.

Also: Senate Bill No. 1215—An Act to amend section [illegible] of the Penal Code of the State of California, relating to unlawful solicitation of people and the laws for [illegible] relief.

Bill read first time and referred to Committee on Hospitals and Asylums.

By Senator Hatfield: Senate Bill No. 1216—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the punishment of [illegible] and [illegible] thereof.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1217—An Act making an appropriation to erect permits for the construction and maintenance of pedestrian or other structures under or over public areas for the purpose of connecting buildings located on opposite streets.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1218—An Act to amend section [illegible] and seventy-six of the Penal Code of the State of California, relating to crimes constituting juvenile court [illegible] and to the punishment of additional [illegible] thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 522—An Act to amend section five hundred and ninety-eight of the Civil Code, relating to the sale, mortgage, and encumbrance of the property of religious, social and benevolent corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 523—An Act to amend section fourteen hundred eleven of the Civil Code of the State of California, relating to the appropriation of water.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 524—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 525—An Act to repeal an Act entitled, "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles, to prescribe the conditions of such dedication, to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled, "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to Section 8, Article XIII of the Constitution of the State of California, relating to statements required to be made by taxpayers to county assessors.

Constitutional amendment referred to Committee on Revenue and Taxation.

By Senator Cogswell: Senate Bill No. 527—An Act providing for the changing the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College and making appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 196. An Act to amend section and thereof, relating to the appointment of notary to [illegible].

Bill read first time, and referred to Committee on Elections.

Also, Senate Bill No. 197. An Act to amend section [illegible] of the Political Code of the State of California, relating to the appointment of notary to [illegible].

Bill read first time, and referred to Committee on Elections.

By Senator Fong, Senate Bill No. 198. An Act conferring upon certain boards, commissions and officials created by charter of incorporated cities and cities and counties power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents, conferring upon the Superior Court, or a judge thereof the power to punish for contempt of such board, commission or official, making violation of such board, commission or official a misdemeanor and prescribing a penalty therefor.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 199. An Act to amend section [illegible] thereof, relating to the [illegible] and to repeal section [illegible] of the Penal Code of the State of California, relating to the duty of [illegible] upon appeal, and to the granting of appeals to be used on appeal from judgments, orders or proceedings of the Supreme Court to the Supreme Court or the District Courts of Appeal in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr, Senate Bill No. 200. An Act to amend section [illegible] of the Political Code, relating to [illegible].

Bill read first time, and referred to Committee on Revenue and Taxation.

Also, Senate Bill No. 201. An Act to amend section [illegible] of the Political Code, relating to payment of [illegible].

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Cusanovich, Senate Bill No. 202. An Act to amend section [illegible] of the Civil Code of California, relating to marriage.

Bill read first time, and referred to Committee on Judiciary.

By Senator Dunn, Senate Bill No. 203. An Act to appropriate [illegible] thousand dollars ($[illegible]) to the Controller for allocation to the Office of State Engineer of the Division of Flood Protection and the State Board of Health and providing for interim claims and payments and their repayment.

Bill read first time, and referred to Committee on Public Health and Welfare.

By Senator Beilenson, Senate Bill No. 204. An Act to amend section [illegible] hundred and ninety-three of the Penal Code of the State of California, relating to a criminal proceeding, and to repeal section [illegible] of said code, relating to the same subject.

Bill read first time, and referred to Committee on Judiciary.

district attorney can compel or said defendant may refuse to be such witness.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 537—An Act to amend section two hundred and seventy of the Penal Code of the State of California relating to peremptory challenges in criminal actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 538—An Act to amend sections two hundred four, two hundred five, two hundred six and two hundred nine, two hundred eleven of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and returning of jurors [illegible]

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 539—An Act to amend section thirteen hundred and thirty three of the Penal Code of the State of California relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wright: Senate Bill No. 540—An Act to carry into effect the provisions of Section 11 of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered three thousand six hundred and twelve.

Bill read first time, and referred to Committee on Revenue and Taxation.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Breed moved that Senate Concurrent Resolution No. 7 be taken up for consideration.

Motion carried.

SENATE CONCURRENT RESOLUTION No. 7.

Approving [illegible] certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

WHEREAS, The city of Berkeley, in the county of Alameda, State of California, contains a population of over forty thousand (40,000) inhabitants and has been over since the year 1909 and is now organized and acting under a freeholders' charter, adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election duly called and held for that purpose on the 30th day of January, 1909 and certified and approved by the Legislature of the State of California on the 4th day of March, 1909 (Stats. 1909, p. 1208); and

WHEREAS, The said charter of the said city of Berkeley [illegible] as aforesaid, has not been in force for more than two (2) years prior to the said session and approval, and has not been amended during said time or during the two (2) years prior to the special election held at the qualifying set forth, and no charter amendments have been submitted to the qualified electors of said city at any general or special municipal election, or at all, during said time; and

WHEREAS, More than fifteen (15) per centum of the qualified electors of the said city of Berkeley, computed upon the total number of votes cast in the last preceding candidates for Governor at the last preceding general election at which a Governor was elected, petitioned the council of said city to submit a proposed amendment to said charter of said city to the qualified electors thereof, which proposed amendment was set forth in full in said petition and which said amendment is hereinafter designated and numbered Charter Amendment No. 1; and

CHARTER AMENDMENT NO. 3.

Subdivision 44 of Section 49 of Article IX of the charter of the city of Berkeley shall be amended to read as follows:

[illegible] closing of any street, lane, alley, court or public place within the city or over tide lands and lands covered by the waters of San Francisco Bay within the city, and to condemn and acquire any and all property necessary or convenient for that purpose. Whenever, in the judgment of the council or of the people, the cost and expense of any of the foregoing improvements is to be paid by special assessment on private property, the general laws of the State of California in force at the time of the [illegible] thereto, except that all the duties of the commissioners shall be performed by the [illegible] and all [illegible] shall be performed by the [illegible] of [illegible] offices.

CHARTER AMENDMENT NO. 4.

Section 57 of Article X of the charter of the city of Berkeley shall be amended to read as follows:

Limit of Tax Levy—Section 57. The tax levy authorized by the council to meet the municipal expenses for each fiscal year shall not exceed, except as herein provided, the rate of one dollar on each one hundred dollars of the assessed value of all real and personal property within the city. The council, if requested by the board of education, shall in addition to the tax for municipal purposes, levy a tax for the adequate support of the public schools, such levy not to exceed thirty-five cents on each one hundred dollars of the assessed value of all real and personal property within the city.

STATE OF CALIFORNIA, } ss.
COUNTY OF ALAMEDA }

This is to certify that we, J. Stitt Wilson, mayor of the city of Berkeley, and W. J. Seaborn, city clerk of said city and ex officio clerk of the council of said city, have compared the foregoing proposed and ratified amendments to the charter of said city of Berkeley with the [illegible] No. 17 — N. S. proposing said amendments, heretofore, and submitting them to the qualified electors of said city of Berkeley at a special municipal election held April 27th, 1912, and with the proceedings of the council of said city on file in the office of the said city clerk, relating to the adoption of charter amendments, and find and hereby certify that the foregoing contains and is a full, exact, true and correct copy of said charter amendments to the charter of said city of Berkeley, and of each of them; and we further certify that the facts set forth in the preamble in this certificate preceding said amendments to said charter are, and each of them is, true.

[illegible] authenticated by the official seal of said city of Berkeley this 16th day of January, 1913.

J. STITT WILSON,
Mayor of the city of Berkeley.

[SEAL]

W. J. SEABORN,
[illegible] clerk of the city of Berkeley, and ex officio clerk of the council of the city of Berkeley.

Now, therefore, be it resolved by the Senate of the State of California, the Assembly concurring (a majority of all the members elected to each house voting for and concurring therein), That said amendments to the charter of the city of Berkeley, as proposed to and adopted and ratified by the electors of said city of Berkeley, and as hereinbefore fully set forth, be and the same are, and each of them is, hereby approved as a whole, without amendment or alteration, for and as amendments to, and as part of the charter of the city of Berkeley.

The question being on the adoption of the resolution:

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Anderson, Avey, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Chan, Chandler, Cogswell, Curtin, Finn, Gates, Gerdes, Grange, Hans, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

Senate Concurrent Resolution No. 7 ordered engrossed and transmitted to the Assembly.

[illegible]

[illegible]

[illegible]

and county of San Francisco, State of California, on Tuesday, the tenth day of December, A. D., 1912, for charter amendments"; and

WHEREAS, Seven of the said proposed charter amendments so voted by the electors of the city and county of San Francisco are submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration or amendment, in accordance with section eight of article eleven of the Constitution of the State of California, and are in words and figures as follows, to wit:

CHARTER AMENDMENT No. 1.

That a new section be added to Chapter II of Article II of the charter, to be known as Section 10 and to read as follows:

SEC. 10. The board of supervisors may acquire land in the district bounded by Market street, Golden Gate avenue and Laguna street for the purpose of establishing a civic center, and when it appears to the advantage of the city and county so to do, it may acquire land in excess of the actual requirements, and may dispose of any such excess in exchange for other lands within such district or for the purpose of acquiring additional lands or for the erection of structures thereon. It may convey to the State of California a parcel of land in such district for the purpose of the erection of a state building thereon and in consideration therefor may receive from the state any parcel of land in such district now owned by the State and used for the purposes of the board of trustees of the public library and reading rooms it may exchange parcels of land with the said board of trustees, and upon such exchange said board of trustees is hereby authorized to relinquish control of such land as may have been heretofore set apart for its use. It may authorize the erection of an auditorium by the Panama Pacific International Exposition Company or any [illegible] or other structure; *provided*, the ownership of such structure shall always be vested in the municipality.

CHARTER AMENDMENT No. 2.

To Amend Section 1 of Chapter II of Article II by adding [illegible] to Section 1, to be numbered 37, to read as follows:

37. The board of supervisors shall pass such ordinances governing the use and closing of streets, the erection, use, alteration, demolition and control of buildings and structures of every nature and description, the installation, use and position of plumbing, water, gas, steam, sewerage and other pipes and instrumentalities; the use and control of electric light, power, and other wires, conduits, generating, transmitting and other apparatus; the erection and maintenance of steam boilers, steam, gas, and other engines and apparatus; the maintenance and control of fire and police protection and fire and police alarm systems, and such other matters, proper or expedient for the safety, convenience and welfare of the public within that portion of the city and county of San Francisco which has been or may be granted as the site for the holding of the Panama Pacific International Exposition. The provisions hereof, and the ordinances adopted hereunder, shall supersede all conflicting provisions of this charter, and all conflicting provisions of any ordinance heretofore passed, so far as the same apply to the site herein specified, until the first day of January, 1917; *provided*, that no ordinance passed by virtue of any provision herein contained shall be operative outside of the limits of the site hereinabove specified.

To amend Article XIV by adding thereto a new section to be known as Section 13, and to read as follows:

SEC. 13. Notwithstanding anything in this article contained, the board of park commissioners are hereby authorized and directed to transfer to the Panama Pacific International Exposition Company, an association organized under the laws of the State of California March 22, 1910), the exclusive possession, use, management and control of Lobos square, such management, control, possession and use to be for the purposes of the Panama Pacific International Exposition and to terminate not later than one year after the closing of such exposition.

CHARTER AMENDMENT No. 18.

That Sections 1, 2 and 14 of Chapter III of Article VI be amended so as to read as follows:

SECTION 1. Whenever the public interest or convenience may require, the supervisors shall have full power and authority to order the extending, widening, straightening or closing up, in whole or in part, of any street, avenue, lane, alley, court or place within the city and county and shall have further full power and authority to order the opening of any new street, avenue, lane, alley, court or place within the city and county, and to condemn and acquire any and all lands and property necessary for any of the foregoing purposes, and shall have further full power and authority to order to be done in the same proceeding and as a part thereof any and all street work and street improvement in and on any street, avenue, lane, alley, court or place which the supervisors shall, under the powers conferred upon said supervisors in this chapter and article, order to be extended, widened, straightened or opened. The cost, damage and expense of such opening, extending, curving, straight-

of land separately assessed must be offered for sale separately, and the person who will take the least quantity of land and pay therefor the amount of the assessment, penalty and costs due, including fifty cents to the board of public works for a certification of sale, shall become the purchaser. In case there is no purchaser, for any lot, piece or parcel of land so offered for sale, the same shall be struck off to the said city and county of San Francisco, as purchaser, and the board of supervisors shall appropriate out of the general fund of the treasury, the amount then due against the lot, piece or parcel of land, and shall order the county treasurer to place the same in the special fund for such improvement. No charge shall be made for the certificate of sale when the said city and county of San Francisco is the purchaser.

4th. After making the sale, the board of public works must execute, in duplicate, a certificate of sale, setting forth a description of the property sold, the name of the owner thereof, as given on the assessment roll, that said property was sold for a delinquent assessment (specifying the improvement for which the same was made), the amount for which such property was sold, the date of sale, the name of the purchaser, and the time when the purchaser will be entitled to a deed. The board of public works must file one copy of such certificate in its office and deliver the other to the purchaser, or if the said city and county of San Francisco is the purchaser, to the clerk of the board of supervisors, who shall file the same in his office. On the filing of the copy of such certificate in the office of the board of public works, the lien of the assessment shall vest in the purchaser, and is only divested by a redemption of the property, as in this act provided. The board of public works shall also enter on the assessment roll, opposite the description of each piece of property offered for sale, a description of the part thereof sold, the amount for which the same was sold, the date of the sale, and the name of the purchaser.

5th. A redemption of any parcel of property sold for delinquent assessment may be made by any party in interest, at any time prior to the execution and delivery of a deed therefor, by paying to the board of public works the amount for which the property was sold, and in addition thereto, ten per cent thereon if paid within three months after the date of sale; twenty per cent if paid within six months, thirty per cent if paid within nine months, forty per cent if paid within twelve months, or fifty per cent if paid at any time after twelve months. When redemption is made, the board of public works shall note that fact on the duplicate certificate of sale on file in its office, and deposit the amount paid with the county treasurer, who shall credit the purchaser named in the certificate of sale with the said amount and pay the same to such purchaser, or his assignee upon the surrender of the certificate of sale, and upon satisfactory proof of assignment thereof, if any. When the said city and county of San Francisco is the purchaser, the county treasurer shall notify the clerk of the board of supervisors of the redemption, and such clerk shall thereupon cancel the certificate of sale on file in his office.

6th. At any time after the expiration of twelve months from the date of the sale, the board of public works must execute to the purchaser or his assignee on his application, if such purchaser or assignee has complied with the provisions of this section, a deed of the property sold, in which shall be recited substantially the matters contained in the certificate, also any assignment thereof and the fact that no person has redeemed the property. The board of public works shall require from the purchaser or his deputy before executing such deed, unless the said city and county of San Francisco is the purchaser in which case no charge shall be made therefor.

7th. The deed of the board of public works shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings hereunder prior to the execution thereof, and of title in the grantee. It shall be conclusive evidence of the necessity of taking or damaging the lands taken or damaged, and of the necessity of the improvement and work and of the correctness of the compensation awarded for lands taken or damaged.

8th. The board of public works shall from time to time pay over to the county treasurer all moneys collected by the board on account of any assessments made under the provisions hereof. The county treasurer shall on receipt thereof, place the same in a special fund, designating such fund by the name of the street, avenue, square, lane, alley, court or place for the widening, opening or other improvements for which the assessment was made. Payment shall be made from said fund to the parties entitled thereto upon warrants signed by the members of the board of public works. With respect to all matters provided for or prescribed by this section to be done or performed by said board of public works, the majority of said board may act.

CHARTER AMENDMENT NO. 19

That Chapter VIII of Article VI be amended so as to read as follows

CHAPTER VIII

TUNNELS, SUBWAYS AND VIADUCTS

SECTION 1. The board of supervisors are hereby empowered to order the construction of and construct any tunnel, subway, or viaduct in, on, under or over any

[redacted] and the said railways jointly. The [redacted] and equity in the operation of a [redacted] and [redacted] and [redacted] and

[illegible]

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 6 adopted by the following vote:

[illegible]

Senate Concurrent Resolution No. 6 ordered engrossed and transmitted to the Speaker.

[illegible]

Senate Bill No. 37, An Act to make an appropriation for the contingent expenses of the Senate for the session of the Seventh Legislature of the State of California during the sixty-fourth fiscal year.

Bill read second time, and ordered to engrossment and third reading.

Senate Bill No. 38, An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Bill read second time, and ordered to engrossment and third reading.

[illegible]

The following resolution was offered:

By Senator Thompson:

Resolved, That the standing rules of the Senate, as printed on the Journal of January 16, 1911, be and the same are hereby amended as follows:

Amend rule 24, page 5, by striking out the words "Senate Chamber and Hall" and inserting in lieu thereof the words "Senate Chamber".

Strike out rule 25, page 5, the words "Not Entered" and insert in lieu thereof the words, "Senate Chamber and Hall."

Resolution referred to the Committee on Rules.

[illegible]

Senator Thompson gave notice that on Wednesday, January 25, 1911, immediately after the disposition of the special order already set for that time, he would move the adoption of the above resolution altering the standing rules of the Senate.

[illegible]

At eleven o'clock and fifteen minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Wednesday, January 22, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Bradley, Boynton, Bryant, Brown, Burnett, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Leavitt, Lewis, Main, Owens, Regan, Rush, Sanford, Shearer, Stetson, Thompson, Tyrrell and Wallace—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 21, 1913, the further reading was dispensed with, on motion of Senator Rush.

QUESTION OF PERSONAL PRIVILEGE.

Senator Curtin arose to a question of personal privilege and addressed the Senate as follows:

Mr. President and Members of the Senate:

It is my purpose at this time to address you somewhat at length on the proposed bill now under consideration as it goes into the merits of the tax system now in force and of which system I am the author; and it would seem that being its author, in the ordinary course of things, I ought to know something of its operation. For several months past the press of this State have kept constantly before the public mind the damaging news that there is a present "deficit" in the State's funds and an "apparent deficit" in the funds for the coming year. Such statements and publications have done immeasurable damage to this State. In such statements and publications my name, honor and reputation is necessarily drawn into question and I now propose to point out to you how little truth there is in such publications and shall deal with the subject generally. When Amendment No. 1 was under consideration by the Legislature in 1907 and 1909, as its author and for those of us on the Tax Commission, I promised the people of California that if it was adopted it would more justly equalize the burden of taxation and that it would support the State government without resorting to an ad valorem tax, and I will demonstrate to you before I close my remarks that I have made good every statement I made in behalf of this amendment.

My colleagues on the floor have complained to the floor my remarks and I propose to [illegible] and have it to [illegible] the Senate.

All that I will now have to say I would have said on a question of personal privilege early last week, but as all the newspapers in this State have published from day to day that there is a present deficit and apparent one for the coming year, and had I given you the facts and figures I now give you, the administration newspapers would have misjudged my purpose and charged me with forestalling the passage of this bill. For that reason alone I have not heretofore spoken on this subject, even though it has been seriously to my disadvantage to have postponed my statement to this time.

In his message to the Legislature the Governor on page 18 says: "I call your attention to the report of Controller Nye in which he estimates the excess of expenditures for the fiscal year ending June 30, 1913, at $670,000, and the deficit for the fiscal year ending June 30, 1914, to be $1,101,000. These estimates in my opinion are much less than the true amounts will be found to be for the period mentioned. They are made with a confidence in the future revenue producing possibilities of the new method of taxation possessed now by but few." In reply to that statement in this message I desire to quote from the report just published by Controller Nye. I think it will not be questioned that A. B. Nye is the most versed and experienced man holding office in California today. He is the soul of honor and knows the fullest

Controller Nye put in his report that statement as to "discredit abroad" to warn the people and the Legislature that the most isolated question of repealing the poll tax and corporation license tax is fraught with serious results and ought not to be done. But if done, we would lose that much of the present revenues—a self evident truth and when he says advised the people how we were misunderstood and it seems remarkable that it was not understood, but instead of being so understood, widespread alarm and confusion has followed.

Is it any wonder why we cannot sell our bonds at par when banks here or anywhere else? A State that cannot pay expenses because its revenues are cut off and the Governor has said publicly that California is a discredited state and the message to the Legislature as to "deficits" does not lessen that "discredit."

Our banking law provides that our banks cannot buy bonds of any state that has defaulted in its interest and how can we expect any banker or bond buyer to buy our bonds and thus loan money to the State when it advertises itself as having a present and future deficit? A state that advertises itself as unable to pay its expenses cannot expect to sell many bonds. It was bad enough to discredit us politically, but it is far worse to discredit us financially. Why should we be thus discredited when we have today nearly $9,200,000 loaned out at interest? If this kind of a reputation keeps on we will soon find ourselves unable to give a state bond away, say nothing about selling them.

In his message the Governor further says: "At the time of the passage of the amendment, the arguments advanced by its advocates and by the representatives of the various public service corporations in its behalf were alluring and persuasive, and generally our people understood that the revenues required for the State would be produced wholly by the corporations." In answer to the charge, I quote from Controller Nye's report, on page 13:

"FORMER ESTIMATES EXCEEDED.

"In connection with this showing of results attained, it seems worth while to compare the actual revenues under the new system with the advance estimates which, at different dates, were made by the Commission on Revenue and Taxation. There were three of these estimates presented in the years 1907, 1908 and 1910 respectively, each being based on a computation of what the corporation taxes would have produced if actually in force at those times. The several estimates and the actual result are shown by the following figures:

1907 estimate of total taxes	$6,505,000
1908 estimate of total taxes	7,525,176
1910 estimate of total taxes	7,998,645
Actual collections for 1911	10,387,206

"This large excess, amounting to more than two and a quarter millions over the highest of the advance estimates, points to the conclusion that if in effect during any one of the former years the amendment would have yielded more revenue than the commission claimed it would. At least, the commission did not go astray by overestimating the productive power of the new tax system, and if its calculations have erred in any direction it has been in the opposite one of underrating the rapidly growing revenue needs of the State government.

"Nearly all of the different classes of corporations paid amounts of taxes in 1911 in excess of the 1910 estimate, and the franchise taxes, which had been estimated at about a million dollars, actually yielded $1,619,588."

And I again refer to the Controller's report where he says clearly that the revenues from the new system will be ample to meet all necessary appropriations for 1913-14 unless "the corporation license tax be reduced or any other equal portion of the present revenues be cut off" and that amount for 1913-14 is computed by the Controller to be $15,943,482. Now these figures and communication from the State Controller, who administers this new system of taxation, justifies "those alluring arguments advanced by its advocates." Now as to those "alluring arguments" advanced "by the representatives of the various public service corporations in its behalf," the answer can be found in Controller Nye's report, just published, on page 220, which reads as follows:

Now, the grand total of all state and county taxes paid by all the railroads in California on the assessment by the State Board of Equalization in 1910, which is the last assessment made by that board of railroads—as the new system went into effect in 1911—show that all the railroads in California, including the Pullman Company, paid a total state and county tax of $2,107,225.00 and for 1912 the Southern Pacific Company, on almost the identical assessment of its property made under the old system in 1910, paid under the new system $2,398,199.40, or $134,973.80 more than the Southern Pacific Company and all the railroads in California, including the Pullman Company, paid under the last assessment made on their property by the State Board of Equalization under the old law in 1910. That you may be satisfied on this point I read you the following:

"STATE BOARD OF EQUALIZATION, STATE OF CALIFORNIA,
SACRAMENTO, January 17, 1913.

Hon. J. B. Curtin, State Senate, Sacramento, Cal.

MY DEAR SENATOR: Replying to your inquiry, beg to advise that for the assessment year of 1912 the Southern Pacific Company reported total taxable gross assets in the sum of $59,954,984.83, upon which the State levied a tax at four per cent or $2,398,199.40. This tax covers the operative property of said company and contributes to the operation of its business but does not include the taxes on any nonoperative property which said company may have paid to the counties, cities, reclamation, irrigation and other districts; nor does said sum include any license taxes paid by the company for any purpose.

Very truly yours,

T. M. EBY,
Secretary State Board of Equalization."

Further, in 1912 the Southern Pacific Company also paid on the same property the state Panama Exposition tax, and also county taxes, city taxes, license taxes and irrigation taxes amounting to the further sum of $410,502.56.

Now, under the old law in 1910, the Pullman company paid as state and county taxes as assessed by the State Board of Equalization, $36,694.62 and as a result of those "alluring arguments" it did in 1912 pay on practically the same property a State tax of $58,619.98 and a state Panama Exposition tax of $1,351.06. I have not the figures as to how much other county, city and district taxes it paid.

I could cite innumerable instances of similar results, the grand total of which is shown by the "Special Report on Taxation showing Fifty Years of Separation of State, County and Municipal Revenues and Tax Rates," made by the State Board of Equalization December 1, 1911, where it is in detail shown that the net saving to the tax payers of the counties in 1911 was $3,537,121.16, and on page 12 of Controller Nye's report he shows that the gross receipts from taxes for 1912 were those of 1911 to be $1,191,679.10, and from a similar report just published by the State Board of Equalization for the year 1912 the net saving to the counties for the past year is shown to be $3,430,914.67; and adding those two years' savings together it gives as a result of two years working of this new system a total saving of $6,958,035.83, which in plain language is that the counties had the same amount of money to spend for county purposes as they would have had under the old system, and have been saved from paying for the support of the state government in those two years the sum of $3,958,035.83. When we appreciate that from the new corporations we get increased revenue without increased cost to get it, and when we contemplate that out of every one hundred dollars of increased traffic in railroads of all kinds and increased electric energy to be sold during the years 1914 and 1915, it seems probable that our Governor should have the courage to say that the confidence in the future revenue producing possibilities of the new method of taxation (is) possessed [illegible] by but few. In answer to this charge I state that there is not now today in the United States a system of taxation of like size and beyond the old system of taxation for state purposes, but all of them uphold the new system of [illegible] and Professor Ely, who was [illegible] for Louisiana, Nevada and Oregon, and I have had [illegible] Every [illegible] State [illegible] the new system of taxation, because at the end of the year the exact amount of tax to be paid is definite and certain, but not one single corporation in California favored the rates of taxation as contained in the new method.

If the confidence in this new system of taxation "is possessed by but few," let those who doubt its merit judge it by the report of its operation for the first two years as made by Controller Nye, and I quote the [illegible] from page 13 of his report:

"The state of the general fund is at all times the best test of the financial condition of the [illegible] because while the special funds are created to take care of the [illegible], the general fund is the one which must bear the burden of all responsibilities and [illegible] [illegible]. The favorable comparison of the condition of the General Fund at the end of each of the last two fiscal years is, therefore, in point:

Special appropriations in 1907	$2,029,612 00

special appropriations, $2,044,720, or a total of $17,044,482, which is $1,4

greater than the receipts in 1912, and so on. We are not going backward and if we go forward as much in 1913 over 1912 as we, in 1912, went beyond that of 1911, we need have no fear that the "wolf will be at the door" or that the "ax will fall" or that we will be "out of." That this State will go forward in 1913 is the firm belief of

will far exceed the last."

and have California possess the most modern system of taxation

would fail as denying the equal protection of the law. But it was

rates should be changed to bring about the equality desired.

no appropriation was made to continue the work of enforc-

PRESENTATION OF PETITION.

Senator Gerdes presented the following petition, which was ordered printed in the Journal:

SAN FRANCISCO, CAL., January 19, 1913.

To the Legislature of California, Sacramento, Cal.

HONORABLE GENTLEMEN: At a mass meeting of a number of labor unions, held in this city on the above date at which there were representatives present of the undersigned unions, it was resolved that your honorable body be requested to pass the Knox Bracket weekly rest day law, providing one day of rest in seven for all employees of labor, and that this weekly rest day shall fall on Sunday in all lines of business and labor which the public welfare does not require shall be kept in constant operation.

(Signed) M. R. GRUNHOP (and others).

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 5—Ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

L. B. MALLORY, Chief Clerk of Assembly.
By T. G. WALKER, Assistant Clerk.

Assembly Joint Resolution No. 5 referred to the Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 3—Approving ten certain amendments to the charter of the city of Pasadena, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the 24th day of May, 1912.

Also: Adopted Senate Concurrent Resolution No. 4—Approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 10th day of April, one thousand nine hundred and eleven.

L. B. MALLORY, Chief Clerk of Assembly.
By T. G. WALKER, Assistant Clerk.

Senate Concurrent Resolutions Nos. 3 and 4 ordered to enrollment.

REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 22, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom was sent Senate Bills Nos. 478 to 540, inclusive, Senate Constitutional Amendment No. 14, Senate Joint Resolutions Nos. 2 to 11, inclusive, and Senate Concurrent Resolution No. 8, respectfully report that they have examined the same and delivered them to the printer at the hour of nine o'clock and ten minutes p.m., January 21, 1913.

FLINT, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 28—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Also: Senate Concurrent Resolution No. 5—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of

[illegible]

[illegible]

[illegible]

Senate Bill No. 29 ordered on the 1st second reading.
Senate Constitutional Resolution No. 1 ordered on file.

[illegible]

Senator Flaherty moved that Senate Constitutional Resolution No. 1 be taken up for consideration.
Motion carried.

Senate Constitutional Resolution No. 1.

[illegible]

Whereas, The country of San Antonio was, at all the times herein mentioned, and is now, a public corporation and political subdivision of the State of California; and

Whereas, The board of supervisors of the county of San Antonio did, on the [illegible] day of March, 1913, by a vote of three fifths of all the supervisors of the said county, adopt a resolution declaring the necessity of issuing bonds of said county in the sum of [illegible] dollars, for the purpose of [illegible] under the provisions of Section 18 of Article XI of the Constitution of this State and [illegible] and the purpose of acquiring such [illegible] a portion of the said county; and

Whereas, Thereafter, on the [illegible] day of [illegible] 1913, the Board of Supervisors of the County of San Antonio duly adopted an ordinance providing for the submission of the said issue of [illegible] dollars to the electors thereof at the time of the next general election to be held in the said county, on the [illegible] day of May, 1913; and

Whereas, Thereafter, to wit, on the [illegible] day of May, 1913, a special election was held in the county of San Antonio for the purpose of [illegible] said issue of [illegible] dollars; and

Whereas, Thereafter, to wit, on the 15th day of May, 1913, the canvass of the said election returns made on the said 13th day of May, 1913, and the proclamation of the [illegible] vote cast in favor of [illegible] was declared to have been carried by the requisite [illegible] of the qualified electors of the said county, and

Whereas, Thereafter, said [illegible] and [illegible] and [illegible] [illegible] that the said [illegible] day of May, 1913, to wit, the 23rd day of September, 1913, the said board of [illegible] supervisors [illegible] the preparation of a [illegible] for the issuance of the said bonds of [illegible] dollars, and [illegible] that the issue of [illegible] dollars of bonds should be in a series of [illegible] annual installments, and that the first of the said installments should become [illegible] and payable on the [illegible] day of [illegible] 1914, and that the last of the said installments should become [illegible] and payable on the [illegible] day of [illegible] 1933, and that the said bonds should bear interest at the rate of [illegible] per cent per annum, payable [illegible] and

Whereas, Thereafter, said [illegible] [illegible] [illegible]

in accordance with the provisions of Section 7½ of Article XI of the Constitution of the State of California, and

WHEREAS, The charter so ratified is in the words and figures as follows, to wit:

LOS ANGELES COUNTY CHARTER.

We, the people of the county of Los Angeles, do ordain and establish for its government this charter.

ARTICLE I.

NAME AND RIGHTS OF THE COUNTY

SECTION 1. The county of Los Angeles, as it now exists, is a body corporate and politic, and as such has all the powers specified by the Constitution and laws of the State of California, and by this charter, and such other powers as are necessarily implied.

SEC. 2. The powers mentioned in the preceding section can be exercised only by a board of supervisors, or by agents and officers acting under their authority or by authority of law or of this charter.

SEC. 3. The corporate name shall be "County of Los Angeles," which must be thus designated in all actions and proceedings touching its corporate rights, powers, duties and liabilities. Its boundaries and county seat shall remain the same as they now are, until otherwise changed by law.

ARTICLE II.

BOARD OF SUPERVISORS.

SEC. 4. The county of Los Angeles shall have a board of supervisors consisting of five members, each of whom must be an elector of the district which he represents, must reside therein during his incumbency, must have been such an elector for at least one year immediately preceding his election, and shall be elected by such district. Their terms of office shall be four years, each shall hold until his successor is elected and qualified, and they shall each receive a salary of $5,000 per year payable monthly from the county treasury. They shall devote all their time during business hours to the faithful service of the public.

SEC. 5. The county is hereby divided into five supervisor districts, the boundaries of which shall be and remain as they now are until otherwise changed as provided in this charter.

SEC. 6. At the general election to be held in November, 1914, supervisors shall be elected from the first and third supervisor districts, whose terms shall begin at noon on the first Monday after the first day of January, 1915, and end at noon on the first Monday in December, 1918; *provided*, that each shall hold office until his successor is elected and qualified. At the general election to be held in November, 1916, supervisors shall be elected from the second, fourth and fifth districts, whose terms shall begin at noon on the first Monday after the first day of January, 1917, and end at noon on the first Monday in December, 1920; *provided*, that each shall hold office until his successor is elected and qualified. At each general election after November, 1916, there shall be elected, either two or three supervisors, as the case may be, for terms of four years, beginning at noon on the first Monday in December next after their election, and ending at noon on the first Monday in December, four years thereafter.

SEC. 7. The board of supervisors may, by a two-thirds vote of its members, change the boundaries of any supervisor district. No such boundaries shall ever be so changed as to affect the incumbency in office of any supervisor. Any change in the boundaries of any supervisor district must be made within one year after a general election.

SEC. 8. Whenever a vacancy occurs in the board of supervisors, the Governor shall fill such vacancy, and the appointee shall hold office until the election and qualification of his successor. In such case, a supervisor shall be elected at the next general election, to fill the vacancy for the unexpired term, unless such term expires on the first Monday in December succeeding said election.

SEC. 9. The board of supervisors shall elect a chairman, who shall preside at all meetings. In case of his absence or inability to act, the members present must, by an order entered of record, select one of their number to act as chairman pro tem. Any member of the board may administer oaths, when necessary in the performance of his official duties. A majority of the members shall constitute a quorum, and no act of the board shall be valid or binding unless a majority of the members concur.

ARTICLE III.

GENERAL POWERS OF THE BOARD OF SUPERVISORS.

SEC. 10. The board of supervisors shall have all the jurisdiction and power which are now or which may hereafter be granted by the Constitution and laws of the State of California or by this charter.

SEC. 11. It shall be the duty of the board of supervisors:

(1) To appoint all county officers other than elective officers, and all officers, assistants, deputies, clerks, attaches and employees whose appointment is not provided

SEC. 16. Whenever a vacancy occurs in an elective county office other than a member of the board of supervisors, the board shall by such majority vote appoint a person to hold office until the election and qualification of his successor. In such case, there shall be elected at the next general election an officer to fill such vacancy for the unexpired term, unless such term expires on the first Monday in December succeeding said election.

ARTICLE V

TOWNSHIP OFFICERS

SEC. 17. The board of supervisors must provide, by ordinance, for not less than one justice of the peace and one constable in each township and may provide for more in townships where population and the business thereof require a greater number: *provided*, that, until the board shall so provide for such justices of the peace and constables, the number of each elected in each township shall continue as now or hereafter provided by law: *provided further*, that at the [illegible] shall hereafter, instead of the system of courts of justices of the peace now established by law, substitute some other system of inferior courts, then such [illegible] shall not be compulsory upon the board of supervisors to provide [illegible] for, and the board may discontinue the existence of all justices of the peace in the several townships, if such discontinuance be allowed by law and the board [illegible] provide for such number of inferior judges or justices as may be necessary for the needs of the county, under such substituted system.

SEC. 18. Justices of the peace shall be nominated and elected at the times and in the manner and for the terms, now or hereafter provided by general law. Constables shall be appointed by the sheriff from the eligible civil service list.

SEC. 19. The compensation of justices of the peace and of constables shall be fixed by the board of supervisors, and must be by salary only, which shall not be uniform for the several townships, nor proportionate to population therein. Their duties and qualifications shall be such as are now, or which may hereafter be prescribed by law, or by this charter.

SEC. 20. All fees collected by any justice of the peace or constable shall be paid into the county treasury, on the first Monday of each calendar month, together with a detailed statement of the same in writing, a duplicate copy of which shall be filed with the auditor at the same time. The fees to be so paid into the treasury by each constable shall include all fees charged and collected by him for service of any writ or process of any court or for any act or service done or rendered by him, or which he has power or which it is his duty to do or render in his official capacity; and every constable shall enter in the fee book kept by him all such fees charged and collected by him and pay the same into the county treasury as above provided, without deduction for any such acts or services purporting or required to have been done or rendered by him as a private citizen.

ARTICLE VI

DUTIES OF OFFICERS

SEC. 21. The county counsel shall [illegible] and act as the legal adviser of the board of supervisors and all county, township and school district officers, in all matters and questions of law pertaining to their duties, and shall have exclusive charge and control of all civil actions and proceedings in which the county, or any officer thereof, is concerned or is a party. He shall also act as attorney for the public administrator in the matter of all estates in which such officer is executor, administrator with the will annexed, or administrator, and the county counsel shall, in every such matter, collect the attorney's fees allowed therein by law and pay the same into the county treasury.

SEC. 22. The superintendent of charities shall be under the direction of the board of supervisors, and shall exercise a general supervision over, and enforce rules and regulations for the conduct and government of, the charitable institutions of the county. He shall perform such other duties as may be prescribed by the board of supervisors or by law.

SEC. 23. Upon request by the defendant or upon order of the court, the public defender shall [illegible] persons who are [illegible] able to employ counsel and who are charged, in the superior court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to a higher court of causes of [illegible] who has been convicted upon such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction. He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed $100, and in which, in the judgment of the public defender, the claims urged are valid and enforceable in the courts. He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed. The costs in all actions in which

[illegible] alternate year after 1913, the board of supervisors shall appoint one person as the [illegible] for six years. Any [illegible] supervisors for the unexpired term. Each member of the commission shall serve until his [illegible] adherent of the same political party. No member shall hold any other salaried [illegible] ment, an active executive officer in any political organization. Each member shall have been a resident of the county for five years next preceding his appointment, and his name shall be upon the state and county assessment rolls at the time thereof. The board of supervisors, by four-fifths vote of all the members, may remove a member of the commission during his term of office, but only upon stating in writing the reasons for such removal and allowing him an opportunity to be publicly heard in his own defense. The commission shall elect one of its members president.

SEC. 31. [illegible] calendar month. The commission shall appoint and fix the compensation of a chief [illegible] ordinates as may be necessary.

SEC. 32. [illegible] shall annually levy and collect a tax on all taxable property in the county, at the [illegible] during such fiscal year, or required to defray expenses incurred during such year, shall, on the first day of January next succeeding the end thereof, be placed in the [illegible]

SEC. 33. [illegible] and the classified service. The unclassified service shall comprise:

(a) All officers elected by the people.

(b) In the office of the district attorney: The chief and one other deputy, one [illegible]

(c) In the office of the sheriff: [illegible] of the assessor: The chief deputy.

(d) [illegible]

(e) Members of the county [illegible]

(f) Members of the civil service commission.

(g) All [illegible]

[illegible]

SEC. 34. The commission shall prescribe, amend and enforce rules for the classified service, which shall have the force and effect of law; shall keep minutes of its proceedings and records of its examinations and shall, as a board or through a single [illegible] to the board of supervisors. The rules shall provide:

(1) For the classification of all positions in the classified service.

(2) For open, competitive examinations to test the relative fitness of applicants for such positions.

(3) For public advertisement of all examinations.

(4) [illegible] successful candidates in the order of their standing in examination. Such lists shall remain in force not longer than two years.

(5) For the rejection of candidates or eligibles who fail to comply with the reasonable requirements of the commission in regard to age, residence, sex, physical condition or who have been guilty of crime or of infamous or disgraceful conduct or who have attempted any deception or fraud in connection with an examination.

(6) For [illegible] appropriate list.

(7) For a period of probation not to exceed six months before appointment or promotion is made complete, during which period a probationer may be discharged or reduced with the consent of the commission.

(8) For noncompetitive examinations for minor positions in the county institutions when competition is found to be impracticable.

(9) For temporary employment of persons on the eligible list until list of the class covering the [illegible] for temporary [illegible] after the eligible list has been established. But no such temporary employment shall continue longer than sixty days, nor shall successive temporary appointments be allowed. Nor shall the acceptance or refusal to accept such temporary appointment

SEC. 42. No officer or employee of the county, in the classified service, shall, directly or indirectly, solicit or receive or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any political party or political purpose whatever. No person shall, orally or by letter, solicit, or be in any manner concerned in soliciting, any assessment, subscription or contribution for any political party or purpose whatever from any person holding a position in the classified service.

SEC. 43. No person holding a position in the classified service shall take part in political management or affairs or in political campaigns further than to cast his vote and to express privately his opinions.

SEC. 44. Any person who violates any of the provisions of this act, or of the rules established thereunder, shall be guilty of a misdemeanor.

ARTICLE X

LABOR

SEC. 45. In the employment of persons in the service of the county, where sex does not actually disqualify and where the quality and quantity of service is equal, there shall be no discrimination in salaries or compensation on account of sex.

SEC. 46. Eight hours shall constitute a day's work for mechanics and others engaged in manual labor in the service of the county.

SEC. 47. In fixing compensation to be paid to persons under the classified civil service, the board of supervisors shall, in each instance, provide a salary or wage at least equal to the prevailing salary or wage for the same quality of service rendered to private persons, firms or corporations under similar employment in case such prevailing salary or wage can be ascertained.

SEC. 48. Every person who shall have been in the service of the county, continuously, for one year, shall be allowed a vacation of two weeks on full pay, annually.

SEC. 49. The board of supervisors shall prohibit enforced labor without compensation as a penalty for the commission of public offenses. The net earnings of all county prisoners, based upon reasonable compensation for services performed, shall go to the support of their dependents, and if such prisoners have no dependents, such net earnings shall accumulate and be paid to them upon their discharge.

ARTICLE XI.

RECALL.

SEC. 50. The holder of any elective or appointive county or township office may be recalled by the electors at any time after he has held his office six months. The provisions of this article shall apply to officials now in office, and to those hereafter elected or appointed. Such recall shall be effected as follows: A petition demanding the election or appointment of a successor to the person sought to be recalled shall be filed with the registrar of voters, which petition shall be signed by qualified voters equal in number to at least fifteen per cent of the entire vote cast within the county for all candidates for the office of Governor of the State at the last preceding general election at which a Governor was elected (or at least twenty-five per cent of such vote cast within the district or township for which the officer sought to be recalled was elected or appointed, in case of an officer not elected by or appointed for the county) and shall contain a statement of the grounds on which the recall is sought. No insufficiency of form or substance in such statement shall affect the validity of the election and proceedings held thereunder. The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of occupation and residence, giving street and number or if no street or number exist, then such a designation of his residence as will enable the location to be readily ascertained. To each separate paper of such petition shall be attached an affidavit made by a qualified elector of the county, stating that the affiant circulated that particular paper and saw written the signatures appended thereto, and that, according to the information and belief of the affiant, each of said signatures is genuine, and the signature of a qualified elector of the county (or particular subdivision thereof in which such signers are hereby required to reside). Within ten days from the filing of such petition, the registrar of voters shall, from the records of registration, determine whether or not said petition is signed by the requisite number of qualified voters, and he shall attach to said petition his certificate showing such determination. If such certificate shows the petition to be insufficient, it may be supplemented within ten days from the date of the certificate by the filing of additional papers, duplicates of the original petition except as to the names signed. The registrar of voters shall, within ten days after such additional papers are filed, ascertain from the records of registration, and certify whether or not the names to such petition, including such additional papers, are sufficient, and if insufficient, no action shall be taken thereon; but the petition shall remain on file as a public record. The failure to secure sufficient names shall not prejudice the filing later of an entirely new petition to the same effect. If required by the registrar of voters, the board of supervisors shall authorize him to employ, and shall provide for the compensation of, persons necessary in the examination of said petition and supple-

[illegible] or corporation doing business [illegible] to or hold any appointive county office.

[illegible] shall not engage in any private law practice, and they shall devote all their time [illegible]

[illegible] affecting the tenure of office of any of the elective officers of the county or of any [illegible] effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected unless sooner removed in the manner provided by [illegible] or affecting the compensation of any such officer during the term for which he shall [illegible]

[illegible] of Los Angeles, in the State of California, elected at a special election held in the said county on the 14th day of May, 1912, to prepare and provide a charter for the said county [illegible] of this State, have prepared and we do hereby propose, the foregoing as and for a charter for said county.

[illegible] day of September, 1912.

LEWIS R. WORKS, Chairman.
FREDERICK [illegible]
WILLIS H. BOOTH.
T. H. DUDLEY.
WILLIAM A. ENGLE.
DAVID EVANS.
H. C. HUBBARD.
J. M. HUNTER.
GEO. I. KERNAGHAN.
FRANK E. SHAW.
J. H. STRINE.
CHARLES WILLBORN.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, } ss.

I, H. J. Lelande, county clerk of the county of Los Angeles, do hereby certify that the foregoing is a full, true and correct copy of the proposed charter for the county of Los Angeles, prepared and proposed by a duly qualified board of fifteen freeholders duly elected on the 14th day of May, 1912, and that a copy of said charter was duly filed in my office on the 24th day of September, 1912, said copy having been duly signed by a majority of the members of said board, and that thereafter said proposed charter was duly published for ten times in the *Daily Journal*, a daily newspaper of general circulation, printed, published and circulated in the county of Los Angeles and that the last publication thereof was made within fifteen days after the date of the filing of the said charter in my office, to wit, on the 24th day of September, 1912, and that the last publication thereof was completed [illegible] day of October, 1912, and that after said publication said charter was duly submitted to the qualified electors of the county of Los Angeles at the general election held on the 5th day of November, 1912, and that at said election a majority of such qualified electors voting thereat duly ratified the same.

In witness whereof, I have hereunto set my hand and affixed my seal this 2nd day of January, 1913.

[SEAL]

H. J. LELANDE, County Clerk.
By A. M. McPHERRON, Deputy.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss

I, C. L. Logan, county recorder of the county of Los Angeles, do hereby certify that the foregoing is a full, true and correct copy of the proposed charter for the county of Los Angeles, prepared and proposed by a duly qualified board of fifteen freeholders, duly elected on the 14th day of May, 1912, and that a copy of said charter was duly filed in my office on the 24th day of September, 1912, said charter having been duly signed by a majority of the members of the said board.

In witness whereof, I have hereunto set my hand and affixed my seal this 3rd day of January, 1913.

[SEAL]

C. L. LOGAN, County Recorder.
By R. L. HAZEN, Deputy.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bills:

Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the forty-first Legislature of the State of California during the sixty-fourth fiscal year.

Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

And report that the same have been correctly engrossed.

GRANT,
Acting Chairman Committee on Engrossment and Enrollment.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 72—An Act to amend section one hundred and sixty-seven of the Penal Code of California, relating to false certificates and acknowledgements of notaries public and other officers.

Also: Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing crime for failure to comply with provisions of said Act.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 72 and 154 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 150—An Act to amend section seven hundred thirty-nine of the Political Code, relating to the salaries of officers connected with the Supreme Court—have had the same under consideration and respectfully report the same back, and recommend that it be re-referred to the Committee on Finance.

GATES, Chairman.

Senate Bill No. 150 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 216—An Act to amend section sixty-seven *a* of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of eight additional Superior Court judges in counties of the first class, and providing for their compensation—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on County Government.

Also: Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it be re-referred as amended to the Committee on County Government.

GATES, Chairman.

Senate Bills Nos. 216 and 20 ordered re-referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 77—An Act to amend section eight hundred and forty-eight of the Code of Civil Procedure of the State of California, relating to the service of summons, issued out of a justice's court, outside of the county in which the action is brought.

Also: Senate Bill No. 301—An Act to amend section two thousand one hundred seventy-two of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Assembly Bill No. 1000, by [illegible], to add a new section to the Insurance Code, relating to [illegible] and providing for the filing of rate [illegible].

Assembly Bill No. 1014—To add an article to the Penal Code, relating to [illegible] and providing for the [illegible] of [illegible].

Assembly Bill No. 1015—To add [illegible] to the Penal Code, relating to [illegible] and providing for the [illegible] of [illegible].

Bills read first time and referred to Committee on Judiciary.

Assembly Bill No. 1016—To amend [illegible] of the Penal Code, relating to [illegible] and providing for the [illegible] of [illegible].

Bill read first time and referred to Committee on Judiciary.

INTRODUCTION OF BILLS

Senator Miller: Bills No. 111, 112 and 113 ordered on the file for second reading.

RESOLUTIONS

By Secretary: Senate Concurrent Resolution No. 11.

Mr. Secretary: Your Committee on Finance, to which was referred Senate Bill No. 1, has had said bill under consideration, and is now ready to report it back to the Senate with the recommendation that it do pass.

Senator Miller: Senate Bill No. 1 ordered on the file for second reading.

LEAVE OF ABSENCE

Senator [illegible] was, on motion of Senator [illegible], granted leave of absence for the day.

MESSAGE FROM ASSEMBLY

A message from the Assembly, by [illegible], Chief Clerk, announced the [illegible] of the Senate of the following [illegible]:

[illegible] AND BILLS INTRODUCED

The following bills were introduced:

By Senator Campbell: Senate Bill No. 107—An Act to amend section [illegible] of the Political Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Dennis: Senate Bill No. 108—An Act to provide and declare [illegible] in Richmond municipal water district.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 109—An Act to amend an Act entitled "An Act to divide the State of California into [illegible] and [illegible]" approved March 21, 1911, by amending sections [illegible] thereof and to add [illegible], to be known and numbered as sections [illegible] and [illegible].

Bill read first time and referred to Committee on Fish and Game.

By Senator Tyrrell: Senate Bill No. 110—An Act to prevent the [illegible] of persons held in custody, and to provide punishment for persons violating this Act.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 111—An Act making an appropriation to pay the expenses of the State Banking Department.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 112—An Act granting to the town of Riverville [illegible] and [illegible] of the State of California

defining the right to water and therefor, the form of Ordinance and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wolfe: Senate Constitutional Amendment No. 9—Relative to approving charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held thereon on November 5, 1912.

Resolution referred to Committee on County Government.

By Senator Anderson: Senate Bill No. 547—An Act to amend section two thousand six hundred ninety-two of the Political Code of the State of California, relating to private roads and private ways for canals.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 548—An Act to amend section two hundred of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 549—An Act to amend section sixty-nine of the Civil Code, relating to the issuing of marriage licenses.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 550—An Act to repeal section seventy-nine of the Civil Code, relating to marrying without licenses.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 551—An Act to amend section seventy of the Civil Code, relating to persons by whom marriage may be solemnized.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 552—An Act to amend section fifty-six of the Civil Code, relating to minors incapable of contracting marriage.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 553—An Act to amend section eight-five of the Civil Code, relating to the awarding of the custody of the children of an annulled marriage on the grounds of fraud or force.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 554—An Act to amend section eighty-three of the Civil Code, relating to the time in which actions for annulling marriage may be commenced.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 555—An Act to amend section one hundred ninety-six of the Civil Code, relating to the obligation of parents for the support and education of their children.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 556—An Act to amend section one hundred ninety-nine of the Civil Code, relating to actions of husband or wife for the exclusive control of children and the decree in such cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 557—An Act to repeal section one hundred and ninety-eight of the Civil Code, relating to superior right of husband and wife living separate, to the custody of children.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 558—An Act to amend section two hundred and twelve of the Civil Code, relating to wages of minors.

Bill read first time, and referred to Committee on Judiciary.

partridges, bob white quail, California valley and mountain quail and all varieties of wild ducks; providing for a license therefor, for the manner of killing, tagging, transportation and sale thereof; for reports, for the fencing of the preserves and for the revocation of licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Lyon: Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Cogswell: Senate Bill No. 569—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof, to prevent fraud and deception in the production and sale of dairy products, to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 570—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties, to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties, to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained, to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 571—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese, and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 572—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease, to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Bill read first time, and referred to Committee on Agriculture.

By Senator Cogswell: Senate Bill No. 573—An Act to amend section sixteen hundred seventeen of the Political Code of the State of California, defining the powers and duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Committee on Agriculture: Senate Joint Resolution No. 12—Relative to action by Congress in directing an investigation through

the Department of Agriculture, or measures for protection of trees from fruit damage.

Senate Joint Resolution No. 11 ordered on file.

By Senator Cowan: Senate Bill No. 214—An Act to amend section five hundred thirty-four of the Political Code of the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Grant: Senate Bill No. 215—An Act to add a new section to the Penal Code, to be numbered three hundred and sixty-seven f, relative to the use of injured or surplus arms, tools, dies, forms or other utilization or instruments and being a penalty for the violation thereof.

Bill read first time, and referred to Committee on Finance.

By Senator Stewart: Senate Bill No. 216—An Act to amend the Civil Code by adding thereto a new section, to be numbered four hundred eleven, requiring all foreign corporations doing business in the State of California to keep the original records of the business of each and every business transacted within this State at the principal office in this State.

Bill read first time, and referred to Committee on Corporations.

By Senator Thompson: Senate Bill No. 217—An Act to amend section fifteen hundred fifty-seven of the Penal Code, relating to the payment of persons employed in bringing back fugitives from justice arrested in other States or foreign countries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 218—An Act to amend section eighteen hundred thirty-seven and eighteen hundred forty of the Political Code, relating to district attorneys fees.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 219—An Act to amend section nine and ten of an Act entitled "An Act for preventing the introduction, sale or transportation of adulterated, misbranded or unwholesome foods and liquors and regulating the traffic therein, providing penalties with fixing a time when this Act shall take effect and repealing an appropriation therefor," approved March 11, 1907, relating to the salaries of the deputy and assistant dairies and to the times and places of hearing food cases.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 220—An Act to amend sections six and fifteen of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, misbranded or poisonous drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Seabridge: Senate Bill No. 221—An Act to provide for the election of road masters prescribing the time and manner of holding such election, the term of office, the duties of road masters, and fixing their compensation.

Bill read first time, and referred to Committee on County Government.

By Senator Carr: Senate Bill No. 582—An Act to amend section forty-[illegible] of the Political Code of the State of California relating to the powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 583—An Act to amend section fifteen hundred fifty-one of the Political Code of the State of California, defining the duties of the school superintendent in regard to reports and school district boundaries.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 584—An Act to amend section fifteen hundred seventy-six a of the Political Code of the State of California, relating to the hiring of a clerk by certain districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 585—An Act to amend section sixteen hundred sixty-two of the Political Code of the State of California, defining the length of the elementary school course, school age, and conditions of admission to and exclusion from the day and evening elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 586—An Act to amend section sixteen hundred sixty-three of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Bill read first time, and referred to Committee on Education.

By Senator Hans: Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered five hundred fifty a, relating to the furnishing of water for family use.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Hewitt: Senate Bill No. 588—An Act to amend sections four, six, eight and nine of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as section twenty of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Constitutional amendment referred to Committee on Judiciary.

By Senator Avey: Senate Bill No. 589—An Act to amend "An Act to establish a uniform system of county and township government" (approved April 1, 1897), by amending section fifty-eight thereof.

Bill read first time, and referred to Committee on County Government.

Also, Senate Bill No. 270. An act to amend the act to establish uniform system of schools and to repeal certain acts relating thereto, approved March 1, 1907; the preceding portion was adopted and reported adopted.

Bill read first time and referred to Committee on Public Education.

By Senator Dunning, Senate Bill No. 271. An act to add a new section to the Civil Code to be numbered section one hundred twenty-three, relating to the marriage of persons of opposite sexes.

Bill read first time and referred to Committee on Judiciary.

Also, Senate Bill No. 272. An act to provide for the investigation of the work of the State Commission of the Navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission dated June 30, 1910, and made jointly by Brigadier General J. Macomb, Chief of Engineers, U. S. A., Colonel Edgar Jadwin, Corps of Engineers, and Thomas H. Jackson, Attorney-at-Law, of the State of California, and approved by the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1909, and making an appropriation for such work.

Bill read first time and referred to Committee on Finance and Revenue.

Also, Senate Bill No. 273. An act to amend section three hundred and [illegible] of the Penal Code of the State of California relating to intoxicating liquors and their manufacture, sale and gambling for the purpose and will it hereof to such sale, manufacture and the keeping of instruments to use such liquor and other purposes.

Bill read first time, and referred to Committee on Corporations and Overflowed Lands.

Also, Senate Bill No. 274. An act to amend section [illegible] of the Code of Civil Procedure of the State of California [illegible] persons who are exempt from jury duty.

Bill read first time and referred to Committee on Judiciary.

Also, Senate Bill No. 275. An act to add a new section to the Penal Code of the State of California to be numbered one hundred seventy-two a, relating to [illegible] and operating [illegible].

Bill read first time and referred to Committee on Judiciary.

Also, Senate Bill No. 276. An act to amend section one hundred twenty-seven of the Code of Civil Procedure of the State of California, relating to [illegible].

Bill read first time and referred to Committee on Judiciary.

Also, Senate Bill No. 277. An act to amend section one hundred thirty-one of the Code of Civil Procedure of the State of California relating to [illegible] of jury.

Bill read first time and referred to Committee on Judiciary.

Also, Senate Bill No. 278. An act to add a new section to the Penal Code of the State of California to be numbered [illegible] relating to [illegible].

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 599—An Act to repeal sections eleven hundred eight and eleven hundred eleven of the Penal Code of the State of California, relating to the corroboration of the testimony of persons upon whom or with whom certain crimes have been committed, and to the corroboration of the testimony of an accomplice.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 600—An Act to amend section seven hundred and eighteen of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 601—An Act empowering the State Board of Prison Directors to cultivate the lands of the California State Reformatory tract by the use of prison labor, authorizing the use of the regular appropriations of said board therefor, and providing for the disposal of the products thereof.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site, and appropriating money therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Rush: Senate Bill No. 603—An Act to amend section six hundred twenty-six *b* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Caminetti: Senate Bill No. 604—An Act to amend sections six hundred and twenty-eight *a*, six hundred and thirty-four, and to repeal section six hundred thirty-six *b*, of the Penal Code of the State of California, all relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 605—An Act to establish the Pioneer state road; to define its course; to provide for its supervision, survey, construction, repair and maintenance, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Bill read third time.

MOTION.

Senator Strebridge moved that the bill be passed on file, to retain its place.

Motion carried.

JUDICIARY

Senator Caraway moved that the Judiciary Committee be instructed to report to the Senate the constitutionality of Section 1, Article IV of the Constitution, relative to the executive pardoning power in the cases of life.

Motion carried.

SECOND READING OF BILLS

Senate Bill No. 39—An Act to amend section twelve hundred seventy-seven of the Civil Code, relating to the conveyance of certain instruments and certificates of acknowledgment, the effect such conveyances shall impart, and the effect as evidence of certified copies of the same.

Bill read second time, ordered engrossed and on the 3rd third reading.

Senate Bill No. 39—An Act to amend section fifteen hundred seventy-seven of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend section fifteen hundred eighty-six of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read second time, ordered engrossed and to the 3rd third reading.

ADJOURNMENT

At twelve o'clock and thirty-five minutes p.m., no further business appearing in order, the President put the motion to adjourn the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Thursday, January 12, 1911.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wilson, President of the Senate, in the chair.

The roll was called and the following answered to their names:

Senators Anderson, Bell, Benson, Burnett, Cook, Curry, Flint, Gerdes, Hewitt, Hurd, Inman, Jones, Kehoe, Leeds, Lewis, Lukens, Lyon, Mahan, Miller, Nelson, Owens, Peterson, Rebstock, Rigdon, Roseberry, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wolfe, Young, Yount, and Wright—38.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. H. Dana Taylor.

READING OF THE JOURNAL

During the reading of the Journal of Wednesday, January 11, 1911, the further reading was dispensed with, on motion of Senator Rigdon.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 22, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were referred Senate Bills Nos. 541 to 605, inclusive, Senate Constitutional Amendments Nos. 15 and 16, Senate Joint Resolution No. 12, and Senate Concurrent Resolution No. 9, respectfully report that they have examined the same and delivered them to the printer at the hour of ten o'clock and twenty minutes p.m., January 22, 1913.

FLINT, Chairman.

ON JUDICIARY.

SACRAMENTO, CAL., January 23, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred the question of the construction to be given to that provision contained in Section 1, Article IV [illegible] go into effect until ninety days after the final adjournment of the session of the Legislature which passed such Act, except Acts calling elections, Acts providing [illegible] urgency measures necessary for the immediate preservation of the public peace, health or safety, passed by a two-thirds vote of all the members elected to each house. Whenever it is deemed necessary for the immediate preservation of the public peace, health and safety that a law shall go into immediate effect, a statement of the facts constituting such necessity shall be set forth in one section of the Act, which section shall be passed only upon a yea and nay vote upon a separate roll call, have had the same under consideration and respectfully report that it is the opinion of the committee: (1) That an Act [illegible] Acts calling elections, Acts providing for tax levies, Acts providing for appropriations for the usual current expenses of the State, and urgency measures necessary for the immediate preservation of the public peace, health or safety, in order to go into immediate effect, shall be passed by a two-thirds vote; and (2) that only the last three [illegible] urgency section and the passage of such section by a vote upon a separate roll call; and (3) that any Act of the first three classes, to wit, an Act calling an election, or an Act providing for a tax levy, or an Act providing an appropriation for the usual current expenses of the State, have in such Act a section substantially in words and figures as follows: "This Act, inasmuch as it * * * shall under the provisions of Section 1 of Article IV of the Constitution take effect immediately."

[illegible] submitted.

GATES, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, CAL., January 23, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate Bills:

Senate Concurrent Resolution No. 7—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

Senate Concurrent Resolution No. [illegible]—Approving seven amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

And report that the same have been correctly engrossed.

LYON, Acting Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Kehoe: Senate Bill No. 606.—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation

of the waters will and reasonable; providing that certain courts shall take judicial notice of certain acts of the state water commission, specifying the duties of all persons concerned as witnesses before said commission; empowering certain officers to administer oaths; providing for the payment of the witnesses and employees of said commission; providing for the printing of the decisions of said commission, what order in appropriations governing what water may be appropriated; defining the duties of those who desire to appropriate water; defining the grounds for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and to the corporation of water; providing for the measurement and adjudication of water rights; providing for the hanging of actions by various persons, to annul the decision of the state water commission in the adjudication of water rights; providing for the filing of maps of the diversion of water rights; providing for the appointment of water masters; defining their duties; providing for the payment of their fees and charges; providing for the appointment of water commissioners; defining their duties; providing for the payment of their fees and charges; providing for the appointment of water rights boards

"forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 608—An Act to amend section nine hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the time for taking an appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 609—An Act to repeal section six hundred sixty-one of the Code of Civil Procedure, relating to records on appeal from orders granting or refusing a new trial.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 610—An Act to amend section six hundred fifty-eight, six hundred fifty-nine, and six hundred sixty, Code of Civil Procedure, relating to motions for new trial.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 611—An Act making an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 612—An Act to amend section ten hundred fifty-four of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read first time, and referred to Committee on Judiciary.

By Senator Larkins: Senate Bill No. 613—An Act to amend section forty-two hundred forty-one of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Bill read first time, and referred to Committee on County Government.

By Senator Avey: Senate Bill No. 614—An Act to provide for the reforestation of and the cutting of fire lanes and fire trails on the Angeles National Forest, and to make appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Gates: Senate Bill No. 615—An Act to amend section six hundred eighty-five of the Code of Civil Procedure of the State of California by providing a limitation within which execution may be issued upon money judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 616—An Act to amend section sixteen hundred and eighteen of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 617—An Act to amend section six of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Campbell: Senate Bill No. 429—An Act to amend section seven hundred nine of the Code of Civil Procedure of the State of California, relative to execution of the judgment against defendants.

Bill read first time and referred to Committee on Judiciary.

By Senator Hewitt: Senate Bill No. 430—An Act to amend section two hundred and four of an Act entitled "An Act to provide a system of county government, basis to maintain certain government for the care of state work and improvement within municipalities, and also for the payment of said bonds," approved February 21, 1861.

Bill read first time and referred to Committee on Municipal Corporations.

By Senate Bill No. 431—An Act to amend section twenty-two hundred eighty-three of the Political Code of the State of California, relating to the support, maintenance of orphans, half-orphans and abandoned children, and granting aid to mothers of half-orphans living in their own homes, making such payments subject to some rules, and defining the amounts to be paid and ages of orphans, and half orphans entitling such aid and adding a new section thereto to be known as section twenty-two hundred eighty-twelve of the Political Code of the State of California, giving to the State Board of Control authority to appoint all state county relief agents, twenty-two hundred eighty-three of the said Code, and to grant aid as it shall determine.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senate Constitutional Amendment No. 11—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California by adding a new article to said Constitution, to be designated as article thirty-four of said article thirteen of the Constitution of the State of California, relative to the exemption of large and small tracts owned by female citizens from taxation.

Constitutional amendment referred to Committee on Property and Navigation.

By Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section seven and one-half of article eleven thereof, relating to the citizens of counties belonging to the State or to any county or municipality within the State or both.

Constitutional amendment referred to Committee on Banking.

By Senator Strobel: Senate Bill No. 432—An Act appropriating money to pay for construction work completed upon the state highway being built from Marysville to El Dorado County to Dobbins in Placer County.

Bill read first time and referred to Committee on Finance.

By Senator Strobel: Senate Bill No. 433—An Act to amend section six hundred twenty-seven of the Political Code of the State of California, relating to licenses.

Bill read first time and referred to Committee on Licenses.

Also: Senate Bill No. 623—An Act to add a new section to the Penal Code of the State of California, to be numbered four hundred thirty-nine *a*.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 624—An Act to add a new section to the Political Code of the State of California, to be numbered six hundred thirty-six, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 625—An Act to add a new section to the Political Code of the State of California to be numbered six hundred and thirty-three *a*, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year nineteen hundred thirteen.

Bill read first time, and referred to Committee on Federal Relations.

Also: Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, near Stockton, Cal., and to provide for the government and management thereof and making an appropriation therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 629—An Act to amend section twenty-one hundred eighty-five *c* of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 630—An Act to amend sections one, four, six, seven, eight, eight *a* and eight *b* of, and to add a new section to be known as section eight *c*, to an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 631—An Act to amend section eight hundred seventeen of the Penal Code, relating to peace officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 632—An Act to amend section three hundred seven of the Penal Code, relating to the sale and use of opium, and the visiting of places where opium is smoked, or the fumes of opium inhaled.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Bryant: Senate Bill No. 623—An act to amend the Code of Civil Procedure by adding thereto one or more sections relating to the appeal of insanity and procedure thereto.

Bill read first time and referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 624—An act to appropriate and make available for the purpose of planting for the State Board of Forestry a certain sum heretofore appropriated for the support of said board.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 625—An act to amend section six hundred thirty-five and one half of the Penal Code, relating to incidents thereto, and repealing acts.

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 626—An act to amend section twenty-eight of the Penal Code of the State of California, relating to the protection of fish and shellfish.

Bill read first time and referred to Committee on Fish and Game.

By Senator Grant: Senate Bill No. 627—An act to authorize suits against the State of California and the creation and prosecution thereof, providing and directing in what manner and in what courts such suits against the State may be brought and prosecuted, and providing for the further prosecution of suits against the State now pending.

Bill read first time, and referred to Committee on Judiciary.

By Senator Colton: Senate Bill No. 628—An act to authorize an appropriation to reimburse the directors of the State Board of Agriculture for certain moneys paid for traveling expenses during the years 1931 and 1932, fourth fiscal term.

Bill read first time, and referred to Committee on Finance.

Also: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to section thirty-one and one half of article IV of the Constitution of the State of California, relative to the judicial power of the State.

Constitutional amendment referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 629—An act to repeal sections nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-three and one-half, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-six, nine hundred and fifty-seven of the Code of Civil Procedure, relating to records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 630—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered one hundred and fifty, relating to records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 631—An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered one hundred and fifty-one, relative to the preparation and return of records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 632—An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered one hundred and fifty-two, relating to transcript of reporter.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 643—An Act to amend section nine hundred and fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 644—An Act to amend section nine hundred and sixty-three of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 645—An Act to amend sections one thousand five hundred seventeen, one thousand five hundred and eighteen, one thousand five hundred and twenty, and one thousand five hundred and twenty-two of the Political Code of the State of California, relating to the State Board of Education, and its powers.

Bill read first time, and referred to Committee on Education.

Also: Senate Constitutional Amendment No. 20—Resolution to propose to the people of the State of California an amendment to sections two and seven of article nine of the Constitution, relative to the election of the Superintendent of Public Instruction, the organization of the State Board of Education, and the classification of teaching.

Constitutional amendment referred to Committee on Education.

By Senator Caminetti: Senate Bill No. 646—An Act making an appropriation for university extension work for the University of California.

Bill read first time, and referred to Committee on Education.

By Senator Cassidy: Senate Bill No. 647—An Act appropriating money to pay the claim of Chas. A. Pahn against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Owens: Senate Bill No. 648—An Act to provide for direct legislation by cities and towns, including initiative and referendum.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Thompson: Senate Bill No. 649—An Act to amend section three thousand five hundred and nineteen of the Political Code, relating to issuance of state patents.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 650—An Act to amend an Act entitled "An Act to define and regulate the business of banking in the State of California" approved March 1909 as amended April 21, 1911, by amending sections three, eleven, nineteen, twenty, twenty-one, twenty-three, twenty-five, thirty-two, thirty-three, forty-four, forty-seven, sixty-one, sixty-seven, sixty-eight, eighty-three, ninety, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred one, one hundred six, one hundred twenty-four, one hundred thirty-four and one hundred forty-three of said Act, and by repealing section sixty-five of said Act, and by adding a new section to said Act to be designated as section thirty-one *a*, relating to the manner in which two or more banks may consolidate.

Bill read first time, and referred to Committee on Banking.

By Senator Stetler: Senate Bill No. 456—An Act to establish an employment bureau, to be under the control and management of the Commissioner of the Bureau of Labor Statistics, defining its powers and duties, providing for the appointment of employees, and other employees and help for the various offices to be opened, fixing their compensation and defining their duties, the time to be paid to persons for whom employment is procured and making an appropriation to carry out the purposes of this Act.

Bill read first time and referred to Committee on Labor and Capital.

Also: Senate Bill No. 457—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 10, 1909 and as amended by an Act approved May 1, 1911, by providing notice as hereof.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 458—An Act to amend section [illegible] of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, amended [illegible] March 11, 1909.

Bill read first time and referred to Committee on Public Health and Quarantine.

[illegible]

Senate Bill No. [illegible] An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, Avey, Beasley, Bond, Boynton, Chandler, Cartwright, Crowley, Curtin, Finn, Flint, Gates, Gerdes, Hatch, Hewitt, Holohan, Inman, Lee, Leyden, Lukens, Mitchell, Rominger, Shearer, Stetler, Strobridge, Thompson, Tyrrell, Wallace, Wolfe, Wyllie—35.

Noes—None.

Bill passed and ordered transmitted to the Assembly.

Senate Bill No. [illegible]—An Act to make an appropriation for the contingent expenses of the Senate for the session of the Thirty-Eighth Legislature of the State of California during the sixty-fourth year.

Read third time as a previous Act.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, Avey, Beasley, Bond, Boynton, Curtin, Finn, Flint, Gates, Rominger, Shearer, Stetler, Thompson, Tyrrell, Wallace, Wolfe, Wyllie—[illegible]

Judicial, Kehoe, Lewis, Mott, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—29.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SECOND READING OF BILLS

Senate Bill No. 28—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Bill read second time, and ordered to engrossment and third reading.

Senate Bill No. 72—An Act to amend section one hundred and seventy-seven of the Penal Code of California, relating to false certificates and acknowledgments of notary publics and other officers.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 13, of the printed bill strike out the word "felony" and insert in lieu thereof the word "misdemeanor".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing crime for failure to comply with provisions of said Act.

During second reading of the bill, the following amendments were offered by the committee:

1. On page 3, of the printed bill, strike out all of line 1, all of line 2, all of line 3 and all of line 4 and insert in lieu thereof the following: "Sec. 7. This Act shall not apply to any national bank, or to any bank or trust company duly incorporated under the laws of this State, or to any attorney at law, duly authorized to practice law in this State and in active [illegible] while such partnership, association or corporation, or collection agency, collection bureau or collection office."

Amendment adopted.

Also:

2. On page 2, line 35, of the printed bill, after the word "be" insert the following words: "guilty of a misdemeanor and".

Amendment adopted.

Also:

3. On page 1, of the printed bill, strike out line 5 and line 6 of the title and in lieu thereof insert the following: "prescribing the penalties for the violation of any of the provisions thereof".

Amendment adopted.

Also:

4. On page 2, line 34, of the printed bill, after the word "corporation" insert the words "of [illegible]".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 77—An Act to amend section eight hundred and forty-eight of the Code of Civil Procedure of the State of California,

relating to the location of necessary buildings and of a justice's courts, and
sale of the county to submit the matter to the people.

Bill read second time and ordered to engrossment and third reading.

Senate Bill No. 203—An act to amend section two thousand one hundred seventy-two of the Political Code, relating to the disposition of unused moneys upon resignation and appointing all moneys to the credit of the succeeding incumbent.

Bill read second time and ordered to engrossment and third reading.

Senate Bill No. 204—An act to add a new section to the Political Code to be numbered section two thousand [illegible] relating to terms of committees and of members of the Legislature and providing for the duties of their organization.

During second reading of the bill the following amendment was offered by the committee:

[illegible]

Amendment adopted.

Also:

[illegible]

Amendment adopted.

Also:

[illegible]

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 211—An act to amend an act entitled "An act providing for the management of the California Redwood Park, and creating a board of its commissioners with power to manage said California Redwood Park," by adding a new section numbered [illegible] to said act relating to the board of commissioners, the power to receive property for said [illegible] donations, purchase, condemnation, and otherwise.

During second reading of the bill the following amendments were offered by the committee:

[illegible]

Amendment adopted.

[illegible]

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 212—An act appropriating money to pay the expense of distributing state textbooks free to the school children of the State in accordance with the provisions of the Constitution.

Bill read second time and ordered to engrossment and third reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:

By Senator Strobridge:

Resolved, That forty new desks for the use of the Senators and such new and appropriate furnishings, including desks and chairs as will properly accommodate the duly accredited press representatives in the Senate, be purchased, said purchase to be made by and under the direction of the Committee on Contingent Expenses. Said desks and furnishings shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishings of the Senate and Assembly chambers and committee rooms upon the approval in writing of the President of the Senate and the Speaker of the Assembly. The order for said furniture shall be placed with the Warden of San Quentin Prison, Jesse E. Boyle, so that the material and labor shall be furnished by that institution.

Resolution referred to Committee on Contingent Expenses.

MOTION.

Senator Boynton moved that the Secretary be instructed to prepare a special third reading file of bills not exempt from the provisions of Section 1, Article IV, of the Constitution, said bills to be considered after the constitutional recess.

Motion carried.

INTRODUCTION AND FIRST READING OF BILL—(OUT OF ORDER).

The following bill was introduced:

By Senator Butler: Senate Bill No. 654—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by an Act approved March 19, 1909, as amended by an Act approved May 1, 1911, by adding a new section to said Act which section shall be numbered 13½, relating to what person or persons shall be deemed to be practicing medicine.

Bill read first time, and referred to Committee on Public Health and Quarantine.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, January 21, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under tidal navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof," approved May 1, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and deepening the channel of San Rafael Creek—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Finance.

Also Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannel" and "Dennis Sullivan," shall be borne and paid by the

State of California out of the Farm Bureau Conservation Fund [illegible] and to [illegible] and respectfully report the same back with amendments, and recommend that it do pass as amended to the Committee on Finance.

EDWARD L. [illegible], Chairman.

Senate Bill No. 102 ordered on the 1st second reading.

Senate Bills Nos. 103 and 104 ordered re-referred to Committee on Finance.

ADJOURNMENT

At ten o'clock and fifty minutes a.m., on motion of Senator [illegible], the President declared the Senate adjourned.

IN SESSION

Senate Chamber,
Friday, January 26, 1951

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wollen, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Arig, Wollen, Bennett, Brad, Brown, Bulger, Burns, Chambers, Campbell, Cobb, Dickenson, Dunnigan, Engvall, Erwin, Fair, Fisher, Gibson, Green, Harris, Hatch, Hollister, Hone, Jenkins, Jones, Kuchel, Lagomarsino, Lincoln, Luckel, Marler, Miller, Nelson, Nisbet, Nourse, Petris, Regan, Richards, Rodda, Sanford, Shelley, Slater, Stanford, Thompson, Tickle, Tuck and Weichel—40.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. E. [illegible] Taylor.

READING OF THE JOURNAL

During the reading of the Journal of Thursday, January 25, 1951, the further reading was dispensed with, by motion of Senator Rust.

LEAVES OF ABSENCE

Senators Fisher and Tickle were, on motion of Senator Bennett, granted leave of absence for this day.

Senator Erwin was, on motion of Senator Brad, granted leave of absence for this day.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was handed up and read:

Assembly Chamber, Sacramento, Cal., January 26, 1951

Mr. President: I am directed to inform your honorable body that the Assembly on this day duly and legally passed Assembly Resolution No. 1, requesting the Senate of the county of San Mateo, State of California, which was adopted by the qualified electors of the said county and state, for the purpose of a general election held therein on the 6th day of November, 1951.

Also, Senate Concurrent Resolution No. 1, requesting joint action heretofore to the Senate of the city and county of San Francisco, State of California, could be and ratified the the election of said city and county of San Francisco at a special municipal election held therein on the 6th day of December, 1951.

L. P. MALLORY, Chief Clerk of Assembly
By Thomas G. Walker, Assistant Clerk

MOTION.

Senator Thompson moved that Assembly Concurrent Resolution No. 4 be referred to the Committee on Engrossment and Enrollment for comparison with Senate Concurrent Resolution No. 5.

Motion carried.

Assembly Concurrent Resolution No. 4 ordered referred to Committee on Engrossment and Enrollment.

Senate Concurrent Resolution No. 6 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 24, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing to whom was referred Senate Bill No. 390, an act to amend [illegible] and Senate Constitutional Amendments No. 17 to 20, inclusive, have had the same under consideration, and have examined the same and delivered them to the printer at the hour of four o'clock and fifty minutes p.m., January 23, 1913.

FLINT, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 23, 1913.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered three hundred and [illegible] relating to the appointment of guardians by married [illegible] and to repeal section [illegible] of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 137 and 138 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 24, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Bill No. 383, An Act to appropriate for the acquisition of the United States ship Portsmouth by the State of California—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

WRIGHT, Chairman.

Senate Bill No. 383 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, January 24, 1913.

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Senate Joint Resolution No. 5, [illegible] relating to ratifying and approving the amendment to the Constitution of the United States, providing for the election of United States Senators by the direct vote of the people and recommend that the author be permitted to withdraw the same.

WRIGHT, Chairman.

Senator Sanford asked for and was granted unanimous consent to withdraw Senate Joint Resolution No. 5, relating to ratifying and approving the amendment to the Constitution of the United States providing for the election of United States Senators by the direct vote of the people.

Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 403—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 404—An Act providing for the extension of the manufacturers' building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Also: Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be re-referred to the Committee on Finance.

Also: Senate Bill No. 184—An Act to amend section two thousand three hundred nineteen of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties" have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Finance.

COGSWELL, Chairman.

Senate Bills Nos. 307, 325, 351, 403, 404, 405, and 184 ordered re-referred to Committee on Finance.

INVITATION PRESENTED.

Senator Caminetti presented the following:

To the President and Members of the Senate:

The trip of inspection by the members of the California Legislature to the Stockton State Hospital will be made next Sunday morning, rain or shine. The special train will leave the traction company's depot, at corner of Eighth and K streets, at 9 o'clock, sharp, arriving in Stockton, about 11 a.m., where the legislators will be taken in charge by the citizens' committee.

The committee requests the presence of the President of the Senate, and will appreciate his efforts to make the trip with the legislative body.

Accredited members of the press are cordially invited to participate.

A. CAMINETTI.

MOTION—(OUT OF ORDER).

Senator Hare moved that the invitation extended by Senator Caminetti on behalf of the citizens of Stockton be accepted.

Motion carried.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 655—An Act authorizing certain suits against the State, and regulating the procedure therein.

Bill read first time and referred to Committee on Judiciary.

By Senator Shanahan: Senate Bill No. 656—An Act increasing the salary of the judge of the Superior Court of the county of Lassen, State of California.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 657—An Act to amend section forty-two hun-

And Affidavit of the Political Code, relating to salaries and fees of officers of counties of the twenty-sixth class.

Bill read first time and referred to Committee on County Government.

Also, Senate Bill No. 318—An act to amend section forty-two hundred seventy-eight of the Political Code, relating to salaries and fees of officers of counties of the forty-sixth class.

Bill read first time and referred to Committee on County Government.

Also, Senate Bill No. 320—An act to amend section four thousand two hundred eighty-one of the Political Code, relating to salaries and fees of officers of counties of the fifty-second class.

Bill read first time and referred to Committee on County Government.

By Senator Cartwright: Senate Bill No. 321—An act appropriating money for the replacement and installation of boilers at Fresno State Normal School.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 322—An act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 323—An act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 324—An act to amend section six hundred seventy-one of the Civil Code of the State of California, relating to the furnishing of gas electricity steam or heat and telephone service to vehicle users.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Beverly: Senate Bill No. 325—An act to grant relief to persons erroneously convicted of a felony in the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lewis: Senate Bill No. 326—An act to amend section —— of an Act entitled "An Act to provide for the establishment and working of title by and pursuant to one of the law of Torrens of public records," approved June 16, 1905.

Bill read first time and referred to Committee on Judiciary.

Also, Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section ten thereof, relating to the Supreme Court and District Courts of Appeal, and creating a Court of Appeals.

Constitutional amendment referred to Committee on Judiciary.

By Senator Wolfe: Senate Bill No. 327—An act to amend section four thousand two hundred forty-six of the Political Code of the State of California, relating to salaries and fees of officers to consist of the assessable class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 667—An Act to amend section four thousand two hundred fifty-nine of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Hewitt: Senate Bill No. 668—An Act to establish a state school to train experts for practical service in governmental work of city, county and state and to make an appropriation therefor.

Bill read first time, and referred to Committee on Civil Service.

By Senator Birdsall: Senate Bill No. 669—An Act to make an appropriation for the improvement of the grounds and the repair of the fences at the James Marshall monument at Coloma, El Dorado County, California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 670—An Act to amend section fourteen of an act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof and to appropriate money therefor," approved May 1, 1911.

Bill read first time, and referred to Committee on Agriculture.

By Senator Gates: Senate Bill No. 671—An Act to add a new section to the Code of Civil Procedure, to be numbered section seventy-two *a*, relating to the selection of a judge to hear a cause.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sanford: Senate Joint Resolution No. 13—Relative to approving the course of Senator Works in Congress in recommending the passage of the Senate joint resolution extending the presidential term to six years and limiting the President to one single term.

Resolution referred to Committee on Federal Relations.

By Senator Butler: Senate Bill No. 672—An Act to amend section one hundred seventy-two *a* of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Bill read first time, and referred to Committee on Public Morals.

By Senator Bryant: Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 674—An Act to amend an Act, entitled "An Act providing for the sanitation of food-producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which the food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this Act to be nuisances, dangerous to health, and providing for the abatement of the same; making violations of this Act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, by amending the title of said Act and by adding to said Act a new section, to be numbered as Section 1*a*, requiring persons, firms and corporations conducting or about to conduct business in the places and establishments

subject to the provisions of said act to prevent juvenile and regulating the carrying and possession of such pistols by the said board of health and the said superior health officer when there is no board of health.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Golden, Senate Bill No. 175. An act to amend section 1 [illegible] and to prevent unlawful dueling or combat with pistols, or bowie knife, and prohibit the same; to provide for punishment thereof and for the competency of certain evidence at the trial thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 176.—An act to add to [illegible] and to [illegible] and prohibit the same; to provide for punishment thereof and for the competency of certain evidence at the trial thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 177.—An act to amend [illegible] and to [illegible] and prohibit the same; to provide for punishment thereof and for the competency of certain evidence at the trial thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 178.—An act appropriating money to pay the [illegible] Alfred Harmon against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Quinn: Senate Bill No. 179.—An act to amend section [illegible] and to [illegible] of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 180.—An act to provide for grant upon public trusts, streets, avenues, boulevards, lanes and alleys [illegible] and territory of unincorporated cities or towns, for the [illegible] and [illegible] of grades thereof; for the construction thereon or thereof of subways, sewers, manholes, tunnels, [illegible], crossings, [illegible], culverts, bridges, flyers and levees; for the payment of the cost thereof by special assessments upon a district or [illegible] or otherwise; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in all part for special assessments upon a district, and for the establishment of such district.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Flint: Senate Bill No. 181.—An act to create a "municipal [illegible] and [illegible]"; providing for the appointment of a board of managers of said [illegible] defining their qualifications, term of office, duties and powers; providing for the appointment of a director, [illegible] and [illegible]; providing for the acquisition of said [illegible], [illegible] and [illegible]; providing for the payment of persons [illegible] and employed; providing for the expense of operating and maintaining the office of said bureau; and making an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections and providing a penalty for the violation of the provisions of the Act.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 683—An Act to amend section two hundred seventy-one *a* of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 684—An Act to amend the Penal Code by adding thereto a new section to be numbered two hundred seventy-two *a*, relating to the selling, giving away, relinquishing or disposing of children.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 685—An Act to prohibit the use of brea, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Caminetti: Senate Bill No. 686—An Act to create a commission to be known and designated as the commission on superannuation and pensions, for the purpose of investigating and reporting to the forty-first session of the Legislature conditions and remedies in relation to superannuation, dependency due to old age or invalidity, retirements, pension and relief provisions and kindred subjects, defining its powers and duties, and making an appropriation for the expenses of such commission.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 687—An Act to amend section eleven hundred eighty-three of the Political Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the issuance of [illegible] to cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending section two thereof, relating to the proceedings for the calling of an election therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. [illegible]—An Act to validate municipal bonds, and

to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time and referred to Committee on Municipal Corporations.

Also, Senate Bill No. 490—An Act to amend section eight hundred seventy-five of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 11, 1903, as subsequently amended, relating to the powers of the president and providing for the levy of taxes of boards of trustees of cities of the sixth class.

Bill read first time and referred to Committee on Municipal Corporations.

Also, Senate Bill No. 491—An Act to amend section seventeen hundred forty-six of the Political Code, relating to the powers of boards of high school trustees.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 492—An Act authorizing and regulating the organization of school districts.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 493—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 494—An Act to amend section fifteen hundred ninety-seven of the Political Code, relating to the time that gulls shall be open to shooting in inland districts.

Bill read first time and referred to Committee on Education.

Also, Senate Bill No. 495—An Act to amend section seventeen hundred forty-five of the Political Code, relating to proceedings for the location of lands of high school districts.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 496—An Act to amend section two hundred seventy-four a of the Code of Civil Procedure of the State of California, relating to the duties and compensation of stenographers and reporters in relation to work done for judges of the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 497—An Act to amend section forty-two hundred ninety of the Political Code of the State of California, relating to fees and salaries of county officers.

Bill read first time and referred to Committee on County Government.

By Senator Ayer (by request): Senate Bill No. 498—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered three thousand seven hundred and forty-one a, relating to the payment of taxes.

Bill read first time, and referred to Committee on Finance.

ADJOURNMENT.

Senator Jones moved that the privilege of the floor be granted for the day to Prof. M. E. Dailey, president of the state normal school at

San Jose, and the following delegation of the faculty and students of the state normal school at San Jose:

Mrs. Estelle Greathead, Miss Nell O'Brien, Miss Lulu Sours, Caroline H. Bradley, Edna E. Clover, Bessie E. Exton, Helen Marshman, Sadie B. Salesman, Orpha M. Heinbach, Alma E. Swain, Haddagerde Owen, Lou Williams, Ada Thornton, Vaul Burroughs, Anna Kleemeyer, Marion Stockton, Ida Mills, Ann Sheehy, Susie Clemons, Marguerite Bozarth, Margaret Marshall, Russell Dill, Ernest Cook, Raymond Williams, Arthur Matos, Paul Corbett, Rinaldo Mario, Lawrence Cattertson, E. F. Carmichael, W. L. Bachrodt, W. E. Baker, and Kenneth Slater.

Motion carried.

INTRODUCTION AND FIRST READING OF BILLS, ETC. — RULE 23.

The following bills, etc., were introduced:

By Senator Boynton: Senate Bill No. 699—An Act to provide for the payment of pensions to public school teachers of this State; creating a public school teachers' pension fund, and providing for the administration of such fund.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 700—An Act to amend section one hundred seventy of the Code of Civil Procedure of the State of California, relating to what disqualifies a justice, judge, or justice of the peace from sitting or acting as such in any action or proceeding.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 701—An Act to amend section six hundred two of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 702—An Act to amend section six hundred forty of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 703—An Act to amend section twelve hundred thirty-eight of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 704—An Act to amend section twelve hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 705—An Act to amend section twelve hundred forty of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 706—An Act to amend section twelve hundred forty-one of the Code of Civil Procedure of the State of California,

relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 705—An Act to amend section twelve hundred forty-three of the Code of Civil Procedure of the State of California, relating to the manner in which all proceedings brought under Title VII of Part III of the Code of Civil Procedure must be brought.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 706—An Act to amend section twelve hundred forty-eight of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assumed by the court, jury or referee in the trial of proceedings under Title VII, Part III of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 707—An Act to amend section twelve hundred forty-eight a of the Code of Civil Procedure of the State of California, relating to the removal or relocation of railroad, street, or interurban railway tracks or property situate to be taken under Title VII, Part III of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 710—An Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be numbered one thousand two hundred and forty-eight b, and relating to the including in any judgment rendered under title seven, part three of the Code of Civil Procedure of a provision for deducting from the judgment or amount or any compensable depreciation in value of the property sought to be taken.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 711—An Act to amend section twelve hundred fifty-one of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings may get the use of money awarded.

Bill read first time, and referred to Committee on Judiciary.

By Senator Owens: Senate Bill No. 712—An Act to further divide the State into fish and game districts, by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read first time and referred to Committee on Fish and Game.

By Senator Kehoe: Senate Bill No. 713—An Act to protect the salmon within the State of California, and to prevent the fishermen or other persons to impede the passage of any of the species of the finny tribe in any rivers or streams of this State, and providing the use of nets for fishing purposes as ordinarily used, and providing the use of nets for fishing purposes as extraordinary and experimental, declaring a state policy to encourage the conserving of salmon, declaring a state policy to protect the salmon within the State, providing for the application to the State Water Commission for permission to carry on fishing operations, providing for the creation of reservations for a period to fishing operations, providing for the State Water Commission upon receipt of an application to fish, providing that the expenses of the said permit to be prorated, providing for a trust and place for keeping said application and a procedure of such hearing, providing for a

determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

Bill read first time, and referred to Committee on Agriculture.

By Senator Rush: Senate Bill No. 714—An Act to amend section one of an Act entitled "An Act to prohibit the use of nets, seines, traps or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano," approved March 4, 1911.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Flint: Senate Bill No. 715—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered five hundred ninety-four *b*, relating to the deposit of security by fidelity and surety insurance companies organized under the laws of any other State of the United States or of any country outside of the United States, with the Insurance Commissioner of the State of California.

Bill read first time, and referred to Committee on Insurance.

By Senator Bryant: Senate Bill No. 716—An Act to repeal sections seven and eight of chapter three of an Act entitled "An Act to create the office of commission of transportation, and to define its powers and duties; to fix the maximum charges for transporting passengers and freights on certain railroads, and to prevent extortion and unjust discrimination thereon," approved April 1, 1878.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Juilliard: Senate Bill No. 717—An Act to amend section three hundred ninety-seven *b* of the Penal Code of California.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 718—An Act to amend section three hundred eight of the Penal Code of California.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872 by adding a new section thereto, to be numbered section three hundred eight *a*.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 720—An Act to amend an Act entitled "An Act to establish a Penal Code approved February 14, 1872," by adding a new section thereto, to be numbered three hundred eight *c*.

Bill read first time, and referred to Committee on Public Morals.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 24, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 55—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

Also: Senate Bill No. 10—An Act to amend section two hundred sixty-four of the Penal Code, relating to the punishment for the crime of rape.

Also: Senate Bill No. 390—An Act to amend an Act entitled "An Act in relation to pandering; to define and prohibit the same, to provide for punishment thereof; for the competency of certain evidence at the trial thereof," approved February 8, 1911.

Hour had the same failed unanimously, but suggested report be sent back with amendments, and recommend that rule be amended.

ATTEST: (Illegible)

Senate Bills Nos. 33, 40 and 230 ordered on file for second reading.

PRESIDENT ON THE JUDGE'S CHAIR.

At ten o'clock and fifty-five minutes a.m., Hon. J. J. Dickson, President pro tem. of the Senate, on the chair.

CONSIDERATION OF BILLS FOR SECOND READING OR ENGROSSMENT.

Senate Bill No. 338, An Act to amend an Act entitled "An Act conveying certain tide lands and beds [illegible] under inland navigable waters situate in the bay of San Diego, to the city of San Diego to facilitate the improvement of navigation and commerce and the harbor, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read second time, and ordered to engrossment and third reading.

RECESS.

Senator Wright moved that Senate Joint Resolutions Nos. 11 and 3 be taken up for consideration.

Motion carried.

SENATE CHAMBER IN THE CHAIR.

At eleven o'clock a.m., Senator Cartwright of the Twenty-sixth District in the chair.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 11.

SENATE JOINT RESOLUTION NO. 11.

Relative to requesting the Senators in Congress to support a bill (H. R. No. 29707) pending in the House of the United States.

WHEREAS, A bill House Resolution No. 29707, known as the Lever-Gill-Hamlin Act [illegible] and [illegible] under the direction of the Secretary of Agriculture of the United States and amends the [illegible] of Representatives in Congress of the United States, and [illegible] Congress, and to [illegible] the Secretary of Agriculture [illegible] and [illegible] and [illegible] and

SENATE JOINT RESOLUTION No. 2.

Relative to national forests situated within the State of California and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

WHEREAS, There are situated within the State of California great national forests comprising in area over twenty-seven million acres; and

WHEREAS, The protection and preservation of these forests is of great benefit to the citizens of this State and of the whole United States; and

WHEREAS, Each year during the months of July, August and September, forest fires threaten partial or total destruction of these forests; and

WHEREAS, These forests are not sufficiently protected from fire during such months; now, therefore, be it

Resolved by the Senate of the State of California and the Assembly, jointly, That the War Department of the United States be, and it hereby is, requested to station Federal troops in the national forests within the State of California during the months of July, August and September each year for the purpose of preventing and fighting forest fires and protecting such national forests; and be it further

Resolved, That a copy of this joint resolution be sent to the head of the War Department of the United States.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Anderson, Avey, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Curtin, Gates, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Tyrrell, and Wright—27.

NOES—None.

Senate Joint Resolution No. 2 ordered engrossed and transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC. [OUT OF ORDER.]

The following bills, etc., were introduced:

By Senator Curtin: Senate Bill No. 721—An Act to amend section ten *k*, section ten *r*, and section ten *u*, of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty one years of age, providing for their commitment to the Whittier State School and Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers, to deal with such children and fixing the salaries of probation officers; providing for detention homes for said children, providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended and approved April 5, 1911.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 722—An Act to amend section four thousand two hundred seven, one of the Political Code, relating to salaries of officers of counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 723—An Act to promote the horticultural interests of the State of California by providing for a county horticultural commissioner, prescribing his duties and fixing his compensation, and to repeal sections two hundred twenty-two, twenty-three hundred twenty-two *b*, twenty-three hundred twenty-two *c*, twenty-

three hundred twenty-two-A, and twenty-nine hundred twenty-two-A of the Political Code of the State of California.

Bill read first time and referred to Committee on Agriculture.

Also: Senate Bill No. 770—An act to amend the Civil Code, Part IV, Title I, Chapter II, Article 3, relative to corporate stock and stockholders, by adding a new section thereto, to be numbered three hundred twenty-three-A.

Bill read first time and referred to Committee on Corporations.

By Senator Grant: Senate Bill No. 771—An act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be numbered sixteen hundred fifty-four-a, relating to the entering by a municipal corporation on private property for the purpose of a right of way thereon for use in its water-supply system pending actual condemnation thereof, and without and pending such proceedings without first making compensation therefor, and without and pending same being first ascertained and paid into court for the owner.

Bill read first time and referred to Committee on Municipal Corporations.

By Senator Caminetti: Senate Joint Resolution No. 34—Relative to the free passage through the Panama canal of American ships engaged in the coast-wise commerce of the United States, and repealing repeal of the Act of Congress providing therefor.

Resolution referred to Committee on Federal Relations.

LEAVE OF ABSENCE.

Senator Tyrrell was, on his own motion, granted leave of absence for Saturday, January 25, 1913.

ADJOURNMENT.

At eleven o'clock and ten minutes a.m., on motion of Senator Boynton, the acting President declared the Senate adjourned.

IN ASSEMBLY.

SENATE CHAMBER,
Saturday, January 25, 1913.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Hon. A. E. Boynton, President pro tem. of the Senate, in the Chair.

The roll was called and the following answered to their names:

Senators Anderson, Avey, Bronson, Boynton, Black, Bunny, Burnett, Canepa, Caminetti, Cartwright, Chris Christensen, Cogswell, Colgan, Curtin, Finn, Flint, Gerdes, Grant, Hare, Harris, Inman, Leavitt, Lewis, Lukens, Lyon, Mott, Nelson, Rigdon, Scott, Sedgwick, Shanahan, Thompson, and Wyllie—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. R. Linn Naylor.

LEAVE OF ABSENCE.

Senators Tyrrell and Gerdes were, on motion of Senator Cartwright, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 24, 1913, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent Senate Bills Nos. 655 to 725, inclusive, Senate Concurrent Amendment No. 21, and Senate Joint Resolutions Nos. 13 and 14, have [illegible] report that they have examined the same and delivered them to the printer at the hour of five o'clock and forty-five minutes p.m., January 24, 1913.

FLINT, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley and making an appropriation therefor.

Also: Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Also: Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Also: Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Also: Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for the Los Angeles Department of the College of Medicine of the University of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Finance.

AVEY, Chairman.

Senate Bills Nos. 7, 14, 226, 227 and 229 ordered re-referred to the Committee on Finance.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Cogswell: Senate Concurrent Resolution No. 10—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 15th day of January, 1913.

Resolution referred to Committee on Municipal Corporations.

By Senator Avey: Senate Bill No. 726—An Act to amend section thirty of an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Dunnigan: Senate Bill No. 122—An Act to amend section three thousand seven hundred of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof.

Bill read first time and referred to Committee on Finance.

By Senator Lawlor: Senate Bill No. 123—An Act to add a new section to the Penal Code of California, to be numbered three hundred six, relating to the advertisement of medicines and medical treatment and providing a punishment for violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Sanford: Senate Bill No. 124—An Act to amend section four hundred twenty-six of the Penal Code, relating to illegal acts or acts of intimidation thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 125—An Act to provide for the acquisition of the necessary property for the construction and improvement of the harbor of the town of Port Costa, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance and Commerce and Navigation.

Also: Senate Bill No. 126—An Act to provide for the building and construction of a self-propelling auxiliary steel passenger and freight vessel for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Bill read first time, and referred to Committee on Finance and Navigation.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SACRAMENTO, CAL., January 25, 1911.

MR. PRESIDENT: Your committee on Finance, to whom was referred Senate Bill No. 107—An Act appropriating money for the building and construction of the approach to the Carquinez Bridge, have had the same under consideration, and have instructed me to report it back to the Senate with the recommendation that it do pass.

Also: Senate Bill No. 108—An Act appropriating money for the construction of a gymnasium building on the California Institution for the Deaf and Dumb, at Berkeley.

Also: Senate Bill No. 109—An Act appropriating money for the purchase of equipment and maintenance of the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 110—An Act appropriating money for the support of the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 111—An Act to provide for the building and construction of a self-propelling auxiliary steel passenger and freight vessel for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Also: Senate Bill No. 112—An Act appropriating money for the purchase of land for cantonment purposes at Agnews State Hospital.

Also: Senate Bill No. 113—An Act appropriating money for building and furnishing a cottage for female patients at Stockton State Hospital.

Also: Senate Bill No. 114—An Act appropriating money for building and furnishing a cottage for female epileptic patients at Stockton State Hospital.

Also: Senate Bill No. 115—An Act appropriating money for building and furnishing a cottage for female epileptic patients at Napa State Hospital.

Also: Senate Bill No. 116—An Act appropriating money for building and furnishing a cottage for female epileptic patients at Agnews State Hospital.

Also: Senate Bill No. 117—An Act appropriating money for building and furnishing a cottage for female epileptic patients at Sonoma State Hospital.

Also: Senate Bill No. 118—An Act appropriating money for the completion of a new wing of Stockton State Hospital.

Also: Senate Bill No. 119—An Act appropriating money for building the necessary approaches to the bridge at Port Costa.

Also: Senate Bill No. 120—An Act appropriating money for additional building at Ukiah and Napa State Hospitals.

Also: Senate Bill No. 90—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Senate Bill No. 91—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Senate Bill No. 92—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

Also: Senate Bill No. 93—An Act appropriating money for remodeling north pay cottage at Napa State Hospital.

Also: Senate Bill No. 94—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Also: Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining room at the Napa State Hospital.

Also: Senate Bill No. 98—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Also: Senate Bill No. 99—An Act appropriating money for building an amusement assembly and library building at the Veterans' Home of California.

Also: Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies C and E at the Veterans' Home of California.

Also: Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home of California.

Also: Senate Bill No. 102—An Act appropriating money for painting buildings at the Veterans' Home of California.

Also: Senate Bill No. 103—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

Also: Senate Bill No. 104—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Also: Senate Bill No. 105—An Act appropriating money for building and equipping a tubercular ward at the Veterans' Home of California.

Also: Senate Bill No. 109—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Also: Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Also: Senate Bill No. 112—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Also: Senate Bill No. 114—An Act appropriating money for the construction and equipment of new ward, number twenty-one, at Stockton State Hospital.

Also: Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Senate Bill No. 194—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Senate Bill No. 195—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Also: Senate Bill No. 196—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Also: Senate Bill No. 209—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Senate Bill No. 268—An Act appropriating five thousand five hundred dollars for the construction of sewer tanks and making such repairs, alterations and additions, as may be necessary, to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Also: Senate Bill No. 269—An Act appropriating twenty thousand dollars therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 270—An Act appropriating five thousand dollars therefore, and authorizing and directing the construction and furnishing of a dormitory for

By Senate Committee on Public Health and Quarantine.

Senate Bill No. 331, introduced January 27, 1913.

An Act to amend section 1 of an Act entitled "An Act to establish a State Hospital for the Insane in the Mendocino State Reserve, in Mendocino County, California," approved March 20, 1909, and to locate the same.

Senate Bill No. 332, introduced January 27, 1913.

An Act to amend section 1 of an Act entitled "An Act to establish a State Hospital for the Insane in the Mendocino State Reserve, in Mendocino County, California," approved March 20, 1909, and to locate the same.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senate Committee on Public Health and Quarantine:

Senate Bills Nos. 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186,

Also: Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 738—An Act to amend section fifteen hundred seventy-seven of the Political Code of the State of California, relating to the formation of new districts, to changes of boundaries, of the formation of joint districts, to the pupils in newly formed districts, and to the disposal of the funds of districts which have been combined.

Bill read first time, and referred to Committee on Education.

By Senator Hewitt: Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the inyo and providing for commitment thereto and management thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 740—An Act to add a new section to the Code of Civil Procedure, to be numbered two hundred and seventy-four c

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 741—An Act to amend section three thousand seven hundred and forty-six of the Political Code.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 742—An Act to amend sections two, twelve and fifty-five of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvements and adding a new section thereto to be numbered section three *a* relating to the payment by the city of a portion of the cost of the improvement.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 743—An Act to amend sections two, three, four, sixteen and forty of an Act entitled "An Act to provide for the laying out, opening, extending, widening or straightening in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of pavement districts and the assessment of property thereto to pay the expenses of such improvement," approved March 24, 1903, and to add a new section to said Act to be numbered section thirty-three *a*, relative to the form of notices, resolutions, orders and determinations subsequent to the ordinance of intention.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 744—An Act to amend section five of an Act entitled, "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Hans: Senate Bill No. 145—An Act to amend section (here cite the last section) of an Act to select and adopt the State Flag of the State Flag of California," approved February 1, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Senator Caldwell: Senate Bill No. 146—An Act providing for the commemoration on "Gold Discovery Day" by all departments of the public school system of the State of California of the twenty-fourth of January, the date of the discovery of gold in California, by James W. Marshall.

Bill read first time, and referred to Committee on Education.

By Senator Evan: Senate Bill No. 147—An Act to amend the Penal Code of the State of California, by adding a new section thereto to be numbered six hundred sixty-seven.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—LOCK TO CHANGE.

The following report of standing committee was received and read:

To the Senate:

Sacramento, California, January 24, 1913.

Mr. President: Your Committee on Commerce, to which was referred Senate Bill No. 148—An Act to amend section four hundred and thirteen of the Civil Code, relating to the construction of locks and locking devices, has had the same under consideration, and respectfully report the same back and recommend that it do pass.

WHITE, Chairman.

Senate Bill No. 148 ordered on file for second reading.

REPORT OF STANDING COMMITTEE—CHANGE OF NAME.

Sacramento, California, January 24, 1913.

Mr. President: Your Committee on Public Morals and Prevention of Vice and Criminal Abuses, to which was referred Senate Bill No. 149—An Act to provide for the change of name of certain persons, and relating to the publication of notice of application for change of name, and prescribing a penalty for the non-publication thereof, have had the same under consideration, and respectfully report the same back with the recommendation that it do pass.

Also, return Bill No. 150—An Act to repeal section one thousand eight hundred and one of the Political Code, relating to the Treasurer and reported in the affirmative of the State Board of Equalization.

Have had the same under consideration, and respectfully report the same back and recommend that it do pass and that it be referred to the Committee on Finance.

HOLOHAN, Chairman.

Senate Bills Nos. 149 and 150 ordered re-referred to Committee on Finance.

ANNOUNCEMENT OF ENGROSSMENT.

Sacramento, California, January 25, 1913.

Mr. President: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 2—Relative to proposed amendment to the Constitution of the State of California, to authorize counties, cities and towns to tax railroad and other transportation companies on their roads, or on a mileage basis, and find the same has been correctly engrossed and recommend the same to the Senate as duly passed this 25th day of January, 1913, at the regular session.

CRAIG, Acting Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

SENATE JOINT RESOLUTION No. 12.

Relative to action by Congress in directing an investigation by the Department of Agriculture of measures for protection of fruit from frost damage.

WHEREAS, The great citrus belt of California has been visited by an unprecedented damaging frost involving a loss of many millions of dollars in the crop alone as well as great damage to trees; and

WHEREAS, Great advancement has been made by both public and private experimentation in the protection of orchards all over the United States from the damaging effect of cold waves by means of heating pots and other methods of raising temperatures, the use of which has given perfect protection in some groves and has been of little benefit in others. The effect of frost damage on many fruits, particularly the citrus, is but little known and it is believed that large sums may be saved in this and other [illegible] by a more thorough knowledge of the prevention of frost damage and the best means of determining to what extent citrus or other fruits have been rendered unfit for marketing. Large losses have been sustained which might have been prevented were proper methods known; and

WHEREAS, The interests of the whole country demand a thorough investigation of this question by the Department of Agriculture through the most competent experts obtainable. Such work adequately supported and ably conducted will save many millions of dollars losses to the nation; now, therefore, be it

Resolved, That this being a nation wide problem, we appeal to Congress to authorize and empower the Department of Agriculture to at once take up this question and employ the ablest and most competent men to be had for carrying on this work until a thorough knowledge shall be had of this question in its bearing on all branches of [illegible]; and be it

Resolved, That upon the passage of this resolution, the Secretary of State be and he is hereby directed to forward a copy thereof to the Senators and Representatives of the State of California in Congress; and that a copy of the resolution be also transmitted to the Governor of each fruit-growing state in the Union, requesting them to urge Legislatures now in session to consider and take action in accordance with this resolution.

The question being on the adoption of the resolution.

The roll was called and Senate Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Anderson, Avey, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cary, Cartwright, Chandler, Chipman, Cutten, Dean, Gates, Great, Hans Heath, Inman, Lanagan, Leon, Mott, Owens, Rigdon, Rush, Sanford, Thompson, and Wright—25.

NOES—None.

Senate Joint Resolution No. 12 ordered engrossed and transmitted to the Assembly.

Senate Joint Resolution No. 1, Relative to the [illegible] by the United States of surveys for the construction of storage reservoir sites for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

During the reading of the resolution, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2 of the title, strike out the words "reservoir sites" and insert in lieu thereof the word "investigations."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7 of the printed resolution, strike out the word "valley" and insert in lieu thereof the following: "and San Joaquin valleys."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 8, strike out the final "s" in the word "constitutes."

Amendment adopted.

Amendment No. [illegible]

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. [illegible]

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. [illegible]

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. [illegible]

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. 8.

On page 2, line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. 9.

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. 10.

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. [illegible]

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. 12.

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Amendment No. 13.

On page [illegible], line [illegible], strike out [illegible] [illegible]

Amendment adopted.

Resolution [illegible]

Senate Joint Resolution No. [illegible]—Relating to recognition by the United States of the Republic of China.

During the reading of the resolution, the following amendments were offered by the committee:

Amendment No. 1.

On page [illegible], line [illegible] [illegible]

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 19, of the printed resolution, strike out the word "instructed" and insert in lieu thereof the word "requested."

Amendment adopted.

AMENDMENT No. 3

On page 2, line 5, of the printed resolution, strike out the following: "59th and 60th" and insert in lieu thereof the following: "62nd and 63rd."

Amendment adopted.

Resolution ordered to print.

Senate Joint Resolution No. 7—Relative to the proposed restoration of the mint and assay service by the United States and protesting against the same.

During the reading of the resolution, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, lines 11 and 12, of the printed resolution, strike out the following: "from the extortionate exploitation of a smelting and refining monopoly."

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 6 and 7, of the printed resolution, strike out the following: "59th and 60th" and insert in lieu thereof the following: "62nd and 63rd."

Amendment adopted.

Resolution ordered to print.

Senate Joint Resolution No. 10—Relative to protection from fire the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law.

During the reading of the resolution, the following amendment was offered by the committee:

On page 1, line 1, of the title, strike out the word "protect" and insert in lieu thereof the following: "protecting."

Amendment adopted.

Resolution ordered to print.

SECOND READING OF BILLS.

Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered thirteen hundred and fourteen, and relating to the nomination of guardians by persons who may afterward become insane or incompetent.

Senate Bill No. 137 was temporarily passed on file in the absence of the author, to retain its place.

Senate Bill No. 138—An Act to amend sections seventeen hundred and sixty-three and seventeen hundred and sixty-four of the Code of Civil Procedure, in relation to the appointment of guardians of insane and incompetent persons.

Senate Bill No. 138 was temporarily passed on file in the absence of the author, to retain its place.

Senate Bill No. 383—An Act providing for the acceptance of the U. S. Ship Portsmouth by the State of California from the government of the United States and providing for the care and preservation of the same.

Senate Bill No. 182 was frequently passed to [illegible] in the absence of the author to [illegible] the floor.

Senate Bill No. 56—An Act to amend section two hundred sixty-four of the Penal Code, relating to the punishment for the crime of rape.

During second reading of the bill the following amendments were offered by the committee:

On page 1, section 1, line 1, after the enacting clause, strike the [illegible] section 1.

Amendment adopted.

Bill read second time and ordered to [illegible] engrossment and third reading.

Senate Bill No. 10—An Act to amend section 251 of the Penal Code relating to the crime of rape.

During second reading of the bill the following amendments were offered by the committee:

Amendment No. 1.

On page 1, section 1, line 1, after the enacting clause, strike the following: section 1.

Amendment adopted.

Amendment adopted.

On page 1, section 1, line 1, strike out the words "and shall be [illegible] by the [illegible] by hanging."

Amendment adopted.

Amendment No. 3.

On page 1, section 1, line 1, strike out the word "the."

Amendment adopted.

Amendment No. 4.

On page 1, section 1, line 1, strike out the words "from [illegible]."

Amendment adopted.

Bill read second time, and ordered to [illegible] engrossment and third reading.

Senate Bill No. [illegible] was [illegible] to amend section [illegible] of the Penal Code relative to pandering; to define and [illegible] the same; to provide for punishment thereof; for the suppression of certain evidence in the [illegible] thereof, and repealing Section [illegible] Statutes of California of 1911, page [illegible].

During second reading of the bill the following amendments were offered by the committee:

Amendment No. 1.

On page 1, line [illegible], of the bill, after the word "person", insert the following: "knowing him to be"

Amendment adopted.

Amendment No. 2.

On page 1, line 1 of the title, strike out the word "and."

Amendment adopted.

Amendment No. 3.

On page 1, line 1 of the title, strike out the comma after the figure "1911" and insert in lieu thereof a period.

Amendment adopted.

Amendment No. 4.

On page 1, line 1 of the title, strike out the words "Statutes of California of 1911, page 9."

Amendment adopted.

AMENDMENT No. 5.

On page 1, after the enacting clause, insert the following: "Section 1. Section one of an Act entitled 'An Act in relation to pandering; to define and prohibit the same, to provide for punishment thereof; for the competency of certain evidence at the trial thereof,' approved February 8, 1911, is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 6.

On page 2, Section 2, strike out all of Section 2.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and forty minutes a. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

Senator Shanahan moved to take up Senate Bill No. 383 for second reading.

Motion carried.

Senate Bill No. 383—An Act providing for the acceptance of the U. S. Ship Portsmouth by the State of California from the Government of the United States, and providing for the care and preservation of the same.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, lines 3 and 4, strike out the words "at San Francisco, California," and insert in lieu thereof the following: "At some California port."

CALL FOR AYES AND NOES.

The question being on the adoption of the amendment, the ayes and noes were called for by Senators Bryant, Finn and Regan.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Caswell, Cohn, Curtin, Flint, Gates, Jones, Lyon, Mott, Owens, Sanford, and Wright—22.

NOES—Senators Bryant, Finn, Gray, Regan, and Strobridge—5.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Concurrent Resolution No. 4—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912, to compare with Senate Concurrent Resolution No. 5—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912—have carefully compared the same and report that Assembly Concurrent Resolution No. 4 is not identical with Senate Concurrent Resolution No. 5.

LYON, Acting Chairman.

Ayes:

Senate Chamber, Sacramento, January 20, 1915.

Mr. President: Your Committee on Engrossed and Enrolled Bills respectfully reports the following Senate bills:

Senate Constitutional Amendment No. 10, relating to the election of the county of Los Angeles, which on reconsideration, failed to pass the constitutional majority on the roll call, was ordered to be laid over one day, to a general file, under the rule, by the Secretary of the Senate, on January 19, 1915.

Senate Bill No. 1077, An act to amend section two thousand one hundred and ninety-nine of the Political Code, relating to the appointment of notaries public, their powers and qualifications, and fixing an effective date thereof.

Senate Bill No. 1078, An act to provide for the control of the Los Angeles River and certain other streams and water courses in the County of Los Angeles, and to protect the City of Los Angeles and the land in the vicinity thereof from overflow, and the property and inhabitants thereof from damage and destruction resulting from the overflowing of such streams and water courses, and declaring that the provisions of this act are necessary for the immediate preservation of the public peace, health and safety, and providing that it shall take effect immediately.

Senate Joint Resolution No. 20, relative to proposed changes in certain sections of the Constitution of the State of California, and providing for the submission of such proposed changes or amendments to the electors of said State at the general election to be held on the Tuesday next following the first Monday in November, 1916.

And report that the same have been correctly engrossed.

ARTHUR ALEXANDER, Chairman.

Assembly Concurrent Resolution No. 4 ordered returned to the Committee on County Government.

Senate Concurrent Resolution No. 4 ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS.

Senate Bill No. 224.—An act to appropriate money to pay the expenses of investigating water front lands that may be found vested in the State of California in accordance with the provisions of the Constitution.

Bill read third time.

The question being on the passage of the bill,

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, 10 o'clock and forty-seven minutes a.m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

At ten o'clock and forty-nine minutes a.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The roll of absentees was called, and Senate Bill No. 224 passed by the following vote:

Ayes: Senators Anderson, Avey, Boynton, Brown, Bush, Burnett, Chandler, Cogswell, Cosgrove, Crawford, Curry, Cutten, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hare, Hornby, Inman, Leavitt, Lewis, Main, Mitchell, Rominger, Rowell, Stetson, Strobridge, Tyrrell, Walker, Welch, Wolfe, Young, Ziemer and Wright—38.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE — ASSEMBLY GENERAL FILE.

Assembly Joint Resolution No. 5. A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

During the reading of the resolution, the following amendments were offered by the committee.

AMENDMENT No. 1.

On page 1, line 3, of the printed resolution, strike out the words "a resolution" and insert in lieu thereof the words "House Joint Resolution No. 39."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 9, of the printed resolution, strike out the word "of" at the end of the line and insert in lieu thereof the following: "elected to."

Amendment adopted.

Resolution ordered to print.

REPORT OF STANDING COMMITTEE — OUT OF ORDER.

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Concurrent Resolution No. 4, "Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912," have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

BREED, Chairman.
CAMINETTI.
ANDERSON.
SHANAHAN.
HANS.
GATES.

MOTION.

Senator Gates moved that Assembly Concurrent Resolution No. 4 be taken up for consideration.

Motion carried.

ASSEMBLY CONCURRENT RESOLUTION No. 4.

Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912.

WHEREAS, The county of Los Angeles was, at all the times herein mentioned, and is now, a body corporate and politic and subdivision of the State of California; and

WHEREAS, The board of supervisors of the county of Los Angeles did, on the 19th day of March, 1912, by a vote of three fifths of all the members of the said board, adopt an ordinance, by the terms of which it was declared that the public interest required the election of a board of fifteen freeholders under the provisions of Section 7½ of Article XI of the Constitution of the State of California for the purpose of preparing and proposing a charter for the said county; and

WHEREAS, Thereafter, to wit, on the 20th day of April, 1912, the board of supervisors of Los Angeles County did adopt an ordinance providing for the election of said board of fifteen freeholders at a special election to be held in the said county on the 14th day of May, 1912; and

WHEREAS, Thereafter, to wit, on the said 14th day of May, 1912, a special election was held in the county of Los Angeles for the purpose of electing said board of fifteen freeholders; and

WHEREAS, Thereafter, to wit, on the 27th day of May, 1912, the result of the said special election held on the said 14th day of May, 1912, for the purpose of

[illegible] and report to [illegible] Stockholders [illegible] for the benefit of [illegible] of Los Angeles County; and

Whereas, Theretofore said [illegible] and [illegible] Dollars [illegible] Dollars [illegible] of said [illegible] and [illegible] and [illegible] and

SEC. 6. At the general election to be held in November, 1914, supervisors shall be elected from the first and third supervisor districts, whose terms shall begin at noon on the first Monday after the first day of January, 1915, and end at noon on the first Monday in December, 1918; *provided*, that each shall hold office until his successor is elected and qualified. At the general election to be held in November, 1916, supervisors shall be elected from the second, fourth and fifth districts, whose terms shall begin at noon on the first Monday after the first day of January, 1917, and end at noon on the first Monday in December, 1920; provided that each shall hold office until his successor is elected and qualified. At each general election after November, 1916, there shall be elected, either two or three supervisors as the case may be, for terms of four years, beginning at noon on the first Monday in December next after their election, and ending at noon on the first Monday in December, four years thereafter.

SEC. 7. The board of supervisors may, by a two-thirds vote of its members, change the boundaries of any supervisor district. No such change shall cause a so changed as to affect the incumbency in office of any supervisor. Any change in the boundaries of any supervisor district must be made within one year after a general election.

SEC. 8. Whenever a vacancy occurs in the board of supervisors, the Governor shall fill such vacancy, and the appointee shall hold office until the completion and qualification of his successor. In such case, a supervisor shall be elected at the next general election, to fill the vacancy for the unexpired term, unless such term expires on the first Monday in December succeeding said election.

SEC. 9. The board of supervisors shall elect a chairman, who shall preside at all meetings. In case of his absence or inability to act, the members present must, by an order entered of record, select one of their number to act as chairman pro tem. Any member of the board may administer oaths when necessary in the performance of his official duties. A majority of the members shall constitute a quorum, and no act of the board shall be valid or binding unless a majority of the members concur.

ARTICLE III

GENERAL POWERS OF THE BOARD OF SUPERVISORS.

SEC. 10. The board of supervisors shall have all the jurisdiction, and power which are now or which may hereafter be granted by the Constitution and laws of the State of California or by this charter.

SEC. 11. It shall be the duty of the board of supervisors.

(1) To appoint all county officers other than elective officers, and all officers, assistants, deputies, clerks, attachés and employees whose appointment is not provided for by this charter. Except in the cases of appointees to the unclassified service, all appointments by the board shall be from the eligible civil service list. The board shall provide by ordinance for the compensation of elective officers and of its appointees, unless such compensation is otherwise fixed by this charter.

(2) To provide, by ordinance, for the number of justices of the peace and constables, to be elected and appointed, respectively, in each township. The board may also provide, by ordinance, for the number and for the compensation of such other judges and inferior officers of such inferior courts as are now, or may hereafter be, provided by the Constitution or by general law.

(3) To provide, by ordinance, for the number of assistants, deputies, clerks, attachés, and other persons to be employed from time to time in the several offices and institutions of the county, and for their compensation and the times at which they shall be appointed.

(4) To provide, by ordinance, for the creation of offices other than those required by the Constitution and laws of the State, and for the appointment of persons to fill the same, and to fix their compensation.

(5) To require, if deemed expedient, any county or township officer, or employee, before or after entering upon the duties of his office, or service, to give bond for the faithful performance thereof, in such penal sum as may be fixed by the board.

(6) To provide, publish and enforce, a complete code of rules, not inconsistent with general laws or this charter, prescribing in detail the duties, and the systems of office and institutional management, accounts and reports for each of the offices, institutions and departments of the county.

ARTICLE IV

COUNTY OFFICERS OTHER THAN SUPERVISORS.

SEC. 12. The elective county officers other than members of the board of supervisors shall be: sheriff, district attorney and assessor.

SEC. 13. At the general election to be held in November, 1914, a district attorney shall be elected, whose term shall begin at noon on the first Monday after the first day of January, 1915, and end at noon on the first Monday in December, 1916. At the same election a sheriff and assessor shall be elected, whose terms shall begin at the same time and end at noon on the first Monday in December, 1918. At the general election to be held in November, 1916, and every four years thereafter, a

constable shall include all fees charged and collected by him for service of any writ or process of any court or for any act or service done or rendered by him, or which he has power or which it is his duty to do or render in his official capacity, and each constable shall enter in the fee book kept by him all such fees charged and collected by him and pay the same into the county treasury as above provided, without deduction for any such acts or services purporting or claimed to have been done or rendered by him as a constable.

ARTICLE VI.

DUTIES OF OFFICERS

SEC. 21. The county counsel shall represent and advise the board of supervisors and all county, township and school district officers, in all matters and questions of law pertaining to their duties, and shall have control and conduct of all civil actions and proceedings in which the county, or any officer thereof, is concerned or is a party. He shall also act as attorney for the public administrator in the matter of all estates in which such officer is executor, administrator with the will annexed, or administrator, and the county counsel shall, in every such matter, collect the attorney's fees allowed therein by law and pay the same into the county treasury.

SEC. 22. The superintendent of charities shall be under the direction of the board of supervisors, and shall exercise a general supervision over, and enforce rules and regulations for the conduct and government of, the charitable institutions of the county. He shall perform such other duties as may be prescribed by the board of supervisors or by law.

SEC. 23. Upon request by the defendant or upon order of the court, the public defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the Superior Court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction. He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed $100, and in which, in the judgment of the public defender, the claims urged are valid and enforceable in the courts. He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed. The costs in all actions in which the public defender shall appear under this section, whether for plaintiffs or for defendants shall be paid from the county treasury, at the times and in the manner required by law, or by rules of court, and under a system of demand, audit and payment which shall be prescribed by the board of supervisors. It shall be the duty of the public defender, in all such litigation, to procure, if possible, in addition to general judgments in favor of the persons whom he shall represent therein, judgments for costs and attorneys' fees, where permissable, against the opponents of such persons, and collect and pay the same into the county treasury.

SEC. 24. Subject to the rules and regulations which shall if adopted by the board of supervisors, by ordinance, the purchasing agent shall be the buyer of furniture, fixtures, tools, supplies, materials or other articles of personal property for the county and for county townships, and all other officers.

SEC. 25. Each county or township officer, board or commission shall have the powers and perform the duties now or hereafter prescribed by general law, and by this charter, as to such officer, board or commission.

ARTICLE VII

ROAD DEPARTMENT

SEC. 26. The board of supervisors may provide for the formation of road districts for the care, maintenance, repair and supervision of roads, highways and bridges; and for the formation of highway construction divisions for the construction of roads, highways and bridges; for the inclusion in any such district or division of the whole or any part of any incorporated city or town upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town or portion thereof proposed to be so included at an election held for that purpose; for the organization, government, powers and jurisdiction of such district or division, for raising revenue therein for such purposes, by taxation, upon the assent of a majority of the qualified electors of such district or division, voting at an election held for that purpose; for the incurring of indebtedness therefor by the county, district or division for such purposes, respectively, by the issuance and sale, by the county, of bonds of the county, district or division, and the expenditure of the proceeds of the sale of such bonds, and for levying and collecting taxes against the property of the county, district or division, as the case may be, for the payment

(b) In the office of the district attorney: The chief and one other deputy, one secretary, and three detectives, and special counsel and special detectives for temporary employment.

(c) In the office of the sheriff: The under sheriff, or chief deputy. In the office of the assessor: The chief deputy.

(d) Superintendents, principals and teachers in the school system.

(e) Members of the county board of education.

(f) Members of the city school commission.

(g) All officers and other persons serving the county without compensation.

The classified service shall include all other positions now existing or hereafter created.

SEC. 34. The commission shall prescribe, amend and enforce rules for the classified service, which shall have the force and effect of law; shall keep minutes of its proceedings and records of its examinations and shall, as a board or through a single commissioner, make investigations concerning the enforcement and effect of this article and of the rules and efficiency of the service. It shall make an annual report to the board of supervisors. The rules shall provide

(1) For the classification of all positions in the classified service.

(2) For open, competitive examinations to test the relative fitness of applicants for such positions.

(3) For public advertisement of all examinations.

(4) For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination. Such lists shall remain in force not longer than two years.

(5) For the rejection of candidates or eligibles who fail to comply with the reasonable requirements of the commission in regard to age, residence, sex, physical condition or who have been guilty of crime or of infamous or disgraceful conduct or who have attempted any deception or fraud in connection with an examination.

(6) For the appointment of one of the three persons standing highest on the appropriate list.

(7) For a period of probation not to exceed six months before appointment or promotion is made complete, during which period a probationer may be discharged or reduced with the consent of the commission.

(8) For noncompetitive examinations for minor positions in the county institutions when competition is found to be impracticable.

(9) For temporary employment of persons on the eligible list until list of the class covering the temporary employment is exhausted; and in cases of emergency, for temporary employment without examination with the consent of the commission, after the eligible list has been exhausted. But no such temporary employment shall continue longer than sixty days, nor shall successive temporary appointments be allowed. Nor shall the acceptance or refusal by any person of temporary appointment on the part of a person on the eligible list be a bar to appointment to a permanent position from said eligible list.

(10) For transfer from one position to a similar position in the same class and grade and for reinstatement within one year of persons who without fault or delinquency on their part are separated from the service or reduced.

(11) For promotion based on competitive examinations, records of efficiency, character, conduct and seniority. Lists shall be created and promotion made therefrom in the same manner as prescribed for original appointment. An advancement in rank or an increase in salary beyond the limit fixed for the grade by the rules shall constitute promotion. Whenever practicable vacancies shall be filled by promotion.

(12) For suspensions for not longer than thirty days and for leaves of absence.

(13) For discharge or reduction in rank or compensation after appointment or promotion is complete only after the person to be discharged or reduced has been presented with the reasons for such discharge or reduction in writing, and has been allowed a reasonable time to reply thereto in writing. The reasons and the reply must be filed as a record with the commission.

(14) For the appointment of unskilled laborers and such skilled laborers as the commission may designate in the order of priority of application after such test of fitness as the commission may prescribe.

(15) For the establishment of a bureau of efficiency, consisting of the commission, the secretary thereof, and the auditor, for the purpose of determining the duties of each position in the classified service, fixing standards of efficiency, investigating the methods of operation of the various departments, and recommending to the board of supervisors and department heads measures for increasing individual, group and departmental efficiency, and providing for uniformity of competition and simplicity of operation. The commission shall ascertain and record the comparative efficiency of employees in the classified service and shall have power, after hearing, to dismiss from the service those who fall below the standard of efficiency established.

(16) For the adoption and amendment of rules only after public notice and hearing.

The commission shall adopt such other rules, not inconsistent with the foregoing

Article 7

Section

ARTICLE XI

RECALL

SEC. 50. The holder of any elective or appointive county or township office may be recalled by the electors at any time after he has held his office six months. The provisions of this article shall apply to officials now in office, and to those hereafter elected or appointed. Such recall shall be effected as follows: A petition demanding the election or appointment of a successor to the person sought to be recalled shall be filed with the registrar of voters, which petition shall be signed by qualified voters equal in number to at least fifteen per cent of the entire vote cast within the county for all candidates for the office of Governor of the State at the last preceding election, at which a Governor was elected (or at least twenty-five per cent of such vote cast within the district or township for which the officer sought to be recalled was elected or appointed in case of an official not elected by or appointed for the county) and shall contain a statement of the grounds on which the recall is sought. No insufficiency of form or substance in such statement shall affect the validity of the election and proceedings held thereunder. The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of occupation and residence, giving street and number or if no street or number exist, then such a designation of his residence as will enable the location to be readily ascertained. To each separate paper of such petition shall be attached an affidavit made by a qualified elector of the county, stating that the affiant circulated that particular paper and saw written the signatures appended thereto, and that, according to the information and belief of the affiant, each of said signatures is genuine, and the signature of a qualified elector of the county (or particular subdivision thereof in which such signers are hereby required to reside). Within ten days from the filing of such petition, the registrar of voters shall, from the records of registration, determine whether or not said petition is signed by the requisite number of qualified voters, and he shall attach to said petition his certificate showing such determination. If such certificate shows the petition to be insufficient, it may be supplemented within ten days from the date of the certificate by the filing of additional papers containing the required additional number of names signed. The registrar of voters shall, within ten days after such additional papers are filed, ascertain from the records of registration, and certify whether or not the names to such petition, including such additional papers, are still insufficient, and if insufficient, no action shall be taken thereon; but the petition shall remain on file as a public record [illegible] prejudice the filing later of an entirely new petition to the same effect. If required by the registrar of voters, the board of supervisors shall authorize him to employ, and shall provide for the compensation of persons, necessary in the examination of said petition, and supplementary petition, in addition to the persons regularly employed by him in his office. In case the registrar of voters is the officer sought to be recalled, the duties in this article provided to be performed by him shall be performed by the county clerk. If the petition shall be found to be sufficient, the registrar of voters shall submit the same to the board of supervisors without delay, whereupon the board shall forthwith cause a special election to be held not less than thirty-five nor more than forty days after the date of the order calling such an election, to determine whether the voters shall recall such officer. If a vacancy occur in said office after a recall petition is filed, and the office is elective, the election shall nevertheless proceed as in this section provided. One petition is sufficient to propose the recall of one or more officials and the election of successors to such thereof as are elective. Nominations for any elective office under such recall election shall be made by petition in the manner provided in Section 1188 of the Political Code. Upon the sample ballot there shall be printed, in not more than two hundred words the grounds set forth in the recall petition for demanding the recall of the officer sought to be recalled. On the same ballot in not more than two hundred words, the officer may justify himself. There shall be printed on the recall ballot, as to every officer whose recall is to be voted on, the following question: "Shall (name of person against whom the recall petition is filed) be recalled from the office of (title of office)?" following which question shall be the words "Yes" and "No" on separate lines, with a blank space at the right of each, in which the voter shall, by stamping a cross (×) indicate his vote for or against such recall. On such ballots, under such head, there shall also be printed, if the officer sought to be recalled shall have filed the same at least [illegible] nominated as candidates to succeed him, in case he shall be recalled at such election; but no one shall be nominated for any candidate to said office on the said ballot voted on the question of the recall of the person sought to be recalled therefrom. The name of the person sought to be recalled shall not appear on the ballot as a candidate for the office. If a majority of those voting on said question of the recall of any incumbent shall vote "No," said incumbent shall continue in said office. If a majority shall vote "Yes," said incumbent shall thereupon be deemed removed from such office, upon the qualification of his successor. The canvassers shall canvass the votes for candidates for said office and declare the result in like

manner as in a regular election. If the vote at any such special election shall result in the adoption of such proposition, then the candidate who has received the highest number of votes for the office shall be deemed declared elected for the expiration of the term. In case the person who received the highest number of votes shall fail to qualify within ten days after receiving the certificate of election, the office shall be deemed vacant and shall be filled according to law. If the commission of an appointive officer be ratified at such election, the governor shall be empowered immediately after the canvassing of the vote. Before any petition can be filed under this section for the recall of any officer in the consolidated service of the county, there shall be presented to, and be passed upon by the civil service commission a resolution in writing setting forth the grounds for and stating the reasons of such recall. Such resolution shall be considered and be therein acted upon by the commission within twenty days after such filing. Until such time as the board of supervisors shall provide a regulation of procedure under the provisions of this section, the powers and duties in this section conferred upon the supervisors of counties shall be exercised and performed by the mayor thereof. In case at any time prior to the appointment of such successor, the appointive officer shall be notified to be recalled, such person shall thereupon be and absent the success or every proposed vacancy shall be proposed and determined in some other manner as provided by the board of supervisors.

ARTICLE XII.

MISCELLANEOUS.

SEC. 91. Each county or municipal officer, board or commission shall maintain their offices with such assistants and clerks, and employ such experts as may be necessary to the proper performance of their duties, and shall keep their offices open for the transaction of business during such hours as may be prescribed by ordinance or by the board of supervisors. All fees, commissions and perquisites collected by any officer, board or commission in connection with the business of his office, board or commission, or by virtue of his office, board or commission, shall be paid into the treasury of the county, city and county or municipality, as the case may be, to which the same belong, at such times as may be prescribed by ordinance or by the board of supervisors.

SEC. 92. The compensation of any elective county or municipal officer shall not be increased nor diminished during the term for which he was elected, and within which he is holding his office. No compensation for any employee, shall be paid in any greater amount than shall be allowed at the time of the appointment of such employee, and no person holding such position shall be continued or discontinued without the concurrence of two-thirds vote of the board of supervisors or other appointing power.

SEC. 93. Whenever any person in the service of the county is compelled to retire by the performance of his duty, he shall, in addition to the regular compensation to which he is entitled, be paid a further allowance for such compensation, by way of compensation and for keeping such person.

SEC. 94. All claims against the county shall be audited by the board of supervisors, or such officer as may be designated by ordinance for such purpose, before the same are paid. No claim against the county shall be audited, allowed or paid until it shall have been filed with the clerk of the board of supervisors and be examined by the auditor before being paid. The board of supervisors shall, by ordinance, provide for the speedy hearing and decision of all claims rejected by the auditor, which hearing shall be public, and at which evidence may be given for or against any claim rejected by the auditor. Every claim allowed by the board of supervisors, or auditor, shall be paid by the treasurer upon presentation of a properly authenticated warrant therefor.

SEC. 95. No officer, employee or appointee of any city, municipality or county shall directly or indirectly solicit any contribution from any officer, employee or appointee, nor shall any officer, employee or appointee make any contribution to any candidate for office or to any political committee within any city, municipality or county during the period for which such officer, employee or appointee is employed or appointed.

SEC. 96. Nothing in this charter shall be construed to affect, or affect the commencement or affecting the tenure of office of any of the officers of the county or of any district, municipality or division thereof, in office at the time this charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected unless sooner removed in the manner provided by law, and until successors to their offices be ascertained as directed or affecting the commencement of any such offices during the term for which the shall have been elected. But the ascertainment of such and all of such officers shall be placed on appointment on the civil service provided and established.

SEC. 97. This charter shall take effect at noon on the first Monday in June, 1911.

We, the undersigned members of the board of freeholders of the county of Los Angeles, in the State of California, elected at a special election held in the said county on the 24th day of May, 1910, do propose and submit a charter for the said county, drafted and in accordance with Section 71 of Article XI of the Constitu-

tion of this State, have prepared and we do hereby propose the foregoing as and for a charter for said county.

In witness whereof we hereunto sign our names in duplicate this twenty fourth day of September, 1912.

LEWIS R. WORKS, Chairman.
FREDERICK BAKER.
WILLIS H. BOOTH.
T. H. DUDLEY.
WILLIAM A. ENGLE.
DAVID EVANS.
H. C. HUBBARD.
J. M. HUNTER.
GEO. F. KERNAGHAN.
FRANK R. SEAVER.
J. H. STRINE.
CHARLES WELLBORN.

STATE OF CALIFORNIA, } ss.
COUNTY OF LOS ANGELES, }

I, H. J. Lelande, county clerk of the county of Los Angeles, do hereby certify that the foregoing is a full, true and correct copy of the proposed charter for the county of Los Angeles, prepared and proposed by a duly qualified board of fifteen freeholders duly elected on the 14th day of May, 1912, and that a copy of said charter was duly filed in my office on the 24th day of September, 1912, said copy having been duly signed by a majority of the members of said board, and that thereafter said proposed charter was duly published for ten days in the *Daily Tribune*, a daily newspaper of general circulation, printed, published and circulated in the county of Los Angeles, and that the first publication thereof was made within fifteen days after the date of the filing of the said charter in my office, to wit, on the 24th day of September, 1912, and that the last publication thereof was completed before the 4th day of October, 1912, and that after such publication said charter was duly submitted to the qualified electors of the county of Los Angeles at the general election held on the 5th day of November, 1912, and that at said election a majority of such qualified electors voting thereat duly ratified the same.

In witness whereof, I have hereunto set my hand and affixed my seal this 3d day of January, 1913.

[SEAL]

H. J. LELANDE, County Clerk.
By A. M. McPHERRIN, Deputy.

STATE OF CALIFORNIA, } ss.
COUNTY OF LOS ANGELES, }

I, C. L. Logan, county recorder of the county of Los Angeles, do hereby certify that the foregoing is a full, true and correct copy of the proposed charter for the county of Los Angeles, prepared and proposed by a duly qualified board of fifteen freeholders, duly elected on the 14th day of May, 1912, and that a copy of said charter was duly filed in my office on the 24th day of September, 1912, said charter having been duly signed by a majority of the members of the said board.

In witness whereof, I have hereunto set my hand and affixed my seal this 3d day of January, 1913.

[SEAL]

C. L. LOGAN, County Recorder.
By R. L. HAZEN, Deputy.

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (the majority of all the members elected to each house voting for the adoption of this resolution and concurring herein), That the said charter of the county of Los Angeles as presented and as submitted to and adopted and ratified by the qualified electors of the said county, and as hereinbefore set forth, be and the same is hereby approved as a whole for and as the charter of the said county of Los Angeles aforesaid.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdt, Hans, Hewitt, Jones, Kehoe, Larkins, Leon, Mott, Owens, Regan, Rush, Sanford, Shanahan, and Wright—32.

NOES—None.

Resolution ordered transmitted to the Assembly

[INTRODUCED AND READ SECOND TIME AND [illegible] (SEE PAGE [illegible])]

The following bills etc., were introduced:

By Senator Campbell: Senate Bill No. 750—An Act to amend and renumber [illegible] of the Code of Civil Procedure of the State of California relative to the selection, listing and time of service of jurors.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 751—An Act to amend section [illegible] of the Code of Civil Procedure of the State of California relating to the qualification of jurors.

Bill read first time and referred to the Committee on Judiciary.

By Senator Mott: Senate Bill No. 752—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Appropriated Fund in the city of Sacramento, State of California, to be known as the Woman's Building and making an appropriation therefor.

Bill read first time and referred to Committee on Agriculture.

By Senator Price: Senate Bill No. 753—An Act to amend section [illegible] one and three of an Act entitled "An Act [illegible] the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded" approved March 25, 1907.

Bill read first time and referred to Committee on Judiciary.

By Senator Birdsall: Senate Bill No. 754—An Act to make an appropriation of money for the general improvement of the Lake Tahoe Wagon Road, a state highway.

Bill read first time, and referred to Committee on Roads and Highways.

[RESOLUTIONS]

Senator Boyd submitted the following resolution:

[illegible]

Resolved, That the Senate of the State of California expresses its sincere regret at the [illegible] and [illegible] and [illegible] to [illegible]

Resolved, That a copy of these resolutions be sent to the wife and relatives of the deceased, and that a copy, duly engrossed, be transmitted by the Secretary to the [illegible] and that a copy, duly engrossed, be transmitted by the Secretary to the wife of the deceased.

Resolution unanimously adopted by a rising vote of the Senate.

[ADJOURNMENT]

At eleven o'clock and ten minutes a.m., on motion of Senator Curtis the President pro tem declared the Senate adjourned until Monday, January 27, 1913, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
Monday, January 27, 1913

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL

During the reading of the Journal of Saturday, January 25, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Benson was, on motion of Senator Jones, granted leave of absence for remainder of the week.

Senator Beban was, on motion of Senator Cassidy, granted leave of absence for this day.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 7—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

Also: Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

Also: Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

Also: Assembly Joint Resolution No. 8—Relative to protecting from fire the forested watersheds of navigable streams and requesting the California Congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law, known as Chapter 186 of Volume 36, Part 1, U. S. Statutes at Large.

Also: Passed Assembly Bill No. 68. To amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk.

Senate Concurrent Resolution No. 7 ordered to enrollment.

Assembly Joint Resolutions Nos. 3 and 2 referred to Committee on Federal Relations.

Assembly Bill No. 68 read first time and referred to Committee on Judiciary.

[illegible]

Senator Birdsall moved that Assembly Joint Resolution No. 8 and Senate Joint Resolution No. 10 be referred to Committee on Engrossment and Enrollment for comparison, to ascertain if they are identical measures.

Motion carried.

Assembly Joint Resolution No. 8 and Senate Joint Resolution No. 10 ordered referred to Committee on Engrossment and Enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Revision and Digest, to which was referred Senate Bill No. 780, an act [illegible] Senate Concurrent Resolution No. 10 respectfully report that they have examined the same and determine them to be correctly drawn. Your Committee recommend the same do pass and be [illegible] thereon.

FLINT, Chairman.

RESOLUTION.

The following resolution was introduced:

By Senator Owens:

WHEREAS, The regular organization of the city of Stockton will on the 28th day of January, 1913, succeed the organization of the Legislature of the State of California and [illegible] of the people for their legislative year; and

WHEREAS, We, the members of the State Senate, realize the great benefit to these bodies and [illegible] of the State Capitol as facilities to accommodate the assembling of the [illegible] and [illegible] of the members, we have assembled in the [illegible] of the [illegible] of the people of the State; and appreciate the [illegible] of Stockton thereto, be it

Resolved, That we extend our thanks to the city of Stockton for its splendid [illegible] and particularly the [illegible] having charge of the same, and that this [illegible] be spread at large upon the [illegible] of the Senate; and be it further

Resolved, That a copy of these resolutions be transmitted by the Secretary of the Senate to the Mayor and City Council of the City of Stockton.

Resolution read and adopted.

[illegible]

Senator Larkins addressed the Senate and read a telegram announcing the death of Hon. Sylvester C. Smith, Representative in Congress from the Eighth District of California, and a Senator from the Thirty-second District in the thirty-first, thirty-second, third-third and thirty-fourth sessions of the Legislature.

RECESS.

Senator Birdsall moved that Assembly Joint Resolution No. 8 and Senate Joint Resolution No. 10 be recalled from Committee on Engrossment and Enrollment.

Motion carried.

Assembly Joint Resolution No. 8 referred to Committee on Federal Relations.

Senate Joint Resolution No. 10 ordered on the

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Boynton: Senate Joint Resolution No. 15—Relative to United States Senate Amendment No. 68 to House of Representatives Bill No. 26680, providing for the re-establishment of the Fourth Revenue Collection District of the State of California.

Resolution referred to Committee on Federal Relations.

RUSH ORDER TO PRINTER.

On motion of Senator Boynton, the Secretary was directed to issue a rush order for printing Senate Joint Resolution No. 15.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator Avey: Senate Bill No. 753—An Act to amend section twenty-five of an Act entitled "An Act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Owens: Senate Bill 754—An Act to amend section nineteen hundred eighteen of the Civil Code, relating to the fixing of the rate of interest by the parties to a contract, fixing the maximum rate of interest that may be agreed upon and declaring all contracts in conflict therewith null and void.

Bill read first time, and referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 755—An Act to amend section one of an Act entitled "An Act to authorize the deposit of state money in the banks in this State and to repeal all Acts or parts of Acts in conflict with this Act," approved February 28, 1907.

Bill read first time, and referred to Committee on Banking.

By Senator Brown: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending sections three, four and six of Article VI thereof, relating to the manner of selecting the chief justice and the associate justices of the Supreme Court, the presiding justices and the associate justices of the District Courts of Appeal and the judges of the Superior Court.

Constitutional amendment referred to Committee on Judiciary.

By Senator Gerdes: Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Finn: Senate Bill No. 757—An Act regulating the importation into the State of California of horses, mules, asses, or cattle, and

providing penalties for the violation thereof, and repealing conflicting laws.

Bill read first time, and referred to Committee on Appropriations.

By Senator Bardwell: Senate Bill No. 156—An Act to amend sections two and four of an Act entitled "An Act to provide for the expression by the qualified electors of the several political parties of their choice for nominations for their party for President of the United States, and to provide for the election of the delegates of said political parties to their respective national conventions, and to call the electors of said party with the percentage of the vote," approved December 24, 1931.

Bill read first time and referred to Committee on Elections.

Also: Senate Bill No. 157—An Act to amend an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909, approved April 7, 1931, amended December 24, 1931," by amending section five, etc. [omit] four and forty-two.

Bill read first time, and referred to Committee on Elections.

By Senator Cotton: Senate Bill No. 158—An Act defining the term "state public land," as applied to grants, lands or approval of lands heretofore made by the State, of ash or silkweed lands.

Bill read first time and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 159—An Act to amend section one hundred three of the Civil Code of California, relating to minors acting and borrowing corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 160—An Act to amend section 11a of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance, and terminating care of same, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the powers of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing that the punishment of persons responsible for or contributing to the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1915, and amended April 3, 1931.

Bill read first time, and referred to Committee on Finance and Revenue.

Also: Senate Bill No. 161—An Act regulating the location and maintenance of saloons and varying quarters, and providing penalties for a violation of the provisions hereof.

Bill read first time and referred to Committee on Public Morals.

Also: Senate Bill No. 162—An Act to amend section one hundred one of the Code of Civil Procedure, relating to peremptory challenges of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 765—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service and return of summons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 766—An Act to add three new sections to the Code of Civil Procedure, to be numbered sections one thousand two hundred and thirty-five, one thousand two hundred and thirty-six and one thousand two hundred and thirty-six *a*, relating to the dissolution of corporations in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 767—An Act to amend section seven hundred fifteen of the Civil Code, relating to restraints upon alienation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 768—An Act to amend sections one hundred seventy-two and fourteen hundred and one of the Civil Code, to repeal section fourteen hundred and two of said code and to add a new section to the Civil Code, to be numbered section one hundred seventy-two *a*, relating to the disposition of community property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Mott: Senate Bill No. 769—An Act to amend section twenty-six hundred forty-one of the Political Code, relating to road districts, road commissioners and road engineer.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Jones: Senate Bill No. 770—An Act to amend the law known as the direct primary law and entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections,' and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator," approved March 24, 1909.

Bill read first time, and referred to Committee on Elections.

By Senator Carr: Senate Bill No. 771—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 772—An Act to amend section fourteen hundred fourteen of the Civil Code of the State of California, relating to priorities between appropriators of water with reference to the time of the appropriation, and excepting a county, city and county, incor-

porated city or town or municipal water district from the rule of the section in certain cases.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 776—An Act to amend section fourteen hundred eighteen of the Civil Code of the State of California, relating to the time limit to enforce a claimant's right to the use of water rights.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 774—An Act to add a new section to the Civil Code of the State of California to be numbered three hundred twenty-two a, relating to the manner of giving notice of transfer of shares of stock of corporations, and fixing the effect of such notice.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 775—An Act to amend section fourteen hundred sixteen of the Civil Code of the State of California, relating to the work to be done in the appropriation of water and the work required of a city and county, incorporated city or town, or municipal water district and the continuing of certain appropriations heretofore made or acquired by any county, city and county, incorporated city or town or municipal water district.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 776—An Act to amend section sixteen of an Act entitled "An Act concerning juvenile and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, so as to give to courts other than a Superior Court certain powers in regard to juvenile offenders.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 777—An Act to amend sections fourteen hundred seventy-one and fourteen hundred seventy-three of the Penal Code, relating to new trials and motions to arrest them, justices' and police courts in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 778—An Act to amend section one hundred forty-eight of the Penal Code, relating to the prevention and punishment of the offense of resisting and obstructing a public officer in the discharge of his duty.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 779—An Act to amend section twelve hundred eighty of the Penal Code, relating to the justification of bail and the affidavit required therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 780—An Act to amend section two hundred sixty-nine and repeal two hundred sixty-nine b of the Penal Code, relating to prohibition and limitation and the punishment thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 781—An Act to amend section four hundred and seventy-six*a* of the Penal Code, relating to bank checks and drafts, not genuine or true, or drawn by a person without funds to meet the same.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 782—An Act to amend section six hundred sixty-six of the Penal Code, relating to the punishment in case of prior conviction of petty larceny or felony.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 783—An Act to amend section eleven hundred and eleven of the Penal Code and section twenty hundred and sixty-one of the Code of Civil Procedure, relating to the testimony of accomplices; instructions by the court and right of jury to judge evidence.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to section nineteen of article six of the Constitution, to provide that judges may charge juries with respect to matters of fact and state the testimony and declare the law.

Constitutional amendment referred to Committee on Judiciary.

By Senator Rush: Senate Bill No. 784—An Act to amend section four thousand two hundred forty seven of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 785—An Act making an appropriation to Charles W. Hicks, for three years' service as a private in Company C, Second Cavalry, Second Regiment, California Volunteers, and providing for the payment thereof.

Bill read first time, and referred to Committee on Finance.

By Senator Cogswell: Senate Bill No. 786—An Act to regulate the selling, offering or exposing of seed for sale, and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending sections one, four, eight and nine thereof.

Bill read first time, and referred to Committee on County Government.

By Senator Boynton: Senate Bill No. 788—An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cartwright: Senate Bill No. 780—An Act to amend section 1 of the Political Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 781—An Act to amend section 1 of the Code of Civil Procedure of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 782—An Act to amend section 1 of the Civil Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Education.

Also: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section twenty-nine of Article IV thereof, in relation to a "state budget."

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the said State, by amending section five of Article XX thereof, relating to the compensation of the boat crew.

Constitutional amendment referred to Committee on Railroads.

By Senator Curtin: Senate Bill No. 783—An Act permitting counties to construct sidewalks, and to pave, curb or gutter any street in any incorporated city or town, lying adjacent to or upon the property of any such county and providing for the payment thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 784—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter any street or alley in any incorporated city or town, lying adjacent to or upon the property of any such school district, and providing for the payment thereof.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 785—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in the incorporated limits, or any portion thereof, by the supervisors of highway commissioners of the county," approved March 18, 1911, and providing boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as may pass above, crossing, and in general said board of supervisors in consideration of part or entire such highways or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 786—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any county in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of such last expenses thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Rush: Senate Bill No. 796—An Act fixing the salary of the judge of the Superior Court of the State of California, in and for the county of Solano, and providing for the payment thereof.

Bill read first time, and referred to Committee on County Government.

By Senator Juilliard: Senate Bill No. 797—An Act to add a new section to the Penal Code, to be numbered four hundred two *f*, regulating the packing, preparing and shipping for sale within the State of California of any fruit or vegetables infected with insect pests or disease injurious to trees, shrubs, plants, fruits or vegetables; and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Agriculture.

By Senator Thompson: Senate Bill No. 798—An Act to amend sections four thousand one hundred seventy-five, four thousand one hundred seventy-six and four thousand two hundred ninety of the Political Code, relating to compensation of sheriffs for transporting prisoners and insane persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 799—An Act to amend section six hundred twenty-six *g*, of the Penal Code, relating to the protection and preservation of tree squirrels.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 800—An Act to amend section six hundred twenty-six of the Penal Code, relating to the protection and preservation of male deer.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 801—An Act to amend section three of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 802—An Act to add a new section to the Political Code of the State of California, to be numbered forty-one hundred fifty three *a*, relating to the District Attorney, his powers and duties.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 803—An Act to add a new section to the Political Code, to be numbered four thousand forty-one *b*, relating to boards of supervisors, their powers and duties.

Bill read first time, and referred to Committee on Judiciary.

COMMITTEE APPOINTMENT.

The President announced the appointment of Senator Grant as chairman of the Committee on Engrossment and Enrollment, vice Senator Cassidy, resigned.

CONSIDERATION OF SENATE BILL—CHINESE RELIEF ACT REPEAL

SENATE JOINT RESOLUTION NO. 7

Relative to memorializing the Congress of the United States for the repeal of the Chinese Relief Act of 1906.

WHEREAS, The Federal Exclusion Laws and the treaty with China relating thereto, the judicial decisions and the administrative rulings thereunder, the enforcement of the same prior to the passage of the Chinese Relief Act of 1906, and the legislative history of passage thereof for the consideration of both houses of the Congress and public; and

WHEREAS, The Commissioner-General of Immigration, in his annual report for the year ending June 30, 1912, has called attention to the fact that the Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who would not have been admitted but for the provisions of said act, and has recommended the repeal of said act; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be undesirable citizens, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be afflicted with loathsome and dangerous diseases, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be afflicted with tuberculosis, leprosy, and other loathsome and dangerous diseases, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be afflicted with mental and physical defects, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be criminals, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be paupers, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be professional beggars, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be vagrants, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be persons likely to become a public charge, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be persons likely to become a charge upon the public for the support of insane persons and idiots, and who have become a charge upon the public; and

WHEREAS, The Chinese Relief Act of 1906 has been the cause of the admission into the United States of many Chinese persons who have been found to be persons likely to become a charge upon the public for the support of persons who are blind, deaf, dumb, maimed, crippled, and infirm, and who have become a charge upon the public; and

WHEREAS, In view of these conditions and existing law, certain of which are found in treaty stipulations, and

WHEREAS, In the report of the Commissioner-General for the year 1909, the statement is made that of certain Japanese who contemplated on the date mentioned, a considerable majority, the strongest candidates of the Northwestern states had the choice Government Vessel for entering the York Bay on the ship; and

WHEREAS, The final success of Japanese action in all the practical value to the Southwestern States and the State of California in being used for immediate transit to the Eastern cities, and the Atlantic coast and other territories of the Southwestern States, leaving out of consideration the early cause and passing on suppression of sufficient size to forward it as specified as practical, be it further

Resolved, That the Senate of the United States is requested to take the necessary measures for bringing the repeal and suppression of such measures in order to suppress such fund matters and enable the passage of homesteads and patents of the Southwestern States to the said specific subject, and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, the Secretary of the Senate, the Secretary of Agriculture, the respective Houses in Congress and to each of our Senators and Representatives in Congress, assembling there by special order on January 1, 1913.

The question being on the adoption of the resolution,

The roll was called, and Senate Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Bronson, Brown, Bryant, Burnett, Campbell, Chandler, Chapman, Cogswell, Cole, Curtis, Daniel, Dennett, Dennison, Desmond, Dodge, Edwards, Flint, Gerdes, Gerlach, Gerry, Gillis, Hall, Harbottle, Harris, Hatch, Hayes, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Kelly, Kerrigan, Lanagan, Leavitt, Lee, Lewis, Lyon, Mahan, Marshall, Mathews, Mayo, Miller, Monroe, Morgan, Nason, Nelson, Newhall, Nutting, Owens, Parkinson, Peck, Pendleton, Perkins, Phelps, Pierce, Pixley, Price, Purkitt, Rader, Rigdon, Roseberry, Rush, Sanford, Saunders, Scott, Shearer, Shippee, Simpson, Smith, Stanley, Stetson, Strobridge, Thompson, and Tyrrell—68.

NOES—None.

Senate Joint Resolution No. 7 ordered engrossed and transmitted to the Assembly.

SENATE JOINT RESOLUTION NO. 7

Relative to memorializing the United States of the republic of China.

WHEREAS, The progressive movement and in the fullness of the republic movement by many of the nations in the new world and some of Europe has increasing influenced the former power Asiatic empire of China and established in the shaped the republic of China; and

WHEREAS, The citizens of the State of California appreciate the power in China upon their commercial choice in securing well governed and wise rule in the most undeveloping; and

WHEREAS, The United States of America, ever ready to encourage the growth of free institutions based upon the rule of the people to secure progressive peace welcome the new republic to the family of nations, therefore be it

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California respectfully urges the recognition of the republic of China by the United States; be it further

Resolved, That our Senators in Congress be instructed and our Representatives in Congress requested, to use all honorable means to accomplish the object of these resolutions and that duly authenticated copies hereof be transmitted by the Governor of the State of California to the President and also the President-elect of the United States, to the presiding officers respectively of the fifty-ninth and sixtieth sessions of Congress of the United States and to each of our Senators and Representatives in said sessions of Congress.

The question being on the adoption of the resolution

The roll was called, and Senate Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Brown, Bryant, Butler, Cannichi, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Gerdes, Grant, Judkins, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—29.

NOES—None.

Senate Joint Resolution No. 6 ordered engrossed and transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 7

Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

WHEREAS, The Secretary of the Treasury, in his annual report, has again renewed his efforts to restrict the operation of the mint and assay service by urging the abolition of all the Federal assay offices which are located at strategic outposts in the principal gold-mining districts of the west; and

WHEREAS, The fact is well known by the miners of California and of the states wherein the United States mints and assay offices are located that these public bullion-buying agencies render a high economic service in protecting the producers of the precious metals from the extortionate exploitation of a smelting and refining monopoly; therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California respectfully urges the Congress of the United States to oppose the closing of the Federal assay offices and the restriction of the functions of the mint and assay service, and urges the Senators and Representatives of this State in Congress to oppose all efforts to this end; be it further

Resolved, That the Governor of the State of California transmit authenticated copies of these resolutions to the President of the United States, and the President-elect of the United States and the respective presiding officers of the fifty-ninth and sixtieth sessions of the Congress of the United States, and to each of our Senators and Representatives in Congress, for said sessions.

The question being on the adoption of the resolution

The roll was called and Senate Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cannichi, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Judkins, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—35.

NOES—None.

Senate Joint Resolution No. 7 ordered engrossed and transmitted to the Assembly.

Senate Joint Resolution No. 10—Relative to protecting from fire the forested watersheds of navigable streams and requesting the California Congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law.

Senate Joint Resolution No. 10 was, on motion of Senator Birdsall, temporarily passed on file, to retain its place.

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Senate Bill No. 119—An Act to amend section three hundred and fifty-two of the Civil Code relating to the incorporation of mutual benefit associations.

Bill read second time, ordered engrossed and to the file of third reading.

Senate Bill No. 120—An Act to add a new section to the Civil Code to be numbered thirteen hundred and fourteen, and relating to the appointment of guardians by parents who may afterwards become insane or incompetent.

During second reading of the bill the following amendments were offered by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

Amendment No. 3.

On page 1, line 15, of the printed bill strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

Bill read second time and ordered to print, engrossed, and third reading.

Senate Bill No. 121—An Act to amend section seventeen hundred and sixty-three and seventeen hundred and sixty-four of the Code of Civil Procedure in relation to the appointment of guardians of insane and incompetent persons.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1.

On page 2, line 18, of the printed bill, strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

Amendment No. 2.

On page 3, line 1, of the printed bill, strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

Amendment No. 3.

On page 3, line 3, of the printed bill, strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

Amendment No. 4.

On page 3, line 5, of the printed bill, strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

Amendment No. 5.

On page 3, line 12, of the printed bill, strike out the word "mother" and insert in lieu thereof the word "husband."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 15, of the printed bill, strike out the word "warrant" and insert in lieu thereof the word "nomination."

Amendment adopted

AMENDMENT No. 7.

On page 2, line 26, of the printed bill, strike out the word "warrant" and insert in lieu thereof the word "nomination."

Amendment adopted

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 5—A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

Assembly Joint Resolution No. 5 was, on motion of Senator Boynton, passed on file, to retain its place.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, January 23, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That forty new desks for the use of the Senators, and such new and appropriate furnishings, including desks and chairs, as will properly accommodate the duly accredited press representatives in the Senate, be purchased, said purchase to be made by and under the direction of the Committee on Contingent Expenses. Said desks and furnishings shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishings of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly. The order for said furniture shall be placed with the Warden of San Quentin Prison, John E. Hoyle, so that the material and labor shall be furnished by that institution.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GERDES, Chairman.
KEHOE.
SHANAHAN.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—Caminetti, Jones, and Larkins—3.

REPORT OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 11—Relative to requesting our Senators in Congress to support "A bill, H. R. No. 22871," pending in the Senate of the United States.

Also: Senate Joint Resolution No. 12—Relative to action by Congress in directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

PRIVATE CALENDAR, SENATE, January 27, 1913.

Mr. President: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 6, relative to the ratification by the Legislature of the State of California of a proposed amendment to the Constitution of the United States, which was adopted by the Senate of said State on a special session, convened and thereto on the 20th day of May, 1912, and finds that the same has been correctly engrossed and properly the same to the Governor on the 25th day of January, 1913, at 2 o'clock and 30 minutes p.m.

CHARLES CHANDLER,

Chairman.

RECESS.

Senator Boynton moved that the use of the Senate Chamber be granted to the Committee on Public Morals at seven o'clock and thirty minutes p.m., on Wednesday, for a joint hearing with the committee from the Assembly.

Motion carried.

REPORT OF ENGROSSED CONCURRENT [illegible]

The following report of [illegible] was received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

Mr. President: Your Committee on Enrollment and Engrossing, to whom was referred Senate Bill No. 387—An Act to amend an Act entitled "An Act to amend [illegible] of the State of California, by adding thereto a new section to be numbered 4, relating to the organization of public schools, approved March 9, 1911, and [illegible] Act entitled "An Act to amend [illegible] approved April 1, 1911, [illegible] amending sections [illegible] Code, relating to the [illegible] all relating to common [illegible] all of which bills have been carefully examined, have been correctly engrossed and enrolled.

THOMPSON, Chairman.

SPECIAL ORDER.

Senator Thompson moved that the consideration of Senate Bill No. 231 be made a special order for two o'clock p.m.

Motion carried.

[illegible]

The following bills were introduced:

By Senator Sanford: Senate Bill No. 404—An Act to provide for the payment of a license tax upon such persons, firm, or corporations engaging in the business of selling or dispensing of distilled spirits, wines or malt liquors to intoxicating liquors, and providing a penalty for a violation hereof, and providing for the regulation of the liquor traffic in the State of California.

Bill read first time, and referred to Committee on Public Morals.

By Senator Kehoe: Senate Bill No. 405—An Act making an appropriation to pay the claim of the California Highway Construction Company for money expended and labor performed in and upon the construction and completion of state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read first time, and referred to Committee on Finance.

By Senator Curtin: Senate Bill No. 406—An Act to amend section four thousand two hundred eighty-three of the Political Code of the

State of California, relating to the salaries of officers of counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Breed: Senate Bill No. 807—An Act appropriating money for the purchase of land for a site for the erection of a new dairy building thereon for the California Institute for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

By Senator Campbell: Senate Bill No. 808—An Act to amend section forty-two hundred fifty-six of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Bill read first time, and referred to Committee on County Government.

By Senator Wright: Senate Bill No. 809—An Act to amend section seven hundred thirty-seven of the Political Code of the State of California.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 810—An Act to amend section four hundred ninety-nine *a* of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Senator Tyrrell, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Lieutenant-Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF BILLS.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty four, thirty-five and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 5, of the title, after the comma following the figures "1910," strike out all of the remainder of the title and insert in lieu thereof the following: "Providing for the separation of state from local taxation, and providing for the taxation

of public service and other corporations owned and possessed exclusively by the people of any State, all railroads or systems and branches, exceeding about 1, 100, by amending sections forty-three, [illegible] and [illegible]."

Amendment adopted

AMENDMENT No. 2.

On page 2, line 23, strike out the [illegible] and insert "railroads" and power to [illegible] the following: "[illegible] and other [illegible]."

Amendment adopted

AMENDMENT No. 3.

On page 2, line 25, strike out the [illegible] and insert "[illegible]" and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 4.

On page 2, line 27, strike out the [illegible] and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 5.

On page 2, line 28, strike out the [illegible] and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 6.

On page 2, line 29, strike out the [illegible] and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 7.

On page 3, strike out the [illegible] and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 8.

On page 3, line 2, strike out the [illegible] and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 9.

On page 3, line 10, strike out the [illegible] and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 10.

On page 3, line 31, strike out the [illegible] and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 11.

On page 7, strike out all of line 3 and all of line 2 after the word "[illegible]" and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 12.

On page 8, strike out all of lines 20 to 25, inclusive, and all of line 19 following the word "[illegible]" and insert in lieu thereof the following: "[illegible]."

Amendment adopted

AMENDMENT No. 13.

On page 9 strike out all of line 24 after the period following the figure "7" and all of lines 25 to 28, inclusive, and insert in lieu thereof the following: "This Act, inasmuch as it provides for a tax levy, shall, under the provisions of section one of Article IV of the Constitution, take effect immediately."

Amendment adopted

AMENDMENT No. 14.

On page 2, line 34, after the period insert the following: "The word 'municipal' as used in this Act shall apply to incorporated towns and cities formed under Article XI of the Constitution of this State and to none other."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Thompson, the Secretary was directed to issue a rush order for printing Senate Bill No. 231.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At two o'clock and forty minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were introduced:

By Committee on Contingent Expenses:

Resolved, That the following named persons be, and they are hereby, allowed the sum set opposite their respective names for services rendered to the Senate prior to its organization, the same being payable out of the Contingent Fund of the Senate:

Jos. L. Coughlin, 5 days at $8.00	$40 00
W. N. Parrish, 5 days at $10.00	50 00
W. H. Wright, 1 day at $6.00	6 00
H. P. Travers, 2 days at $6.00	12 00
Theo. Lafayette, 1 day at $6.00	6 00
R. H. Jackson, 1 day at $6.00	6 00
Gertrude Simonds, 2 days at $5.00	10 00
Tevis Paine, 1 day at $2.50	2 50
Geo. Steers, 2 days at $2.50	5 00
C. J. Sykes, 2 days at $3.00	6 00
Joe Loverich, 2 days at $3.00	6 00

And the State Controller be, and he is hereby, directed to draw his warrants upon the proper fund in favor of the foregoing named persons for the amount set opposite each of their names and the State Treasurer is hereby directed and ordered to pay the same.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Avey, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Tyrrell, and Wright—27.

NOES—None.

Also:

Resolved, That the following named persons be and they are hereby allowed the sums set opposite their respective names for services rendered the Senate subsequent to its organization, the same being payable out of the Contingent Fund of the Senate:

C. J. Sykes, 3 days at $3.00	$9 00
Joe Loverich, 3 days at $3.00	9 00
Geo. Steers, 2 days at $2.50	5 00
O. F. Palmer, 1 days at $3.00	3 00
Wm. McSorley, 1 day at $5.00	5 00
Frank Branch, 2 days at $2.50	5 00
Everett Rutherford, 2 days at $2.50	5 00
Tevis Paine, 2 days at $2.50	5 00

And the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the foregoing named persons for the amount of respective claims of their mileage and the Secretary of Senate directed and ordered to pay the same.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES: Senators Anderson, Bishop, Bronson, Cogswell, Conrey, Curtin, Flint, Gerdes, Gerdes, Hans, Hatfield, Hayes, Hewitt, Holohan, Inman, Jones, Leavitt, Lewis, Lyon, Mahan, Mitchell, Nelson, Owens, Rigdon, Rush, Sanford, Savage, Stetson, Strobridge, Thompson, Tyrrell, Voorhies, Walker, Wallace, Wolfe, Wright—40.

NOES: None.

REPORT OF ENGROSSED LEGISLATION.

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Legislation has examined Senate Concurrent Resolution No. 10, declaring seven certain amendments to the charter of the city and county of San Francisco, State of California, ratified by the electors of said city and county of San Francisco, at a special election thereof, duly held on the 14th day of November, 1912, and finds the same has been correctly engrossed and prepared for action in the Senate on the 27th day of January, 1913, as recommended and being correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Legislation has examined the following bills:

Senate Bill No. 31—An Act to amend section one hundred and thirty-seven of the Penal Code of California, relating to false evidence and subornation of perjury, perjury and other offenses.

Senate Bill No. 134—An Act relating to the reading of advertising matter. Time, manner and time of same and appropriation and repeal of conflicting law therefor.

Senate Bill No. 171—An Act to amend an Act entitled "An Act providing for the establishment of the California Redwood Park and creating a board of five commissioners, with power to manage and control the same," approved February 6, 1911, by adding a new section relating to the board of commissioners, to be known as section 2½ thereof, and providing for the appointment of a secretary, his duties, salary, qualifications, bond and other matters relating thereto.

And report that the same have been correctly engrossed.

GRANT, Chairman.

INTRODUCTION AND FIRST READING OF BILLS. [Lines 30 ignored]

The following bills etc., were introduced:

By Senator Rush: Senate Bill No. 811—An Act to amend section one of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved April 21, 1911, and relating to any of school children.

Bill read first time and referred to Committee on Education.

By Senator Avey: Senate Bill No. 812—An Act entitled "An Act to amend section fifteen hundred thirty-two of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction."

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the

State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by certain Act approved May 1, 1911, by repealing section three of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered thirteen *b*, relating to the practice of medicine and surgery in the State of California by members of the medical department of the United States army or navy, regular or volunteers.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 814—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 815—An Act to amend section four thousand two hundred thirty-seven of the Political Code of the State of California, relating to counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Shanahan: Senate Bill No. 816—An Act to amend section four thousand and forty-one of the Political Code of California, relating to the general, permanent powers of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 817—An Act to amend section two thousand six hundred forty-three of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Cohn: Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street between Twenty-sixth and Twenty-seventh streets in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Bill read first time, and referred to Committee on Finance.

By Senator Finn: Senate Bill No. 821—An Act appropriating money to pay the claim of R. D. Barton against the State of California.

Bill read first time, and referred to Committee on Finance.

SENATOR TYRRELL IN THE CHAIR.

At two o'clock and fifty minutes p.m., Senator Tyrrell, of the Sixteenth District, in the chair.

[illegible]

The following resolution was introduced:

By Senator Loftus:

Resolved, That the Senate has heard with feeling of deep regret and sorrow of the demise of Congressman-elect Cody Smith on the Monday morning that transpired the fortieth day from the day he was duly nominated by the Democratic party and elected by the people of the Fifth Congressional District of Texas, and

Whereas, Cody Smith was a native Texan, born and reared in Johnson county, Texas, where he received his education in the public schools of that county, and after graduating from the law department of the University of Texas, he began the practice of his profession at Cleburne, Texas, where he continued up to the time of his death, by energetic application and hard work secured the confidence and esteem of the people of his county and district, and

Whereas, Cody Smith was a man of high character and integrity, and was a faithful and consistent member of the Methodist Episcopal Church, South, and

Whereas, Cody Smith was a man of broad and liberal views, and was a true friend to the poor and unfortunate, and

Whereas, Cody Smith was a man of unusual ability, and was a leader of men, and was a faithful and consistent member of the Democratic party, which he contributed up to the time of his death, by energetic, unselfish work and supported the principles of democracy, which principles of those of the Sons of Confederate Veterans, which he was a [illegible] of the Camp of the United States, and

Resolved, That the Senate greatly appreciate the services rendered by the deceased in the State, while a member of the body, and their deep sympathy is extended to his family in their hour of bereavement, and

Resolved, That in token of the respect and esteem in which he was held by the Senate, the Senate do now adjourn.

Resolved, That the secretary of the Senate send a copy of these resolutions to the family of the deceased, and that they be spread on the Senate journal, and that a committee of three be appointed by the President of the Senate to attend the funeral of Senator.

Resolution read, and adopted by a rising vote of the Senate.

Senator Wright moved that a call have been made immediately after the completion of the regular order of business on Tuesday, January 28, 1913, for remarks in respect to the memory of the late Senator [illegible].

Motion carried.

[illegible]

At three o'clock p.m., on motion of Senator Campbell, the acting President declared the Senate adjourned.

IN SENATE.

Seventy-[illegible]

Tuesday, January 28, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert S. Walker, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ayres, Bolton, Brooks, Brunette, Burnett, Burney, Dyson, Potter, Campbell, Chapman, Carr, Cavanagh, Cousins, Cranmer, Dibrell, Dowell, Finn, Flint, Gains, Gardner, Gilmer, Hall, Harris, Jones, Lankford, Robert, Lockhart, Lyon, Mayfield, Owens, Rogers, Rook, Saunders, Stephens, Stephenson, Thomas, Tyler, and Wright—30.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Sayles.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 27, 1913, the further reading was dispensed with, on motion of Senator Rook,

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 28, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent Senate Bills Nos. 753 to 821, inclusive; Senate Constitutional Amendments Nos. 22 to 25, inclusive; and Senate Joint Resolution No. 15, respectfully report that they have examined the same and delivered them to the printer at the hour of six o'clock and fifteen minutes p.m., January 27, 1913.

FLINT, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 28, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 119—An Act to amend section four hundred and fifty-two *a* of the Civil Code, relating to the incorporation of mutual benefit associations—and report that the same has been correctly engrossed.

GRANT, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 28, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 10—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the 13th day of January, 1913—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

CARR, Chairman.
REGAN.
HEWITT.
CAMPBELL.
HANS.

Senate Concurrent Resolution No. 10 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 387—An Act to add a new section to the Penal Code of California, to be numbered two hundred and forty-seven, relating to wife beating.

Also: Senate Bill No. 385—An Act defining punishment by whipping, providing for a whipping-post in each county or city and county and directing where and who shall inflict such punishment and who shall be present.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Public Morals.

GATES, Chairman.

Senate Bills Nos. 387 and 385 ordered re-referred to Committee on Public Morals.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 219—An Act to amend section one thousand two hundred and thirteen of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Also: Senate Bill No. 358—An Act to amend sections nine hundred twenty-eight and nine hundred twenty-nine of the Penal Code, relating to grand juries, their powers and duties.

Also: Senate Bill No. 340—An Act to amend section sixty-nine of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Senate Bills Nos. 219, 358 and 340 ordered on file for second reading.

Also

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 303—An Act to amend section three hundred sixty-seven of the Code of Civil Procedure, relating to the time of commencing certain actions.

Also: Senate Bill No. 306—An Act to amend section four hundred and sixty-three of the Code of Civil Procedure, relating to the transfer of actions to certain courts.

Have had the same under consideration, and respectfully report the same back with recommendation that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 282 and 349 ordered on the list for second reading.

MESSAGES FROM THE GOVERNOR

The following communication was received and read:

To the Senate of the State of California:

I am in receipt of a communication from [illegible] of a check of $[illegible] which was transmitted with the Governor's approval.

HIRAM W. JOHNSON,
President of the Senate.

RECESS

Senator Strobridge moved that the Senate recess on the approval by the President of the Senate.

The question being on the adoption of the motion of Senator Strobridge.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ehrlich, Flaherty, Hewitt, Jones, Leavitt, Lewis, Luce, Lukens, Lyon, Mott, Rigdon, Rush, Sanford, Savage, Strobridge, Thompson, and Tyrrell—18.

NOES—Senator Boynton—1.

By Senator Gates:

WHEREAS, A new uniform law [illegible] Commissioners on Uniform State and Federal Laws; and

WHEREAS, The terms of this important committee service [illegible] great responsibility on the part of the gentlemen so serving [illegible] of the work of this committee; now

WHEREAS, It is for the best interest of the State that the services of this important committee should have an unrestricted trial of the year during which he will be serving, to accept the work of this committee.

Resolved, That the following named persons be and they are hereby appointed as the members and [illegible] as provided by law, with their compensation not [illegible] per day, payable monthly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

D. S. Evans, Clerk Committee on Engrossed and Enrolled, $7.

Resolution ordered referred to Committee on Contingent Expenses.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills are now introduced:

By Senator Lyon: Senate Bill No. 827—An Act repealing chapter five hundred, Statutes of California nineteen eleven, regulating the construction and maintenance of subways, manholes, and underground rooms, chambers and excavations used to contain, inclose, carry or conduct wires, cables, or appliances to conduct, carry or handle electricity.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 823—An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof, and the repeal of certain other Acts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 824—An Act to amend section sixteen hundred seventy-three of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 825—An Act to amend section sixteen hundred eighty-seven of the Political Code, relating to a class of teachers required to teach beginners in elementary and secondary schools, and their compensation.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 826—An Act to amend section sixteen hundred ninety-eight of the Political Code, relating to the dismissal of teachers in the elementary and secondary schools of the State of California, and appeals from orders of dismissal.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 827—An Act to amend section sixteen hundred eighty-five of the Political Code, relating to causes for the suspension or expulsion of school children.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 828—An Act to repeal an Act entitled "An Act to prevent discrimination against female teachers," approved March 30, 1874.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 829—An Act to amend section seven of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act."

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 830—An Act to amend section fifteen hundred five of the Political Code, relating to superintendents of public instruction visiting schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 831—An Act to amend section sixteen hundred forty-nine of the Political Code, relating to the election of clerks of school districts and providing for the salaries thereof.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 832—An Act to amend section ten hundred eighty-three of the Political Code, relating to the qualification of electors.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 833—An Act to amend section thirty-eight hundred and thirty-nine of the Political Code, relating to persons liable for poll tax.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and

defining the conditions under which such water exemption becomes subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Bill read first time, and referred to Committee on Irrigation.

By Senator Flint: Senate Bill No. 842—An Act to amend section four thousand two hundred and fifty of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class.

Bill read first time, and referred to Committee on [illegible].

By Senator Larkins: Senate Bill No. 843—An Act to amend section seventy of the Civil Code of the State of California, relating to the solemnization of marriage.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 844—An Act to amend section one hundred seventy-nine of the Code of Civil Procedure of the State of California, relating to stay of proceedings on filing undertaking.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 845—An Act to amend section one hundred seventy-eight of the Code of Civil Procedure of the State of California, relating to notice of filing undertaking on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 846—An Act to amend section nine hundred twenty-four of the Code of Civil Procedure relating to bail in justice courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 847—An Act to amend section three thousand seven hundred eighty of the Political Code relating to collection of property taxes.

Bill read first time, and referred to Committee on Judiciary.

Also: (by request): Senate Bill No. 848—An Act relating to public administrators and coroners.

Bill read first time, and referred to Committee on Judiciary.

By Senator Curtin: Senate Bill 849—An Act to amend section three thousand four hundred eighty of the Political Code of California, relating to the issuance and sale of bonds in reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 850—An Act to add a new section to the Civil Code of the State of California, to be numbered one thousand four hundred ten a, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 851—An Act to amend section two thousand two hundred forty-six of the Code of Civil Procedure of California, relating to eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shanahan: Senate Bill No. 852—An Act making an appropriation for the improvement and maintenance of the Lassen trail highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 846—An Act to reimburse the county of Shasta, in the State of California, for loss of revenue sustained in the year 1911 and the year 1912, under the provisions of section fourteen of article thirteen of the Constitution of the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Boynton: Senate Joint Resolution No. 16—Relative to the historic Liberty bell, and requesting the common council of the city of Philadelphia to permit the exhibition of the same at the Panama-Pacific International Exposition.

Resolution referred to Committee on Federal Relations.

Also: Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling the common carriers by railroad to properly man their trains," approved February 20, 1911.

Bill read first time, and referred to Committee on Corporations.

MOTION.

Senator Caminetti moved that Senate Bill No. 846 be recalled from the Committee on Revenue and Taxation, and be re-referred to Committee on County Government.

CALL FOR AYES AND NOES.

The question being on the motion.

The ayes and noes were called for by Senators Caminetti, Cogswell, and Shanahan.

The roll was called, and the motion carried by the following vote:

AYES—Senators Avey, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cobb, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Mott, Sanford, Shanahan, and Tyrrell—19.

NOES—Senators Anderson, Bryant, Cassidy, Cogswell, Curtin, Flint, Gates, Hans, Regan, Rush, Strobridge, Thompson, and Wright—13.

Senate Bill No. 846 ordered re-referred to Committee on County Government.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator Rush: Senate Bill No. 848—An Act making an appropriation to pay special premiums on live stock and poultry owned in California and exhibited at the Panama-Pacific International Exposition in the year 1915.

Bill read first time, and referred to Committee on Agriculture.

By Senator Strobridge: Senate Bill No. 849—An Act to amend section eleven hundred and fifteen of the Political Code of the State of California, relating to the index to registration.

Bill read first time, and referred to Committee on Elections.

By Senator Hans: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 24 of Article I thereof, and relating to a property qualification to vote at elections creating indebtedness.

Constitutional amendment referred to Committee on Elections.

Also: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1 of Article II of the Constitution, to relative to the right of suffrage.

Constitutional amendment referred to Committee on Elections.

By Senator Cohn: Senate Bill No. 864—An Act appropriating money to pay the estate of Ann Stillman, for services performed for the State of California by Judgment to the State Constitutional Convention of 1878-79.

Bill read first time and referred to Committee on Finance.

[illegible]

At eleven o'clock and fifteen minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the Chair.

[illegible]

The following bills etc., were introduced:

By Senator Crowell: Senate Bill No. 863—An Act to amend section fifteen hundred and fifty-two of the Penal Code of the State of California, relating to the traveling expenses of the county superintendent of schools.

Bill read first time, and referred to Committee on County Government.

By Senator Campbell: Senate Bill No. 862—An Act to amend section one hundred seventy-one of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Grunsky: Senate Bill No. 863—An Act to amend section five hundred and thirty-one of the Code of Civil Procedure, relating to injunctions to suspend the business of a corporation, the kind, injunction, evidence, judgment and parties in certain classes of injunction suits.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 864—An Act to amend section five hundred and eleven of the Code of Civil Procedure, relating to service of papers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Avey: Senate Bill No. 865—An Act appropriating money for constructing, equipping and furnishing three cottages at Southern California State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 866—An Act to amend section one hundred and ninety-five and to repeal section one hundred and forty-three of the Penal Code, relating to the setting aside of indictments and informations and the insertion of the names of witnesses at the end of the indictment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 867—An Act to amend section twelve hundred and three of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and before appeal, and the suspending of the imposition or execution of sentence during

the term of probation and the disposition of such accusation after full compliance with the terms of probation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 858—An Act to add a new section to the Penal Code, to be known as section eleven hundred thirty-two, relating to an internal revenue license as evidence that the person having the same is engaged in the business of selling alcoholic liquors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 859—An Act to amend sections eight hundred sixty and eight hundred sixty-one of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Regan: Senate Bill No. 860—An Act authorizing and directing the Commissioner of the Bureau of Labor Statistics to appoint an assistant deputy to perform the duties imposed upon said commissioner under section twelve of an Act entitled "An Act to establish and support the bureau of labor statistics," approved March 3, 1883, and the several Acts amendatory thereof; prescribing his duties; providing for his compensation, and making an appropriation therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell, drugs or herbs, with intent to cure or mitigate disease and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hewitt: Senate Bill No. 862—An Act to amend section twelve hundred and forty-one of the Code of Civil Procedure of the State of California, relating to the taking of private property for public use.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 863—An Act to amend sections nineteen hundred and eighty-six and nineteen hundred and ninety-one of the Code of Civil Procedure, both relating to subpœna.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 864—An Act to amend section sixteen hundred and eighteen of the Code of Civil Procedure, relating to the compensation of executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 865—An Act to amend section three hundred sixty-eight of the Political Code, relating to the appointment of certain executive officers.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 866—An Act to amend sections three hundred and sixty-eight, six hundred and ninety-nine and twenty-five hundred and one of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 867—An Act declaring that the tide lands and submerged lands within the boundaries of the city of Los Angeles are required for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California for quieting the title to, and for the recovery of the possession of said lands.

Bill read first time and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain lands of the State, and authorizing the execution of a contract for such services.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 869—An Act to establish two correctional institutions, one north of the second standard parallel south of Mount Diablo base line and one south of such parallel, to be known as the Northern State Farm and the Southern State Farm, providing for the confinement and care of certain prisoners therein and for the government thereof, and making an appropriation therefor.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to section six of article eleven of the Constitution of the State of California relating to municipal corporations.

Constitutional amendment referred to Committee on Municipal Corporations.

By Senator Mott: Senate Bill No. 870—An Act to amend sections two, three and six of an Act known as "The Building and Loan Commission Act," approved April 3, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read first time and referred to Committee on Banking.

Also: Senate Bill No. 871—An Act to amend section fifteen hundred and sixty and fifteen hundred and sixty-four of the Political Code, relating to notaries' instruments.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 872—An Act to create and establish a "legislative council" to promote intelligent legislation, gather data and information in respect to existing and proposed legislation and publish the same for the benefit of legislators and the people of the State, to establish a legislative reference bureau to act during the session of the Legislature as legislative counsel to revise, refine and codify the laws of this State; also to prescribe the powers and duties of such "legislative council," and to authorize the appointment of a secretary and stenographers therefor, and to provide for the compensation and expenses thereof, and to appropriate money therefor.

Bill read first time and referred to Committee on Judiciary.

By Senator Caminetti: Senate Bill No. 873—An Act to provide for cooperation between the University of California, the California State Library, and the various county free libraries of California, for

the purpose of carrying on a practical system of university extension.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 874—An Act concerning campaign expenses of political parties, and providing for payment thereof by the State.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 875—An Act to make an appropriation for the completion and improvement of that certain State road called Alpine state highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 877—An Act to amend section four thousand two hundred and seventy of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

STATEMENT.

Senate Bill No. 877 is introduced by me for consideration by the people of Amador County during the constitutional recess, and my approval thereof will depend on their action.

A. CAMINETTI.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—RESUMED.

The following bills, etc., were introduced:

By Senator Gerdes: Senate Bill No. 878—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending section seven of said Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 879—An Act to amend section thirteen hundred ninety-three of the Political Code of the State of California

Bill read first time, and referred to Committee on Education.

By Senator Juilliard: Senate Bill No. 880—An Act to repeal section nineteen hundred thirty-five of the Political Code of the State of California, and to amend sections nineteen hundred six, nineteen hundred twenty-five, nineteen hundred twenty-six, nineteen hundred twenty-seven, nineteen hundred twenty-eight, nineteen hundred twenty-nine, nineteen hundred thirty, nineteen hundred thirty-one, nineteen hundred thirty-two, nineteen hundred thirty-two and one half, nineteen hundred thirty-three, nineteen hundred thirty-four, nineteen hundred thirty-four and one half, nineteen hundred fifty-seven, nineteen hundred sixty-three, twenty hundred seventy-six, twenty hundred seventy-seven, twenty hundred seventy-nine, twenty hundred eighty, twenty-one hundred six, twenty-one hundred eleven and twenty-one hundred twelve of the Political Code of the State of California, and to add four

new sections to said code to be known as sections nineteen hundred twenty-eight a, nineteen hundred twenty-eight b, nineteen hundred twenty-eight c and nineteen hundred twenty-eight d, in addition to the organization, equipment, maintenance and government of the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Brobeck: Senate Bill No. 882—An Act to provide that the consolidation of insane of state hospitals for the insane, the Sonoma State Home of women in the state prison, and of Ukiah and Independence, and repealing an Act entitled "An Act to permit consolidation of insane of the state hospitals and the California Home for the Care and Training of Feebleminded Children, and of inmates in the state prisons," approved April 10, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 883—An Act to amend section 2 of an Act entitled "An Act to provide for the regulation and government of irrigation districts, and to provide for the organization and government thereof, and for the inclusion of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1887, by amending section forty-seven and forty-seven and one half thereof, relating to the period of redemption and to certain provisions concerning the validity of deeds to purchasers upon foreclosure sales.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 884—An Act to provide for bringing actions to determine adverse claims to real estate upon title to real property, and to release liabilities and liens arising from recognizances, surety bonds, and interest created upon real property, and liens in favor of the State, where such districts have ceased to operate as irrigation districts and the officers thereof have ceased to perform the functions of their office and no election of officers thereof has been held thereon for a period of four years, and to provide for obtaining a judgment quieting the title to said lands and establishing said title of record.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, to be numbered eleven hundred and seventy-a, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other similar services to the tenant.

Bill read first time and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 886—An Act to provide a method for the assessment, levy, and collection of taxes in municipalities and counties, cities and other municipal bodies; for uniform forms of accounts and uniform tax bills, for a system of payments of taxes by discounts and penalties, to amend sections thirty-six hundred

twenty-eight, thirty-six hundred twenty-nine, thirty-six hundred fifty, thirty-six hundred fifty-eight, thirty-six hundred fifty-nine, thirty-six hundred sixty-five, thirty-six hundred sixty-seven, thirty-six hundred ninety-six, thirty-seven hundred fourteen, thirty-seven hundred fifteen, thirty-seven hundred sixteen, thirty-seven hundred eighteen, thirty-seven hundred thirty-one, thirty-seven hundred thirty-two, thirty-seven hundred thirty-four, thirty-seven hundred thirty-six, thirty-seven hundred thirty-nine, thirty-seven hundred forty-six, thirty-seven hundred forty-eight, thirty-seven hundred fifty, thirty-seven hundred fifty-one, thirty-seven hundred fifty-three, thirty-seven hundred fifty-four, thirty-seven hundred fifty-five, thirty-seven hundred fifty-six, thirty-seven hundred fifty-eight, thirty-seven hundred fifty-nine, thirty-seven hundred sixty, thirty-seven hundred sixty-two, thirty-seven hundred sixty-four, thirty-seven hundred sixty-five, thirty-seven hundred sixty-seven, thirty-seven hundred sixty-nine, thirty-seven hundred seventy-one, thirty-seven hundred seventy-two, thirty-seven hundred seventy-six, thirty-seven hundred eighty, thirty-seven hundred eighty-one, thirty-seven hundred eighty-five, thirty-seven hundred eighty-six, thirty-seven hundred ninety, thirty-seven hundred ninety-one, thirty-seven hundred ninety-seven, thirty-seven hundred ninety-eight, thirty-seven hundred ninety-nine, thirty-eight hundred, thirty-eight hundred one, thirty-eight hundred four, thirty-eight hundred five, thirty-eight hundred five *b*, thirty-eight hundred six, thirty-eight hundred nine, thirty-eight hundred fourteen, thirty-eight hundred fifteen, thirty-eight hundred sixteen, thirty-eight hundred seventeen, thirty-eight hundred nineteen, thirty-eight hundred twenty, thirty-eight hundred twenty-one, thirty-eight hundred ninety, thirty-eight hundred ninety-seven, thirty-eight hundred ninety-eight, thirty-eight hundred ninety-eight *a*, thirty-eight hundred ninety-nine, and to repeal sections thirty-six hundred thirty-four, thirty-six hundred fifty-three, thirty-six hundred fifty-eight *a*, thirty-seven hundred seventeen, thirty-seven hundred forty-seven, thirty-seven hundred sixty-one, thirty-eight hundred thirteen, thirty-eight hundred eighteen, thirty-eight hundred twenty-three, thirty-eight hundred twenty-four, thirty-eight hundred twenty-five, thirty-eight hundred twenty-seven, thirty-eight hundred twenty-eight, and thirty-eight hundred eighty-four, of the Political Code.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also (by request): Senate Bill No. 887—An Act to amend section eighteen hundred and eighteen of the Political Code, relating to the levy of county or city and county school tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Campbell: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty-three thereof, to be numbered section two of article twenty-three, providing for the recall by the electors of appointive public officers.

Bill read first time, and referred to Committee on Judiciary.

MOTION

Senator Avey moved that Senate Concurrent Resolution No. 11 be placed on file without reference to committee.

Motion carried.

Senate Concurrent Resolution No. 11 ordered on file.

By Senator Avey: Senate Concurrent Resolution No. 11—Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to capitol, hospital and other public institutions.

MOTION CARRIED TO ADOPTED.

On motion of Senator Avey, the Secretary was directed to issue a rush order for printing Senate Concurrent Resolution No. 11.

REPORT OF STANDING COMMITTEE (S. C. R. NO. 10).

The following report of standing committee was received:

ON PENSIONERS AND PENSIONS.

Sacramento, January 28, 1913.

Mr. President: Your Committee on Pensioners and Pensions, to which was referred Senate Concurrent Resolution No. 10, has had the same under consideration, and has instructed me to report it back with the recommendation that it be adopted.

[illegible]

RESOLUTION.

The following resolution was introduced:

By Senator Anderson:

Resolved, That the Secretary of the Senate be and he is hereby instructed to furnish to the public libraries [illegible] allotment of [illegible] and Senate Journal of the [illegible] and copy of the Senate [illegible] thereof, together with [illegible].

MOTION

Senator Thompson moved that the resolution be referred to the Committee on Rules.

Motion carried.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—LIST OF PAPERS.

The following bills, etc., were introduced:

By Senator Owens: Senate Concurrent Resolution No. 12—Approving the charter of the City of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 4th day of November 1912.

Resolution referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE.—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 16—An Act to provide for the survey, location and construction of a state highway from the town of Mariposa through Bear Creek, Mariposa Grove and Stockton Creek to the Yosemite Valley railroad at Bear Creek Station in Mariposa County, California, and making an appropriation therefor.

Also: Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Also: Senate Bill No. 166—An Act to provide for the survey, location and construction of a state highway from Merced Station in Merced County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor.

Also: Senate Bill No. 167—An Act to make an additional appropriation for the construction of the road from Meeks Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe, to McKinney's.

Also: Senate Bill No. 168—An Act to make an appropriation for the location, survey and construction of a state highway from Colfax westerly to Weimar, thence to Applegate, thence to Clipper Gap, thence to Bowman and thence to Auburn.

Also: Senate Bill No. 169—An Act to make an appropriation for the location, survey and construction of a state highway from Emigrant Gap, Placer County, in a westerly direction following the main county road, through or near Blue Canyon, thence to Towle, thence to Alta, thence to Dutch Flat, thence to Gold Run, thence to Colfax.

Also: Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Senate Bill No. 171—An Act declaring the wagon road from McKinney's to [illegible] and providing for a state highway [illegible] and appropriating for the improvement thereof.

Also: Senate Bill No. 172—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woolyille Creek with said North Yuba River, thence following the said bank or point back of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

Have had the same under consideration, and recommend that the same do pass, and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Senate Bills Nos. 16, 18, 166, 167, 168, 169, 170, 171 and 172 ordered re-referred to Committee on Finance.

MOTION.

Senator Cogswell moved that Senate Concurrent Resolution No. 10 be taken up for consideration.

Motion carried.

SENATE CONCURRENT RESOLUTION NO. 10.

Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

WHEREAS, The mayor and city clerk of the city of Long Beach did, on the 23rd day of January, 1913, duly certify to the submission to the electors of said city of Long Beach of twenty-six proposed amendments to the charter of the city of Long Beach and to the ratification of said twenty-six amendments and did further certify

to a copy of said proposed amendment, authenticated by the seal of said city of Long Beach, which said ordinance is in words and figures following, to-wit:

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, } ss.
CITY OF LONG BEACH. }

CERTIFICATE OF AUTHENTICITY OF COPY OF ORDINANCE PROPOSING AMENDMENTS TO THE CHARTER OF THE CITY OF LONG BEACH.

We, the undersigned, Lee S. Dowd, mayor of the city of Long Beach, State of California, and Daisy E. Long, city clerk of said city, do hereby certify as follows, to-wit:

That the city of Long Beach, in the county of Los Angeles, State of California, contains a population of over 10,000 inhabitants and has such over since the year 1907, and is now governed and acting under a freeholders' charter adopted, ratified and in force as Section 8 of Article XI of the Constitution of the State of California, which charter was duly framed by a freeholders' board of fifteen qualified electors, and submitted to the Legislature of the State of California on the 30th day of January, 1911; that the said board of freeholders was elected on the 28th day of January, 1911, and duly organized and began the discharge of its duties on the 30th day of January, 1911; that the said charter was duly ratified by the qualified electors of the city of Long Beach at a general municipal election held in the city of Long Beach on the 14th day of September, 1911, and approved by the Legislature of the State of California on the 30th day of January, 1911; that the said charter has been amended at the general municipal election held in the city of Long Beach on the 5th day of November, 1912, and approved by the Legislature of the State of California on the 28th day of January, 1913; that the city council of said city is authorized by said charter of the city of Long Beach and pursuant to the laws of the State of California to submit to the qualified electors of said city for their consideration at the regular election of said city for the purpose of electing officers thereof, and for the holding of such election and providing for the publishing of said proposed amendments and the time of holding the said election, and that said amendments to be published were published for the time and in the manner required by said charter of the city of Long Beach and pursuant to the laws of the State of California, a copy of each of said proposed amendments, together with the petition of the qualified electors of said city requesting the submission thereof, and the certificate of the city clerk of said city showing the sufficiency of said petition, and providing for the posting of notice of said election at the several places within said city at which the qualified electors of said city were entitled to vote at said election, and for the publishing thereof for at least ten days prior to the day of said election;

That said three proposed amendments were, and each of them was, published for ten times in a daily newspaper of general circulation, printed, published and circulated in said city, and published for the ten consecutive days next preceding the day of November, 1912, which said day appointed said date for the date of completion of the publication of said proposed amendments;

That said conference for said three several amendments and ordinance and notice and publication of said proposed amendments was duly published and posted as required by said ordinance and by law;

That immediately upon making proper canvass for the said ordinance, the said city council of said city of Long Beach, which said canvass was begun on the 14th day of January, 1913, at said city of Long Beach, which said canvass was completed on the 20th day of January, 1913, at said city of Long Beach, and which said canvass was made by the said city council of said city of Long Beach, it was found and declared that a majority of the qualified electors voting thereon voted for the adoption of said proposed amendments, and declared that said proposed amendments to the charter of said city of Long Beach had been adopted by the qualified electors of said city voting on said several municipal elections, and the whole number of votes cast for the adoption of said proposed amendments to the charter of said city of Long Beach was 2,000 votes, and the whole number of votes cast against the adoption of said proposed amendments to the charter of said city of Long Beach was 1,000 votes, and a majority of the qualified electors voting thereon voted for the adoption of said proposed amendments to the charter of said city of Long Beach

said map of East San Pedro; thence northwesterly to the southwest corner of lot 3, Terminal Island, as said lot 3 is shown on filed map No. 133, records of Los Angeles County; thence northwesterly along the westerly line of said lot 3 to the most northerly corner of lot 2, said Terminal Island; thence in a direct line northeasterly to the intersection of the westerly boundary line of Long Beach township with the southerly line of Wilmington and Anaheim road, as said road is shown on said map of Terminal Island; thence northwesterly along the boundary line of the city of Wilmington as incorporated December 26, 1905, to a point, said point being south 85 deg. west from the intersection of the west prolongation of the north line of State street with the "compromise line" between rancho San Pedro and rancho Los Cerritos as said "compromise line" is shown in licensed surveyor's map book 6, pages 15 and 16, said Los Angeles County; thence northeasterly in a direct line to a point in the westerly boundary of the Wilmington colony tract, recorded in book 4, pages 406 and 407, miscellaneous records of said county, said point being 1,300 feet south of the north line of lot 7 of said Wilmington colony tract; thence east to the east line of lot 11, said Wilmington colony tract; thence north 10 feet; thence east to a point 32 feet west of the west line of American avenue, as said avenue is shown on aforementioned map of American colony tract; thence south to a point 100 feet north of the north line of Hill street, as shown on said map of American colony tract; thence east to the east line of American avenue, as shown on map of Elm avenue tract, recorded in map book 4, page 86, records of Los Angeles County; thence north to a point 80 feet north of the north line of Willow street, as said Willow street is shown on aforementioned map of American colony tract; thence east to the east line of Pasadena avenue, as said avenue is shown on map of Signal tract, recorded in map book 7, page 76, records of Los Angeles County; thence south 30 feet; thence east to a point one hundred and forty-three (143) feet west of the west line of Atlantic avenue; thence north to the north line of farm lot 52, aforementioned American colony tract; thence west along said north line of farm lot 52, to the east line of American avenue, as shown on aforementioned map of American colony tract; thence north to the north line of Spring street; thence east along the north line of Spring street to a point 143 feet west of the west line of Atlantic avenue; thence north to the north line of aforementioned American colony tract; thence east to the easterly boundary of Los Angeles County; thence southerly along said boundary to a point 100 feet south of the prolonged north line of American colony tract, thence west to a point 100 feet east of the aforementioned Atlantic avenue; thence south to the south line of aforementioned Willow street; thence east to a point 300 feet west of the west line of California avenue, as said avenue is shown on aforementioned map of American colony tract, thence south to a point in the southerly line of the Pacific Electric railway right of way as shown on map of Gadwell and Lester tract, recorded in map book 7, page 163, records of Los Angeles County; thence southeasterly along said southerly line of right of way prolonged to the east line of California avenue, as shown on map of aforementioned American colony tract, thence south to a point 160 feet north of the north line of Anaheim street; thence east to the west line of Orange avenue, as said Orange avenue is shown on map of the Alamitos tract, recorded in book 36, pages 37 44, miscellaneous records of Los Angeles County; thence south 860 feet; thence east to the east line of Temple avenue, thence north to the south line of State street; thence east to the east line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south to the north line of Seventh street, thence east to the southwesterly line of right of way of the Pacific Electric railway, thence southeasterly along said southwesterly line to the east line of Santa Fe avenue, thence south to the north line of lot 194; thence east along said north line of lot 194 to the west line of Nieto avenue, as said Temple avenue, State street, Loma avenue, Anaheim street, Ximeno avenue, Seventh street, right of way, Santa Fe avenue, lot 194 and Nieto avenue are shown on aforementioned map of the Alamitos tract; thence south to the northeasterly line of block A, West Naples, as shown on map recorded in map book 7, pages 164 and 165, records of Los Angeles County, thence in a direct line to the most northerly corner of lot 17, said block A; thence southwesterly along the prolonged northwesterly line of said lot 17 to its intersection with the northeasterly line of block B, said West Naples; thence southeasterly along the northeasterly line of said block B to the most northerly corner of lot 18, said block B; thence southwesterly along the prolonged northwesterly line of said lot 18 to its intersection with the northeasterly line of lots 35 and 36, said block B; thence southeasterly along said northeasterly line of lots 35 and 36 to the most northerly corner of lot 37, said block B; thence southwesterly along the prolonged northwesterly line of said lot 37 to the northeasterly line of block C, said West Naples; thence southeasterly along the northeasterly line of said block C to its intersection with the northwesterly line of lot 16, said block C; thence southwesterly along the prolonged northwesterly line of said lot 16 to the northeasterly line of lots 44 and 43 of said block C; thence southeasterly along the northeasterly line of said lots 44 and 43 to the most easterly corner of lot 44, said block C, thence southwesterly along the prolonged southeasterly line of lot 44 to its intersection with the northeasterly line of block D, said West Naples; thence southeasterly along the northeasterly line of said block D to the northwesterly line of lot 17, said block D, thence southwesterly along the prolonged

northwesterly line of said lot 17 to the northwesterly line of block 48, thence [illegible] northwesterly along said northwesterly line of said block 48 to the northeasterly line of lot 10 said block 48; thence northeasterly along said northwesterly line of said lot 10 to a point 181 feet distant from the center of the Florida Orange cheese factory; and parallel with the center of the Florida Orange, and 181 feet distant therefrom to a point in the prolonged southerly line of Atlantic Coast Street to East Side Public Street as it now exists or hereafter.

PROPOSED CHARTER AMENDMENT NO. 2

That Paragraph 8 of Article 2 Section 2 be amended to read as follows:

Fish— To provide for regulating the city and the inhabitants and waters and gas thereof; to prohibit the [illegible] and to provide for the [illegible] to remove, regulate, establish or abolish wells for water or gas; and to regulate the construction and operation of reservoirs and to authorize the [illegible] of [illegible] and to abate and suppress the [illegible] of [illegible] or [illegible] and to provide for the [illegible] of [illegible] or [illegible] and to provide for the [illegible] of [illegible] or [illegible] and to provide for

the city the right to take over at any time the works, plants and property constructed under the grant at their physical valuation and without consideration for franchise or good will, but no franchise shall be granted for a longer term than fifty (50) years. The city council may, by ordinance adopted by unanimous vote of all its members, provide a method whereby franchises may be granted and from time to time, in like manner, change the method so provided. Until such provision is made the method provided by the general laws of the State shall apply.

PROPOSED CHARTER AMENDMENT NO. 7.

That Section 3, of Article I, be amended by adding a new paragraph thereto to be known as Paragraph 30 and to read as follows:

Thirtieth. To compel the owner, or occupant, of buildings or grounds, or the owner of vacant lots to remove dirt, rubbish, and weeds from the vacant lots and from the lots occupied by buildings and from the sidewalks opposite thereto and in default to authorize the removal or destruction thereof by some officer of the city at the expense of such owner or occupant and to make such expense a lien upon such lots, buildings or grounds.

PROPOSED CHARTER AMENDMENT NO. 8

That Article II be amended to read as follows:

Section 1. The officers of the city shall be:

A mayor.
Seven members of the city council.
A clerk.
Attorney.
Treasurer.
Police judge.
Auditor.
Assessor.
Tax and license collector.
Board of public works.
Civil service commission.
Police commission.
Fire commission.
Board of health.
Library commission.
Board of education.

Section 2. Every officer provided for in this charter shall, within ten days after receiving his certificate of election or appointment, qualify by giving the bond required by this charter, or by the ordinances of this city and by taking the following oath: "I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States, and the Constitution and laws of the State of California, and the charter of the city of Long Beach and I will faithfully discharge the duties of the office according to the best of my ability."

PROPOSED CHARTER AMENDMENT NO. 10

That Section 4, of Article IV, be amended to read as follows:

Section 4. The following named officers shall execute official bonds to the city with sureties in the following sums, viz:

The mayor, in the sum of ten thousand dollars.
The treasurer, in the sum of fifty thousand dollars.
The clerk, in the sum of ten thousand dollars.
The auditor, in the sum of ten thousand dollars.
The assessor, in the sum of ten thousand dollars.
The tax and license collector, in the sum of fifty thousand dollars.
The police judge, in the sum of five thousand dollars.

Such other and additional bonds may be required from time to time as the city council may deem proper.

PROPOSED CHARTER AMENDMENT NO. 11.

That Section 7, of Article V, be amended to read as follows:

Section 7. The city clerk shall be a citizen and elector of the State and shall have been a resident of the city for the two years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for two years and until his successor has been elected and has qualified. The city clerk shall have the custody of and be responsible for the corporate seal, all books, papers, records and archives belonging to the city, not in actual use by other officers, or elsewhere by special provision committed to their custody. He shall be present at each meeting of the council and of the board of equalization, and keep a record of its proceedings. He shall keep separate books in which respectively he shall record all ordinances, contracts and all other documents of permanent public value. He shall keep all books properly indexed and open to public inspec-

[illegible]

PROPOSED CHARTER AMENDMENT NO. 13.

That Section 8 of Article I be amended to read as follows:

Section 8. The city treasurer shall be a citizen and resident of the State and shall have been a resident of the city for one year next preceding the day of his election. He shall be elected by the qualified electors of said city and shall hold office for two years and until his successor shall have entered upon the duties of his office. He shall perform all the duties prescribed by this Charter or by the city council relating to the collection of taxes, the receipt and disbursement of the city funds, the keeping of accounts, and such other duties relating to the city finances as may be required by the council.

PROPOSED CHARTER AMENDMENT NO. 14.

That Section 3 of Article VI be amended to read as follows:

Section 3. The governing authority of the city shall consist of the mayor and eight members of the city council. Each member of the city council shall be a citizen and elector of the State. They shall hold their meetings at the city hall and shall keep open doors during the time of their sessions. They shall elect from among their own number a president, who shall preside at their meetings, and in his absence a president pro tem. They shall have power to compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. They shall be the judges of the election and qualification of their own members. They shall determine the rules of their own proceedings, and may punish any person not a member for disorderly conduct in their presence, or for contempt committed in their immediate view and hearing during their sessions, by fine not exceeding one hundred dollars, or imprisonment not exceeding ten days, or both, and may punish members for disorderly conduct by censure, fine not exceeding one hundred dollars, or by expulsion from the council, but no member shall be expelled except by a vote of two-thirds of the whole number of the council. They shall have power to compel the production of books and papers pertaining to any matter under investigation by the council, and to that end may issue subpoenas and other necessary process, which shall be executed by any officer authorized to execute the process of the courts of this State. They shall keep a journal of their proceedings, which shall be published at the end of their terms of office. They shall have power to punish by fine not exceeding one hundred dollars, or imprisonment not exceeding ten days, or both, any person not a member who shall be guilty of disorderly conduct in their presence, or who shall be guilty of contempt committed in their immediate view and hearing during their sessions, or who shall refuse to obey any subpoena issued by the council, or who shall refuse to be sworn or to answer as a witness when lawfully required to do so. They shall have power to punish for contempt in the same manner and to the same extent as courts of record in this State may punish for contempt, but no fine imposed by the council for contempt shall exceed one hundred dollars, nor shall any imprisonment for contempt exceed ten days.

PROPOSED CHARTER AMENDMENT NO. 15.

That Section 4 of Article VI be amended to read as follows:

Section 4. The council shall elect one of its members president pro tem, who shall preside at its meetings during the absence of the mayor, and in the absence of the mayor and president pro tem, any three members may call to order any regular meeting of the council and preside thereat until the mayor or president pro tem shall appear. The council shall appoint a clerk, who shall keep a record of its proceedings, and who shall perform such other duties as may be required of him by the council. The council shall appoint a treasurer, who shall perform such duties as may be required of him by the council. The council shall appoint a chief of police, who shall perform such duties as may be required of him by the council. The council shall appoint a city attorney, who shall perform such duties as may be required of him by the council. The council shall appoint a city engineer, who shall perform such duties as may be required of him by the council. The council shall appoint a city physician, who shall perform such duties as may be required of him by the council. The council shall appoint a city marshal, who shall perform such duties as may be required of him by the council. The council shall appoint a city assessor, who shall perform such duties as may be required of him by the council. The council shall appoint a city collector, who shall perform such duties as may be required of him by the council. The council shall appoint a city auditor, who shall perform such duties as may be required of him by the council. The council shall appoint a city clerk, who shall perform such duties as may be required of him by the council. The council shall appoint a city treasurer, who shall perform such duties as may be required of him by the council. The council shall appoint a city engineer, who shall perform such duties as may be required of him by the council. The council shall appoint a city physician, who shall perform such duties as may be required of him by the council. The council shall appoint a city marshal, who shall perform such duties as may be required of him by the council. The council shall appoint a city assessor, who shall perform such duties as may be required of him by the council. The council shall appoint a city collector, who shall perform such duties as may be required of him by the council. The council shall appoint a city auditor, who shall perform such duties as may be required of him by the council.

PROPOSED CHARTER AMENDMENT NO. 16.

That Section 6 of Article IX be amended to read as follows:

Section 6. All contracts for public advertising shall be let annually by the city council on the first Monday in July in each year, or as soon thereafter as the newly organized council qualifies by taking the oath of office, and shall be awarded to the lowest responsible bidder, preference to be given to a daily newspaper of general circulation in the city of Long Beach, provided such bid with provisions shall have been in accordance to the law governing such bids and proposals, or more low and

PROPOSED CHARTER AMENDMENT NO. 17.

That Section 23, of Article XI, be amended to read as follows:

Section 23. Whenever the council shall determine that the public interest requires the construction, acquisition, completion or repair of any public improvement or utility the cost of which, in addition to the other expenditures of the city, will exceed the income and revenue provided for the same for any fiscal year, they may by ordinance submit a proposition to issue negotiable bonds for such purpose and thereafter proceed as provided by Section 18 of Article XI of the Constitution of this State and general law, to issue bonds; provided that such proposition shall not exceed seven per cent. On and upon the assessed value of the taxable property of the city, and the time when such bonds shall become due and payable, and the rate of interest they shall bear, not exceeding six per cent. per annum, shall be fixed by the council after advertising for sealed proposals therefor; and provided that no such proposition for the issue of bonds shall be submitted to the electors or voted upon, and that two-thirds of the votes cast on such question of the said issue of bonds shall have been cast in favor thereof.

PROPOSED CHARTER AMENDMENT No 18.

That Section 24, of Article XI, be amended to read as follows

Section 24. The said sale shall be made by him in the manner provided in section thirty-seven hundred and ninety-one, thirty-seven hundred and ninety-two, thirty-seven hundred and ninety-three, thirty-seven hundred and ninety-four, thirty-seven hundred and ninety-five and thirty-seven hundred and ninety-six of the Political Code of the State of California: *provided*, that the newspaper referred to in section thirty-seven hundred and ninety-two shall be a newspaper having a general circulation in the city of Long Beach.

PROPOSED CHARTER AMENDMENT No. 19.

That Section 11, of Article XV, be amended to read as follows

Section 11. No person shall be eligible to any municipal office under this charter who, at the time of his election, or appointment, is not a qualified elector of this city.

PROPOSED CHARTER AMENDMENT No. 20.

That Sections 1, 2, 3, 4 and 5, of Article XV, be amended to read as follows:

ARTICLE XV.

Section 1. Elections to be held in said city are of three kinds:

1. General municipal elections;
2. Second municipal elections;
3. Special municipal elections.

Section 2. A general municipal election shall be held in said city, on the second Tuesday in November, 1913, and on the second Tuesday in November, every two years thereafter, for the election of

A mayor.
Seven members of the city council.
A clerk.
An attorney.
A treasurer.
A police judge.
An auditor.
An assessor.
A tax and license collector.

Section 3. Candidates for said offices shall be nominated as follows

1. The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

2. The petition of nomination shall contain not less than twenty-five or more than thirty-five individual certificates which shall read substantially as follows

PETITION OF NOMINATION—INDIVIDUAL CERTIFICATE.

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES, } ss.
CITY OF LONG BEACH }

Precinct No.____

I, the undersigned, certify that I do hereby join in a petition for the nomination of _____ whose residence is at No._____ _____ street, Long Beach, for the office of _____ to be voted for at the municipal election to be held in the city of Long Beach on the _____day of _____, 19____, and I further certify that I am a qualified elector and am not at this time a signer of any other petition nominating any other candidate for the above named office, or in case there are several places to be filled in the above named office, that I have not signed more petitions than there are places to be filled in the above named office, that my residence is at No._____ _____ street, Long Beach, and that my occupation is _____

(Signed) _____

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES, } ss.
CITY OF LONG BEACH }

_____, being duly sworn, deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19____

_____
(Notary Public or Verification Deputy.)

The petition of nomination, of which this certificate forms a part, shall, if found insufficient, be returned to _____ at No._____ _____ street, Long Beach, Cal.

3. It shall be the duty of the city clerk to furnish every applicant a sufficient number of official forms of application according to the above standard.

4. Each candidate must be a registered voter. Each candidate must submit the name of one candidate and no more and one proper district and no more. Each voter must be a qualified elector and must sign his own name to the application. He must state his residence by city and street number, his age, his occupation and whether he is now holding or seeking any other office or position, or is employed by any corporation or firm.

5. Upon the receipt of such application the city clerk shall immediately notify the candidate whose name is presented that his name will be placed upon the official ballot unless he shall file with the city clerk within five days after the receipt of such notice a written request that his name be withdrawn from the ballot. Such request must be signed by the candidate in person and not by proxy.

6. Upon the receipt of the application the city clerk shall immediately examine the same and shall not accept the same unless it shall appear that the candidate is a qualified voter and that the application is in proper form. If the application is not accepted the city clerk shall immediately notify the candidate of the fact and the reasons therefor. If the application is accepted the city clerk shall immediately notify the candidate of the fact and shall also notify him that his name will be placed upon the official ballot unless he shall file with the city clerk within five days after the receipt of such notice a written request that his name be withdrawn from the ballot. Such request must be signed by the candidate in person and not by proxy.

7. Within a period of ten days after the last day upon which applications may be filed with the city clerk, the city clerk shall cause to be published in the official newspaper of the city a notice stating that the names of candidates for the several offices to be filled at the next municipal election will be placed upon the official ballot unless a request for the withdrawal of such candidate is filed with the city clerk within five days after the receipt of such notice by the candidate. Such notice shall contain the name of each candidate for whom an application has been filed and the office for which he is a candidate. Such notice shall be published in one issue of the official newspaper of the city.

8. Any request for the withdrawal of a candidate's name shall be filed with the city clerk within the time specified in the preceding section and not thereafter. Such request must be signed by the candidate in person and not by proxy. The city clerk shall immediately upon the receipt of such request cause the name of the candidate to be withdrawn from the official ballot.

9. Any person whose name has been presented to the city clerk as a candidate for any office may withdraw his name by filing with the city clerk a request therefor in writing, and the name of a candidate shall be printed upon the ballot.

10. If after the publication of the official notice of candidates for which no request for withdrawal has been filed there shall not be a sufficient number of candidates for any office to fill the same, the city clerk shall immediately upon the expiration of the time for filing such requests for withdrawal, publish a notice that additional candidates for such office will be received by the city clerk for a period of five days after the publication of such notice, and that the names of such candidates will be placed upon the official ballot.

11. The city clerk shall prepare for the office for a period of ten days prior to the election a sufficient number of official ballots containing the names of the candidates whose names have been presented to the city clerk as provided in this ordinance and for whom no request for withdrawal has been filed. Such ballots shall be printed in accordance with the provisions of the general election laws of the state of Illinois, so far as the same are applicable to the nomination and election of city officers, except as herein otherwise provided.

12. Immediately after such petitions are filed, the city clerk shall cause the names of the candidates on a list under the various offices to be placed, and every such candidate shall subscribe and make oath to a statement substantially as follows: I, ... do solemnly swear that I am a legal voter and resident of the ward in which I am a candidate for the office of ..... and that I will qualify as such officer if elected. Such statement shall be filed with the city clerk within the time specified in the preceding section. Any candidate who shall refuse to subscribe and make oath to such statement shall not have his name printed upon the official ballot.

13. The city clerk shall cause the ballots to be printed and distributed to the polling places as provided for the same [illegible] municipal elections by city ordinance. The ballots shall contain the full list of names and the respective offices as authorized by the provisions and shall be in substantially the following form:

GENERAL MUNICIPAL ELECTION. [illegible]

CLINTON, CITY OF LAKE COUNTY, [illegible]

Instructions to Voters: To vote, mark an [illegible] opposite the name of the candidate for whom you desire to vote. All marks otherwise made will be [illegible]. All [illegible] ballots are defective and shall not be counted. If you [illegible] mark, tear or deface this ballot, return it to the [illegible] and obtain another.

14. All ballots printed shall be precisely of the same size, quality, kind of paper, kind of type and form of ink, as that employed for [illegible] and shall be furnished to each polling place [illegible] under the supervision of the [illegible] and shall be [illegible] the polling place [illegible] the polls are open. A sufficient space for numbering the ballots shall be on the back of the same and shall [illegible] on the right hand side for numbering consecutively as [illegible] at the municipal election are provided for under this ordinance. The names of candidates for each office shall be arranged in one or more columns and [illegible]

ballot shall be indicative of the source of the candidacy or of the support of any candidate.

15. The name of no candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided, shall be omitted from the ballot.

16. The offices to be filled shall be arranged in separate columns in the following order:

For mayor, vote for one.
For councilman, vote for seven.
For clerk, vote for one.
For attorney, vote for one.
For treasurer, vote for one.
For police judge, vote for one.
For auditor, vote for one.
For assessor, vote for one.
For tax and license collector, vote for one.

17. Half inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

18. Half inch squares shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

19. The clerk shall cause to be printed sample ballots identical with the ballot to be used at the election and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three weeks days before said election.

20. In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office shall be declared elected; in case there are two or more persons to be elected to an office, as that of councilman, then those candidates equal in number to the number to be elected who receive the highest number of votes for such an office shall be declared elected; *provided, however*, that no person shall be declared elected to any office at such first election unless the number of votes received by him shall be greater than one half the number of ballots cast at such election.

21. If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so there be, who receive the highest number of votes for the respective offices at such first election shall be the only candidates at such second election; *provided*, that if there be any person who, under the provisions of this subdivision, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such second election shall be declared elected to such office.

22. The second election, if necessary to be held, shall be held three weeks after the first election.

23. All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second election, except that notice of election need be published twice only; *and provided, also*, that the same precincts and polling places shall, if possible, be used.

24. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as hereinafter provided.

25. No informalities in conducting municipal elections shall invalidate the same, if they have been conducted fairly and in substantial conformity to the requirements of this charter.

Section 4. The provisions of the state law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections; *provided* that the council shall meet as a canvassing board and duly canvass the election returns within seven days after any municipal election.

Section 5. All officers provided to be elected by this charter shall take office on the first Monday after the first day of January next after their election. In the case of a special election to fill a vacancy, the person elected shall, after qualifying, as herein provided, enter at once upon the discharge of the duties of the office to which he has been elected and shall serve for the remainder of the term and until his successor shall have been elected and qualified.

Section 6. In the event of a vacancy in the city council, a special election for the purpose of filling the same shall be ordered and held without delay. In the event

[illegible]

kind of elections [illegible]

[illegible]

ARTICLE [illegible]

Section 1. [illegible]

[illegible] described as follows, to wit: Beginning [illegible]

[illegible] hundred sixty (660) feet south of the center line of Anaheim street; thence north

thirteen hundred twenty (1320) feet, thence east to the west line of Loma avenue; thence south to the south line of Anaheim street, thence east to east line of Ximeno avenue, thence south six hundred twenty (620) feet, thence west to the point of beginning.

PROPOSED CHARTER AMENDMENT NO. 24.

ALTERNATIVE PROPOSITION NO. 1.

That Article XIII be amended to read as follows:

Section 1. Any person, firm or corporation that, within the city of Long Beach, establishes, keeps, opens, maintains or carries on a place where spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks are sold, kept for sale, offered for sale, furnished, distributed, divided, delivered or given away, or that, within said city, either as owner, employee, agent, clerk or otherwise, sells, keeps for sale, offers for sale, furnishes, distributes, divides, delivers or gives away any spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks, shall be deemed guilty of a misdemeanor.

Section 2. Every person who shall, directly or indirectly, keep or maintain, by himself, or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining any clubroom or other place, within the city of Long Beach, in which any intoxicating liquor is received or kept for the purpose of use, gift, barter or sale, or for distribution or division among the members of any club or association, by any means whatever, and every person who shall use, barter, sell or give away, or assist or abet another in bartering, selling or giving away intoxicating liquors, so received or kept, shall be deemed guilty of a misdemeanor.

Section 3. Every person having in his possession, within the city of Long Beach, any spirituous, vinous, malt or mixed liquors, or any alcoholic or intoxicating drinks, or bottles, barrels, vessels or other articles with the intent to use the same in violation of this article shall be deemed guilty of a misdemeanor; and all such liquors, bottles, barrels, vessels or other articles in the possession of such person shall be and are hereby declared to be nuisances, and the chief of police shall have the right, and it shall be his duty, to abate such nuisances by seizing the same, and upon the conviction of such person for violating this article, all such liquors shall be destroyed.

Section 4. Every person who lets or leases any building, tenement or place owned by him or under his control, within the city of Long Beach, to be used, or permits the same to be used, in violation of this article, shall be deemed guilty of a misdemeanor.

Section 5. The provisions of this article shall not be deemed to apply to the keeping, furnishing or giving away, of intoxicating liquors in a private residence in a reasonable amount as a means of entertainment or act of hospitality and without compensation.

Section 6. Every person, or any officer, agent or employee of a railroad company, express company or other common carrier, who shall, within the city of Long Beach, receive, carry or deliver any spirituous, vinous, malt or mixed liquors, or any alcoholic or intoxicating drinks, or vessels for containing the same, to or for any persons, and every person who shall advertise, solicit or take orders, within the said city of Long Beach, for any spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks, shall be deemed guilty of a misdemeanor; *provided, however*, that the provisions of this section shall not be deemed to apply to a person receiving or carrying liquors to his private residence for his own private use, nor to the receiving, carrying or delivering liquors to regularly licensed druggists.

Section 7. It shall be the duty of the chief of police and all police officers of the city of Long Beach, to put persons suspected of violating this article under police surveillance, and to use all legal means in detecting and convicting persons violating this article, including the exercise of the right of search given by the state law, and Chapter 3 of Part 2 of Title 12 of the Penal Code of the State of California is hereby, so far as the same may be applicable, made to apply and be in force in the city of Long Beach.

Section 8. Any registered pharmacist, under the laws of this State, holding a druggist's permit obtained from the city council of the city of Long Beach, in the manner herein specified, may sell intoxicating liquors for bona fide medical purposes in accordance herewith, upon the written prescription of a practicing physician entitled to practice medicine under the laws of the State of California; *provided, however*, that said prescription shall be written, signed and dated by the physician within twenty-four hours of the date of the sale; that the name of the person applying personally for the prescription, and the name of the person for whose personal use the prescription is made, shall be inserted therein by the physician issuing the same at the time the prescription is made or given; that the prescription shall be presented to and be filed by the druggist before any sale or furnishing is made thereon; that all prescriptions shall be numbered and kept in regular succession by the druggist filling the same, on a separate file convenient for and

guardian or any relative of any person, shall pawn any bedding or

permit that such person, naming him, uses intoxicating liquors as a beverage, and shall forbid said druggist from selling, bartering or giving to such person any intoxicating liquors, it shall be unlawful for any such holder of a druggist's permit, after such notice, to let such person have any intoxicating liquors upon prescription, or otherwise.

Section 14. Every act in violation of this article shall separately, or for each day of its continuance, be deemed a separate offense, and any person who shall in any manner encourage, aid, abet or assist in the violation of this article, shall be deemed guilty of a misdemeanor, and any clerk, servant, agent or person committing any act in violation of this article shall be deemed guilty as principal.

Section 15. Any violation of this article, or any of the provisions thereof, shall constitute a misdemeanor, and every person found guilty of violating any of the provisions of this article shall, upon conviction thereof, be punished by a fine of [illegible] ($100.00) dollars, or by imprisonment in the city jail of the city of Long Beach for not more than six months, or be punished by both such fine and imprisonment in the discretion of the court in which conviction is had.

Section 16. The council may, by ordinance, provide additional penalties not inconsistent with law for the violation of the provision of this article and may adopt such further restrictions as will make the said provisions effective, and shall have power to make [illegible] and prohibiting the liquor traffic, not inconsistent with this article.

PROPOSED CHARTER AMENDMENT NO. 28

That Section 11 of Article V of the "charter for the city of Long Beach," relating to the qualification and duties of the city attorney, be amended to read as follows:

[illegible]

Section 11. The city attorney shall be a citizen and qualified elector of the state, and shall have been a resident of the city of Long Beach for the two years next preceding his election, [illegible] of the city, and shall hold office for two (2) years, and until his successor has been elected and has qualified. The city attorney must be qualified to practice in all the courts of the State; [illegible] preceding his election, and he must devote his entire time to the duties of his office; and is not permitted to practice law other than the city business, or to have a partner engaged in the practice of law. The city attorney shall prosecute in behalf of the people all criminal cases arising from violation of the ordinances of the city, and shall attend to all suits, matters and proceedings in which the city may be legally interested; *provided*, that the city council shall have control of all litigation of the city and may employ other attorneys to assist the city attorney therein. The city attorney shall be in attendance at every regular meeting of the council and shall give his advice or opinion in writing whenever required so to do by the city council or any of the boards, commissions or officers of the city. The city attorney shall approve the forms of all bonds given to the city, and all contracts before the same are entered into by or on behalf of the city; and shall endorse his approval thereon in writing. The city attorney shall, whenever required by the city council or any member thereof, draft any or all proposed ordinances for the city or amendments thereto, and shall do and perform all such things touching his office as the city council or the mayor may require of him. The city attorney shall keep on file in his office, copies of all written communications and opinions given by him to any officer, board or department; copies of all papers, briefs and transcripts used in cases wherein he appears, and books of record and registry of all actions or proceedings in his charge, in which the city, or any officer, board or commission is a party or is interested, and, on vacating his office shall surrender all books, files and documents pertaining to the city business to his successor. The city attorney may appoint an assistant city attorney, clerks, stenographers and other persons as the council by ordinance shall prescribe; *provided*, that the assistant city attorney must, at the time of his appointment, have been a resident of the city of Long Beach for the two years next preceding the day of his appointment; *and provided, further*, that the assistant city attorney must, at the time of his appointment be qualified to practice in all the courts of the State, and must have been so qualified at least two (2) years next preceding his appointment. The assistant city attorney must devote his entire time to the duties of his office; and shall receive in full compensation for all services rendered by him, payable in equal monthly installments at the end of each calendar month, the sum of eighteen hundred dollars per annum, and is not permitted to practice law other than the city business, or to have a partner engaged in the practice of law.

PROPOSED CHARTER AMENDMENT NO. 29.

That subdivision (*b*) of section 6a of Article XV of the "charter for the city of Long Beach," relating to the initiative be amended to read as follows:

(*b*) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency, the council shall proceed to call a special

[illegible]

Proposed Charter Amendment No. 10

That the charter of the city of Long Beach be amended by adding thereto another article to be known as Article XVII, providing for changing numbering and by amending numbering of said charter so existing articles shall become Article XVIII to read as follows:

ARTICLE XVII

[illegible]

The Railroad Commission of the State of California is hereby vested with and given all the powers, rights and jurisdiction over every railroad mentioned [illegible] Section 2 of the Public Utilities Act, approved December 23, 1911, [illegible] within the city of Long Beach as granted the Railroad Commission [illegible] said Railroad Commission by the Constitution, the Public Utilities Act, [illegible] December 23, 1911, and any other law or statute of the State of California. The provisions of section [illegible] of Article [illegible] of the city of Long Beach and the provisions of section [illegible] of Article VI of the charter of the city of Long Beach, in so far as the same may be in conflict herewith, or contrary to this article including [illegible] and hereby expressly repealed.

In witness whereof we have hereunto set our hands and affixed the corporate seal of the city of Long Beach this 21st day of January, 1913.

J. S. HATCH,
Mayor of the City of Long Beach.

[SEAL]

HARRY B. RILEY,
City Clerk of the City of Long Beach.

And, Whereas, The said proposed amendment as certified as aforesaid has not [illegible] been duly presented and submitted to the Legislature of the State of California for approval or rejection, without power of amendment or modification, at the [illegible] Session of the Legislature of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, by majority of all members elected to each house voting for the adoption of the resolution and concurring therein, That the said proposed amendment to the said charter of the city of Long Beach, hereinabove set forth, as proposed and

as submitted to and adopted and ratified by the qualified electors of said city, be and the same are hereby approved as a whole for and as amendments to the said charter of the city of Long Beach.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Butler, Cannichi, Campbell, Carr, Cassidy, Caswell, Cobb, Curtis, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Judkins, Larkins, Miller, Owens, Rogers, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—33.

NOES—None.

Senate Concurrent Resolution No. 10 ordered engrossed and transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

Senate Joint Resolution No. 10—Relative to protecting from fire the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law.

Senate Joint Resolution No. 10 was, on motion of Senator Birdsall, temporarily passed on file, to retain its place.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

Read third time.

SPECIAL ORDER SET.

Senator Thompson moved that the further consideration of Senate Bill No. 231 be made a special order for three o'clock p.m. this day.

Motion carried.

CONSIDERATION OF DAILY FILE RESUMED.

ASSEMBLY JOINT RESOLUTION No. 5.

A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

WHEREAS, The Senate and the House of Representatives of the United States of America in Congress assembled have adopted House Joint Resolution No. 39, two thirds of each house concurring therein, proposing an amendment to the first paragraph of Section 3, Article I, of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, as follows: "The Senate of the United States shall be composed of two Senators from each state, chosen by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancy; *provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the Legislature may direct. This amendment shall not be so construed to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution," and

Whereas, Such appointment will be valid in all states and counties as well as the Congressional of the United States of America when certified by the Secretary of State under the official seal; and, therefore, be it

Resolved by the Legislature of the State of California as the Legislature regular session convening on the 4th day of January, 1913, a majority of all the members elected to each house of said Legislature voting in favor thereof, That the said resolution be and the same is hereby rescinded.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES: Senators Anderson, Avey, Birdsall, Bonnet, Black, Boynton, Wright, Dennett, Campbell, Caminetti, Chan, Chandler, Cogswell, Cutten, Curtin, Elliott, Finlayson, Gerdes, Gesmer, Hans, Hewitt, Inman, Lanfranchi, Lukens, Mott, Owens, Rigdon, Rush, Saylor, Shoemaker, Stetson, Strobridge, Thompson, Wallace, Walsh and Wolfe—38.

NOES: None.

Assembly Joint Resolution No. 1 ordered transmitted to the Assembly.

MESSAGE PRESENTED BY THE GOVERNOR.

At twelve o'clock m. Senator Caminetti of the Thirty-third District in the chair.

GENERAL ORDER.

The hour set for the Senate for reverting to report to the memory of the late Sylvester Clark Smith, Representative in Congress from the Eighth District of California, and a Senator from the Thirty-second District during the forty-first regular session and thirty-fourth session of the California Legislature, having arrived, Senator Lukens addressed the Senate as follows:

MR. PRESIDENT: One hour has been set apart for the purpose of saying but few words on behalf of Senator and Congressman Smith. I had been closely associated with him in the Senate and Assembly for many years. We were both graduates of the same High School and interested with the shortcomings of the students while there in that State. For many years I have been acquainted with Congressman Smith. I remember being there in 1890 he came to my office in Visalia and we talked. I knew I wanted to run for the Senate. In those methods by which I could get the support of the then editor. I told him that I thought of the two letters which were to me for the office, there for some assignment, and said a suggestion to myself, and then entered the office. He was always progressive in the times and during the course in the Senate he fulfilled my predictions and advice and support and friendship. He possessed the characteristic that they attempted him to the Senate to time and again re-elected [illegible]. I remember well, he came to the Senate office that time Senators Wright, Curtin, and other Senators from Sacramento that time. "Sylvester," he said, "I want to run for Congress." "Senator," I said, "you have served me well and I believe you are entitled to go to Congress," the office and he served his constituents widely I did. They were at once my associates here in Sacramento we grew up. The conventions did not agree and went to Riverside where finally after a long fight Captain Lewis from Riverside [illegible] he was a progressive citizen, and I think from his native state, the mountains. Lewis represented his district in Congress one term. In the next convention Smith, having no more ambitions himself turned back the tide and the nominee and I mean he received those opposed to him but I could never find to have a real enemy for therefore his nomination for Congress. After that he went to Congress and several years went by there.

Gentlemen of the Senate, I do not know any man in the history of this State that has done the duty more honestly and more upright duties to party, and the State than Congressman Smith. We were united and things in our body of conventions, were of however, whether representatives in Assembly, Senate, Congress, or what not, we would meet who was honest in characters. No matter what form you may have differences, you have got the best interests and honest men in putting the laws of your laws will stand you together. In all my acquaintance with men of public affairs, I found him to be one of the most honest and always willing and inspired to do what he thought was right. In my opinion one of the best interests of a lawmaker is nothing else. He seemed to know things which others did not thought of or had overlooked, he was a close observer, a man who saw little things as well as big ones. He had another characteristic, which I consider one of the chief char-

acteristics of all lawmakers—he had a big heart. I believe that the biggest man on the face of the earth is the man who has the biggest heart and loves his country and fellowmen the best. His heart reached out to the entire State and to the affairs at large in the nation, and I believe to the world at large; for his heart went out to the human race and knew no geographical lines.

It is true, gentlemen, that Senator Smith and I differed in political matters, sometimes—no, not in political matters, but in the method by which political reforms should be brought about. Congressman Smith was a reformer, but he differed with many other men in the method of bringing reform about. I remember well during my late senatorial fight, he then running for Congress, and I for Senator, he discussed with me different questions. He said, "Senator Larkins, I would like to see the State of California own every bit of the timber lands and oil lands in the State; the United States Government might do well to cede these lands to the State of California." I thought it was a good idea, and I have often thought of it since.

Above all things, he was a man that was just. In private affairs I always found him honest and in his controversies absolutely fair. He believed in the people, but he believed in a representative government, in which the people should be represented by those experienced in political affairs. He [illegible] to suit to his liking, but he did the best he could under the circumstances.

Smith always did the best he knew, and that is all we can ask. Men may differ with us in political matters or civic or social affairs, or in religion, but who is there to condemn them for it? He was slow to condemn his fellowmen for improper motives, and realized that there is good in all men. His attitude in this respect is best expressed in the words of the poet:

"In men whom men pronounce as ill,
I find so much of goodness still,
In men whom men pronounce divine
I find so much of sin and blot,
I hesitate to draw the line between the two
Where God has not."

Mr. President, death settles all our differences, and in its presence the human passions grow calm, and in its presence we are usually just in our estimate of character. Death sows the seeds, and from them spring the tree of life, furnishing wholesome food for generations of men to come, for the good deeds of men live on forever and do much toward shaping the destiny of the race. This is immortality, such at least is his, and whether there is any other immortality or not, this is enough; a good thought or a good deed, like a force set in motion, goes on forever. Smith has received the call, he has passed into the twilight and into the evening beyond. I imagine as he found himself facing the mysterious unknown, that in his mind was much the same thought as was in Tennyson's when he wrote—

"Twilight and evening star,
A clear sure call for me.
May there be no moaning of the bar,
When I put out to sea."

Senator Anderson addressed the Senate, as follows:

MR. PRESIDENT: Having come from the congressional district many years represented by the late Congressman Smith, and having had a close acquaintance with him, I can not let this occasion pass without adding a brief expression of my high regard for him.

When you gentlemen have been apprised of the fact that I campaigned my Senatorial district eight years ago with Congressman Smith, when he was then a candidate for Congress and I for the State Senate, you will know that I had occasion to know the man, traveling with him day and night; holding meetings in small country towns; appearing before large audiences in the larger places; conversing with many individuals; talking to school children in the country schools, and the Indian school at Riverside, and I must say that he was one of the most versatile men I have ever met. He seemed to have the faculty of always saying the right thing at the right time, and always leaving a good impression. If I should continue my eulogy of the late Congressman for an hour it might well be summed up in the statement that he was one of the cleverest, most upright, most big-hearted and most useful public men that this State has produced.

Senator Curtin addressed the Senate, as follows:

MR. PRESIDENT AND FELLOW SENATORS: On this occasion, when we have before us the intelligence of the death of Hon. S. C. Smith, who at one time was one of the most distinguished members of this body, we may well pause in our proceedings and pay to him a tribute which his splendid service in this body and Congress well deserves. I had the pleasure of serving with him here on this floor for three of the four sessions he served—in the thirty-second, -third and -fourth sessions of the Legislature—and I may assure you that I carry tender and pleasant recollections of that

[illegible]

Senator Mott addressed the Senate, as follows:

Mr. President: It gives me pleasure to present Senator and Congressman Scott Leigh [illegible] Senate.

Mr. Congressman has traveled back [illegible] a session of [illegible]. I have with [illegible] Congressman Smith's [illegible] Senator [illegible] and [illegible] [illegible] [illegible]

to the city of Bakersfield, and you all know of his activities since then. I want to

he did.

much deserves. He is very

today, and wish you would take this matter up with Senator Perkins. I had talked

I am sure Senator Smith would be glad.

Tuolumne, who preceded me, said, Congressman Smith is entitled because of his courage and his bravery.

During the last year I visited Congressman Smith at the hospital in the beautiful

to my mind the poem:

"What builds a nation's pillars high,
And its foundations strong;
The foes that round it throng?
Brave men, who work while others sleep,
Who dare when others fly;
These build a nation's pillars deep
And rear them to the sky."

today.

MOTION.

At twelve o'clock and thirty minutes p.m. Senator Thompson moved that the hour for remarks in respect to the memory of the late Senator Smith be extended.

Motion carried.

Senator W[illegible] addressed the Senate in eulogy of the late Representative, as follows:

Mr. President: I shall not [illegible] I think in view of the great service rendered to the State by the deceased [illegible]

I will assume only a very few moments, but I feel impressed by the solemnity of this occasion. When I learned yesterday morning of the death of Congressman Smith, my heart was filled with sadness, and I know that in the remotest corners of the State [illegible] As I look back over the history of the State of California and run the list of the deceased Congressmen passes in retrospect, I fail to discover a more faithful or a more industrious servant of the people. Unfortunately, no person of [illegible]

[illegible]

[illegible]

[illegible]

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m. the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MOTION.

Senator Thompson moved that the special order set for this hour be continued until four o'clock and thirty minutes p.m.

Motion carried.

RECESS.

At three o'clock and two minutes p.m., on motion of Senator Wright, the President pro tem. declared the Senate at recess until four o'clock and thirty minutes p.m.

RECONVENED.

At four o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

MOTION.

Senator Thompson moved that the special order set for this hour be vacated.

Motion carried.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 9, Relative to approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 10, Relative to Irish home rule.

WHEREAS, After years of adversity, work and hope, but never of despair, on the part of the Irish nation, the British House of Commons recently passed the Irish home rule bill, thereby recognizing the eternal truth that an intelligent people should be sovereign in governmental affairs which concern themselves; and

WHEREAS, It is meet that on the great occasion of the granting of Irish home rule that the farthest of all free states, California, should extend its hearty congratulations to the Irish people, and to the British House of Commons which granted the same; therefore, be it

Resolved by the Assembly of the State of California and the Senate, jointly, constituting the Legislature of the State of California, That we hereby extend, on behalf of the State, our hearty congratulations to the Irish people on their increased assumption of powers and responsibilities, and to the British nation for the act of frank justice rendered.

Resolved, That the Governor of California be and he is hereby requested to transmit a certified copy of these resolutions to the Hon. John E. Redmond, leader of the Irish party, and to Premier Asquith of the British Parliament.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also

[illegible]

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 467—An Act to amend an Act entitled "An Act to verify and confirm the proceedings of certain elections of public officers of the City of Alameda of the State of California at such elections were indicated thereon to have been for the appointment of some other person, and providing for the disposition of the funds of said city remaining in the hands of the Treasurer of said city after the payment of such bonds, coupons and interest, approved April 1, 1911, to authorize certain [illegible] and to validate and confirm the acts of the Boards of Trustees and Clerks of said city in canvassing and declaring the result of said elections, and in issuing certificates of election and appointment to persons elected and appointed, and in [illegible] and declaring the result of said election

Penal Code of the State of California, to be numbered as section five hundred and eight and one half, relating to embezzlement.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 892—An Act for the regulation and control of mutual or benefit associations organized or formed and composed of members of secret societies, lodges or councils exclusively.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 893—An Act to repeal section six hundred and thirty of the Political Code of the State of California, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 894—An Act to amend an Act entitled "An Act for the regulation and control of fraternal benefit societies," approved May 1, 1911, by amending section five thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 895—An Act to amend an Act entitled "An Act for the regulation and control of fraternal benefit societies," approved May 1, 1911, by amending sections twenty-three *a* and twenty-nine thereof, and adding a new section thereto, to be numbered twenty-three *b*.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Concurrent Resolution No. 13—Approving certain amendments in the charter of the city of Eureka, in Humboldt County, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held therein on the 15th day of April, 1912.

Resolution referred to Committee on Municipal Corporations.

By Senator Larkins: Senate Bill No. 898—An Act to establish county labor farms, or factories or shops, in the State of California, for the purpose of providing work for persons out of employment and affording them an opportunity to obtain the necessities of life when in distress, and providing for acquiring same and the management thereof and providing punishment for misuse of funds thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 899—An Act to amend section thirty-five hundred seventy-one of the Political Code of the State of California

relating to the granting of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State, for the purpose of securing certificates of warrants for lands sold by the State but not vested by it, and said section, as amended, also providing for the power in the State of any citizen of Louisiana as to the issuance of said certificates and that as to the issuance of warrants by county auditors and the State Controller as provided in section thirty-five hundred seventy-four of said Revised Laws."

Bill read first time and referred to Committee on Judiciary.

By Senator Broyles (by request): Senate Bill No. 940—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for constructive purposes and to provide penalties for the infraction thereof and to appropriate money thereto," approved May 1, 1911, by adding a new section thereto, to be numbered twelve and one half, relating to the labeling and misbranding of the preparation of the United States Pharmacopoeia and National Formulary.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also (by request): Senate Bill No. 941—An Act to amend section three, six, nine, ten, eleven, twelve, fourteen, fifteen, sixteen and twenty of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, misbranded or poisonous or deleterious foods, drugs, medicines and liquors, and regulating traffic in the same, and providing penalties for violation thereof," approved March 11, 1907.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Strickland: Senate Bill No. 942—An Act to make an appropriation to pay the salaries and the mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 943—An Act making an appropriation for the pay of officers and clerks of the Senate for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Bill read first time and referred to Committee on Finance.

By Senator Boynton: Senate Bill No. 944—An Act to establish the Yolo and Lake State Highway (to follow the county to provide for the survey and construction, repair and maintenance) and to make an appropriation therefor.

Bill read first time and referred to Committee on Roads and Highways.

Also: Senate Bill No. 945—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission, by creating a "state compensation insurance fund" to insure employers against such liability, and providing for its administration; by requiring safety in all employments and places of employment in this State to be

safe, and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization, define its powers and duties and provide for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Gates: Senate Bill No. 906—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered twenty-one hundred sixty-seven *b*, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the superior court sitting as a lunacy court in counties and cities and counties of over two hundred thousand population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Beban: Senate Bill No. 907—An Act to require physical culture and health and development supervision in the public schools, and to amend section sixteen hundred sixty eight of the Political Code.

Bill read first time, and referred to Committee on Education.

By Senator Finn: Senate Bill No. 908—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits, to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

REPORT OF STANDING COMMITTEE — OUT OF ORDER.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 28, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Joint Resolution No. 6—Relative to recognition by the United States of the republic of China.

Also: Senate Joint Resolution No. 7—Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

And report that the same have been correctly engrossed.

GRANT, Chairman.

MOTION.

Senator Boynton moved that two thousand five hundred additional copies of Senate Bill No. 905 be printed.

Motion carried.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—CONCLUDED.

The following bills, etc., were introduced:

By Senator Sanford: Senate Bill No. 979—An Act to amend section four thousand ninety-eight of the Political Code of the State of California, relative to the duty of county officers.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 980—An Act to amend section four thousand thirteen of the Political Code of the State of California, relating to county officers by providing that a clerk of the Board of Supervisors shall be a county officer.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 981—An Act to amend section four thousand forty-nine a of the Political Code of the State of California, relative to the publishing of the annual statement sheet.

Bill read first time, and referred to Committee on County Government.

ADJOURNMENT.

At five o'clock p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE

Senate Chamber,
Wednesday, January 29, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the Chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Burnett, Campbell, Chandler, Chery, Cunningham, Edmonds, Caldwell, Cutler, Curtin, Finn, Flint, Gerdes, Gesford, Hare, Harper, Harris, Holohan, Inman, Jones, Kehoe, Leavitt, Lewis, Lukens, Lyon, Mott, Owens, Regan, Rose, Sanford, Shanahan, Sutherland, Thompson, Tyrrell, Walker, Wallace, Wright—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Hart Neihaus.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 28, 1913, the further reading was dispensed with, on motion of Senator Beban.

INTRODUCTION.

Senator Cartwright addressed the Senate as follows:

I am required to ask the indulgence of the Senate for some few minutes this morning.

Way back in the Higher regions of the Silver Mountains in the county of Fresno, which I have the honor of representing in this body, is located the Sequoia National

Park, and within the limits of that park are found the trees known as the giant sequoias, and among that group the largest and most splendid one in California, the largest in all the world. It is named "General Grant." Last summer Mrs. Lavina Howell, residing near Fresno, while on her vacation visited this park, and while she was looking up at "General Grant" one of the limbs fell from the tree. She took the limb to Fresno and in the public schools of the city of Fresno she had one of the pupils in the manual training department make this gavel, a gavel made from the giant tree. The end [illegible] pure native gold dug from the soils of Fresno County. Mrs. Howell belongs to the W. C. T. U. The women representing the W. C. T. U. have decided to give this gavel to the one man in California to whom such presentation would seem most fitting, and they have asked me to be the humble instrument to say for them what they could better say themselves, these few words of presentation. Women, whether we regard them as sisters, sweethearts, wives or mothers have performed an important office in the world, and they have a position in this country and in the world aside from the office of sister, sweetheart, wife or mother for which the world must be ever grateful. From my earliest recollections I have been taught to revere and respect women. As sweethearts, they are a continuing delight. As wives, an unfailing consoler. As sisters they administer to our needs and wants, and as mothers they guard us from babyhood up to manhood and watch as closely as we go forth to do battle with the world. One thousand years ago, when this giant tree was planted, woman's condition was very different, but by her virtue and her worth she has forged steadily forward. Now, in California, we have admitted her in this State to full partnership both in private and public life. Whether we have made a mistake or not only time can tell. Whether we will drag her down to our degree or she will elevate us to her high estate only time can prove.

The women of the W. C. T. U. have asked me to present this gavel to the President of this Senate. Every Senator on this floor has long since recognized the splendid manhood, the sterling integrity, the Christian charity of our presiding officer, the [illegible] and [illegible] of the man. And so these noble women, as a token of their appreciation of that manhood, that integrity and that Christian spirit which has prompted him to make many sacrifices for their cause, have commissioned me to take this gavel made from the wood of that giant Sequoia, whose top penetrates the blue skies and plays upon the instruments of Heaven, startling the air into harmonies with each sighing of the breeze, and to present it to a man who looms large in the State of California. And, Mr. President, they have commanded me to say that they breathe the fervent prayer and entertain the hope that Heaven's choicest blessings may rest upon you and yours through all the coming years.

Lieutenant Governor Wallace received the gavel with appropriate words of thanks.

PETITION.

A petition from the Seventh Day Baptist Church of Los Angeles, protesting against the enactment of a Sunday rest law, was presented by Senator Strobridge.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Joint Resolution No. 5—A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 29, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent Senate Bills Nos. 822 to 911, inclusive, Senate Joint Resolution No. 16, Senate Concurrent Resolutions Nos. 12 and 13, and Senate Constitutional Amendments

[illegible] January [illegible], 1913.

[illegible], Chairman.

ON [illegible].

SENATE CHAMBER, SACRAMENTO, January [illegible], 1913.

MR. PRESIDENT: Your Committee on [illegible], to whom [illegible] Senate Bill No. [illegible] — An Act appropriating money for [illegible] State Normal School.

Also, Senate Bill No. [illegible] — An Act appropriating money for [illegible] at [illegible] State Normal School.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass and that they be re-referred to the Committee on Finance.

[illegible], Chairman.

Senate Bills Nos. [illegible] and [illegible] ordered re-referred to the Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January [illegible], 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. [illegible] — An Act to amend an Act entitled "An Act to [illegible] [illegible] of the State of California [illegible] approved [illegible], by amending sections [illegible].

Also, Assembly Bill No. [illegible] and compared with Senate Bill No. [illegible] — An Act to amend an Act entitled "An Act [illegible] approved April [illegible], 1911," by amending sections [illegible].

Have had the same under consideration, and respectfully report that Assembly Bill No. [illegible] is identical with Senate Bill No. [illegible] [illegible].

[illegible], Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January [illegible], 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. [illegible] — An Act to add a new section to the [illegible] Code to be numbered section [illegible], relating to [illegible] of the Legislature, and providing for the [illegible], and report that the same has been correctly engrossed.

[illegible], Chairman.

Assembly Bill No. [illegible] referred to Committee on Revenue and Taxation.

Senate Bill No. [illegible] ordered on file.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, January [illegible], 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby instructed to draw his warrant in favor of the Secretary of the Senate for [illegible] payable out of the Contingent Fund of the Senate, for the purchase of postage stamps to be used in the [illegible] Department.

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

[illegible], Chairman.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Bryant, Burke, Cammetti, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32

NOES—None.

ON MUNICIPAL CORPORATIONS

SENATE CHAMBER, SACRAMENTO, January 29, 1913

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond municipal water district.

Also: Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered five hundred and fifty *a*, relating to the furnishing of water for family use.

Also: Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the progress, construction, or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending section two thereof, relating to the proceedings for the calling of an election thereof.

Also: Senate Bill No. 689—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Senate Bill No. 690—An Act to amend section eight hundred and seventy-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and president pro tem. of boards of trustees of cities of the sixth class.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1913

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 477—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870*a*—have had the same under consideration and respectfully report the same back and recommend that it do pass, as amended.

CARR, Chairman.

Senate Bills Nos. 542, 587, 688, 689, 690 and 477 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 29, 1913

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Senate Joint Resolution No. 9—Relating to the maintenance by the United States of a government line of steamers from eastern seaports and the extension thereof to Pacific seaports.

Also: Senate Joint Resolution No. 14—Relating to the free passage through the Panama Canal of American ships engaged in coastwise commerce.

Also: Assembly Joint Resolution No. 3—Relating to the establishment of a postal telegraph system.

And recommend that they be adopted, as amended.

WRIGHT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1913

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Senate Joint Resolution No. 13—Approving of the course of Senator Works in Congress in recommending the passage of a Senate joint resolution extending the presidential term to six years—and respectfully recommend that the same be not adopted.

WRIGHT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1913.

MR. PRESIDENT: Your Committee on Federal Relations [illegible] with Senate Joint Resolution No. 10, relating to the establishment of the Panama exposition, reported back that the Senate of California could consistently [illegible] be adopted.

WOOLWINE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1913.

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Senate Joint Resolution No. 8—Relative to House Bill No. 13205, having had the object the extension of the Chinese Exclusion Act so as to include all Asiatic [illegible] and report the same back, as amended, without recommendation.

WOOLWINE, Chairman.

Senate Joint Resolutions Nos. 9, 14, 15, 19 and 8 and Assembly Joint Resolution No. 6, ordered on file.

MOTION

Senator Sanford moved that Senate Joint Resolution No. 8 be taken up for consideration.

Motion carried.

Senate Joint Resolution No. 8—Relative to House Bill No. 13205, by Congressman John E. Raker, of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic and peoples [illegible].

During the reading of the resolution the following amendments were offered by the committee:

AMENDMENT NO. 1

On page 1, line 3, of the copy, strike out the [illegible] comma "," in the name "John E. Raker" and insert in lieu thereof the capital letter "E."

Amendment adopted.

AMENDMENT NO. 2

On page 1, lines 7 and 8 of the copy, strike out the words "and greater [illegible] and insert in lieu thereof the word "thereto."

Amendment adopted.

AMENDMENT NO. 3

On page 1, line 9, of the printed resolution, strike out the words "and greater [illegible]" and insert in lieu thereof the word "thereto."

Amendment adopted.

Resolution ordered to print.

RUSH ORDER TO PRINTER

On motion of Senator Sanford, the Secretary was directed to issue a rush order for printing Senate Joint Resolution No. 8.

MOTION

Senator Campbell moved that Senate Joint Resolutions Nos. 9 and 14 be taken up for consideration.

Motion carried.

Senate Joint Resolution No. 9—Relative to the contemplation by the United States of the government line of steamers from eastern [illegible] ports to Colon in the canal zone, and the extension thereof to Pacific

seaports, on the western coast of the United States, on the completion of the Panama Canal.

During the reading of the resolution, the following amendment was offered by the committee:

On page 2, lines 33 and 34 of the printed resolution, strike out the following "59th and 60th," and insert in lieu thereof the following: "62d and 63d."

Amendment adopted.

Resolution ordered to print.

Senate Joint Resolution No. 14—Relative to the free passage through the Panama Canal of American ships engaged in the coast-wise commerce of the United States, and opposing repeal of the Act of Congress providing therefor.

During the reading of the resolution the following amendment was offered by the committee:

On page 2, line 5, of the printed resolution, strike out the following "59th and 60th," and insert in lieu thereof the following: "62d and 63d."

Amendment adopted.

Resolution ordered to print.

RUSH ORDER TO PRINTER

On motion of Senator Caminetti, the Secretary was directed to issue a rush order for printing Senate Joint Resolutions Nos. 9 and 14.

SPECIAL ORDER SET.

Senator Sanford moved that the consideration of Senate Joint Resolution No. 13 be made a special order for Wednesday, January 30, 1913, immediately after the reading of the Journal.

Motion carried.

REPORT OF SELECT COMMITTEES.

The special committee appointed under authority of the resolutions of the Senate of January 23, 1911, and of March 25, 1911, to ascertain the law and the fact regarding text-books used in the common schools of the State, presented a report, which was, on motion of Senator Thompson, ordered printed in the Journal of the Senate:

To the Senate of the State of California, at its fortieth session:

Your special committee, appointed as hereinafter mentioned, respectfully reports:

That on January 12, 1911, Senator T. W. H. Shanahan introduced a resolution in the Senate as follows:

"WHEREAS, It is the requirement of Section 7, of Article IX, of the Constitution that a uniform series of text-books shall be compiled and adopted by the State Board of Education for use in the common schools throughout the State; and

WHEREAS, Subdivision 4, of Section 1663, of the Political Code, and the last sentence of Subdivision 5, of Section 1771, of the Political Code, seem to be at variance with the plain intendment and requirement of the Constitution in that respect; and

WHEREAS, The only provisions for the course of study in high schools and restriction upon change of text-books therein are embodied in Section 1750 of the Political Code, which said section seems to facilitate rather than prevent frequent changes in high school text-books; and

WHEREAS, There appears to be no provision in the law for uniformity in text-books for use in the high schools of the various counties and cities and counties of the State; and

WHEREAS, Many citizens of the State are complaining of the frequent and needless changes within each of many counties, and lack of uniformity throughout

the State in the territories acquired by the cession of Texas, and to the public lands lying within the limits of the State; and

WHEREAS, Such commission, because a southern and western member, would more completely represent the entire Union; be it

Resolved by the Senate, That the President of the Senate is hereby authorized and directed to appoint a special committee of five members whose duty it shall be to investigate fully the said Pike Peak gold and silver mines in Colorado and such as pertinently to the purpose of said inquiry may be found; and to report the result of their investigations, with their opinion thereon, to the next succeeding session of the Legislature of this State; and that said committee have power to send for persons and papers, and to employ a stenographer to report the testimony taken before them, and to have the same printed for the use of the Senate; and to do all other things necessary to the proper discharge of the duties of said committee; and

Resolved, That said committee have power to employ assistants, expert in the Spanish tongue, who have had much of the actual control of the operating properties and other interests and matters under the title to which we claim an ownership in said mines, and to employ all interpreters and necessary clerical help; and to take all testimony in regard to said mines and the ownership of the same and the title thereto, and to employ counsel to assist them in the discharge of their duties; and be it further

Resolved, That said committee shall have the power to compel witnesses to appear before said committee and testify in regard to said mines and the ownership of the same, and to employ counsel to assist them in the discharge of their duties; and be it further

Resolved, That said committee shall have the power to compel witnesses to appear before said committee and testify in regard to said mines and the ownership of the same, and to employ counsel to assist them in the discharge of their duties; and be it further

Resolved, That the Secretary of the Senate is hereby instructed to notify the Governor of the State of Texas of the appointment of said committee and request his co-operation in the investigation and such recommendations and counsel pertaining to the duties of said committee as may be necessary to make the investigation.

On motion of Senator Strickland, the committee was duly appointed pursuant to the Journal.

On January 15, 1913, the committee to Senator Strickland was referred to the Senate Committee on Education.

On January 16, 1913, the Senate Committee on Education reported upon the following resolution and recommended the adoption of the resolution:

Resolved by the Senate, That the President of the Senate be and he is hereby authorized and directed to appoint a special committee of five members, which shall be members of the Senate Committee on Education, whose duty it shall be to investigate fully the said Pike Peak gold and silver mines in Colorado and such as pertinently to the purpose of said inquiry may be found; and to report the result of their investigations, with their opinion thereon, to the next succeeding session of the Legislature of this State; and that said committee have power to send for persons and papers, and to employ a stenographer to report the testimony taken before them, and to have the same printed for the use of the Senate; and to do all other things necessary to the proper discharge of the duties of said committee; and be it further

Resolved, That said committee shall have the power to compel witnesses to appear before said committee and testify in regard to said mines and the ownership of the same, and to employ counsel to assist them in the discharge of their duties; and be it further

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Resolved, That the Secretary of the Senate is hereby instructed to notify the Governor of the State of Texas of the appointment of said committee and request his co-operation in the investigation and such recommendations and counsel pertaining to the duties of said committee as may be necessary to make the investigation.

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Resolved, That said committee shall have the power to compel witnesses to appear before said committee and testify in regard to said mines and the ownership of the same, and to employ counsel to assist them in the discharge of their duties; and be it further

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Resolved, That the Secretary of the Senate is hereby instructed to notify the Governor of the State of Texas of the appointment of said committee and request his co-operation in the investigation and such recommendations and counsel pertaining to the duties of said committee as may be necessary to make the investigation.

Exhibits 1, 2 and 3 herein contained and made a part hereof, show the thoroughness of the inquiries and the zeal with which the state might be protected. Accurate

were received by the committee from practically all of the aforesaid superintendents and principals, and having responses from nearly all, a condition is disclosed which shows a lack of uniformity in use of text-books, including supplementary in the elementary schools, generally still designated as common schools, and that many books are in use in the high schools of the State which have not been adopted as prescribed by law. In fact, the diversity is so great that your committee feels that it would be an idle task to tabulate the reports so as to show in detail, in this report, the exact condition. Absolute uniformity apparently does not exist in the text-books in use in the grades and on the subjects in the elementary schools and high schools of the State in any two cities or any two counties.

Pending the investigation of your committee, a constitutional amendment providing for free text-books in the elementary schools was defeated in the thirty-ninth session of the Senate; as was also a bill providing for a county purchase system, wh·reunder text-books were to be purchased by the counties and distributed free to the punils attending elementary schools in such counties.

March 25, 1911, Senator Strobridge introduced a resolution which recited the resolution of January 23, 1911, hereinbefore set out, and, in addition thereto, the following:

"WHEREAS, Such committee, on account of the limited time and the pressure of other legislative duties, have not been able to complete the investigation or to formulate the report contemplated by the resolution; and

WHEREAS, The importance of the subject demands that such investigation should be carried on in the spirit of the foregoing resolution; now, therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate to carry on the investigation provided for and set forth in the text of the foregoing resolution, and to prepare the report and recommendation contemplated by said resolution and submit the same to the Senate of the State of California at its fortieth session, together with such data and other information as may be elicited by such investigation, which committee shall be entitled to receive their necessary traveling expenses out of the Contingent Fund hereinafter provided; and be it further

Resolved, That said committee be, and it is hereby, authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subjects hereinbefore enumerated, and to that end to employ all necessary clerical and expert assistants; and said committee is hereby authorized and empowered to summon witnesses, send for persons and papers, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses, and to procure testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths. And all the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and the Sergeant at Arms of the Senate is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee when directed so to do by the Chairman thereof; and be it further

Resolved, That the sum of five thousand dollars out of the Contingent Fund of the Senate is hereby made available for the purpose of defraying the necessary traveling expenses of the members of said committee and the contingent expenses of said committee in said investigation, and the Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenses, as the same may be certified to him from time to time by the chairman of said committee."

The resolution was adopted by the Senate and thereupon Senators Edward L. Strobridge, T. W. H. Shanahan, Newton W. Thompson, Marshall Black and Miguel Estudillo were appointed by the President of the Senate such committee to carry on the investigation provided for in the text of the foregoing resolution.

On Tuesday, August 8, 1911, the committee met at the State Capitol at Sacramento, there being present of the committee Senators Strobridge, Thompson and Shanahan. Joseph I. Coughlin, Sergeant at Arms of the Senate, attended this and all other hearings of the committee as sergeant at arms of the committee. Warren E. Dean was appointed and sworn as shorthand reporter of the investigation. Honorable Hiram W. Johnson, Governor of California, appeared and addressed the committee upon the importance of the investigation and assured the committee of his desire to render such services as he could. He also suggested that there should be some representative who would conduct the examination of witnesses on behalf of the State, and stated that he had requested Mr. Theodore J. Roche to represent him in that respect. The committee thereupon appointed Mr. Theodore J. Roche as attorney for the committee in the matter of the investigation. Testimony was taken by the committee at the said sessions of Tuesday, August 8, and Wednesday, August 9, 1911. The entire two days' session of the committee was devoted to the examination of William W. Shannon, then and theretofore Superintendent of State Printing, and J. J. C. Fitzgerald, one of his employees, and to the consideration of documentary evidence then introduced.

The next session of the committee for the taking of evidence was held at the Ferry Building in San Francisco on September 25, 26, 27, 28 and 29, 1911.

At this point the following settlement was announced: Mrs. M. Stanton D. D. Stallings, Lucas D. Goulding, L. W. Hamilton, Evelyn Wade Powell, H. Hall, Robert L. Jennings, Lester Humphreys, John L. Wilson, Mrs. A. Bonner J. J. C. Pittman, H. [illegible] Wade, [illegible] Hall, [illegible] B. H. Wade, W. L. Caldwell, and Lucy F. Young.

Immediately assigned with [illegible].

During the second morning session of the [illegible] session an [illegible] requests questions propounded to them by the committee met and adjourned, and on the same session which [illegible] and after having given [illegible] Mr. William W. Stevenson, appearing with his attorney, was [illegible] by [illegible], refused to give any further information before the committee, on a [illegible] was instructed [illegible] to be [illegible].

At the same session, [illegible] to [illegible] the [illegible] of the committee, [illegible] and [illegible] agreed to [illegible] the [illegible] of [illegible], [illegible] and [illegible] and [illegible] [illegible] [illegible]

The last hearing for the taking of testimony by the committee was held at the State Capitol at Sacramento, on December 27, 28 and 29, 1912, when there were present Senators Strobridge, Shanahan and Thompson, and the officers of the committee. At said sessions witnesses were sworn and examined, as follows:

John F. Neylan, Harr Wagner, Allison Ware, LeRoy E. Armstrong, Friend W. Richardson, S. C. Smith, C. H. Chilcote, Frank J. Browne, A. F. Lange and Edward Hyatt.

At this last meeting of the committee, the California Teachers' Association was represented by Mr. W. Irwin, H. Langdon and Mr. A. J. Cloud, who appeared before the committee and were accorded the privilege of examining all witnesses that testified before it, together with the right to produce and examine any witness whose testimony they desired the committee to consider. The privilege thus accorded these gentlemen was exercised by them, Mr. Langdon questioning some of the witnesses who testified, and both Mr. Langdon and Mr. Cloud making statements on behalf of the California Teachers' Association.

In addition to the sessions already enumerated, your committee held many sessions and conferences on matters material to the investigation.

The transcript of the oral testimony taken during the course of the investigation is presented herewith and contains 1,122 typewritten pages. In addition to said oral testimony, a mass of documentary evidence was introduced which was duly incorporated in the record of testimony, but accompanies this report.

From the evidence introduced, both oral and documentary, and the statements made before the committee, your committee finds the following facts and makes the accompanying recommendations:

STATE PRINTING OFFICE AND PUBLICATION OF TEXT-BOOKS.

For many years prior to and at the time this committee entered upon the discharge of its duties, under the administration of William W. Shannon, superintendent of State Printing, the cost of text-books as charged by the State Printing Office and levied against the school children of this State was grossly excessive and extortionate.

This situation was due to the manner in which the business of the State Printing Office was being and had for years been conducted, which was as deplorable as it was astounding, and which tolerated a system reeking with fraud and dishonesty.

The entire business of supplying materials used in the publication of state text-books was, with the active connivance of the Superintendent of State Printing, monopolized by four favored firms, which thereby profited to the extent of many thousands of dollars extorted from the parents and guardians of the school children.

During the eight years of Shannon's incumbency, it is established that payments were made to these favored firms as follows:

	Zaeh. Bach	Crocker	[illegible] Co.	Geo. D. Graham
1903	$42,100 73	$42,820 62	$1,657 05	$5,440 70
1904	58,484 61	[illegible]	[illegible]	[illegible]
1905	[illegible]	46,516 10	[illegible]	2,851 00
1906	60,524 14	[illegible]	6,013 88	[illegible]
1907	[illegible]	62,189 57	3,915 77	[illegible]
1908	48,[illegible]	49,525 04	1,508 38	2,[illegible]
1909	[illegible]	[illegible]	1,928 37	[illegible]
1910	35,140 70	[illegible]	8,114 92	3,819 50
1911	15,778 12	[illegible]	[illegible]	[illegible]
Total (8 years)	$331,091 97	[illegible]	$47,592 44	[illegible]

These payments relate to the major part of the materials used in the State Printing Office during the years stated and demonstrate how, by means of a cunningly conceived and defiantly pursued system, the firms named controlled the business of supplying materials to that branch of the state government.

In order to permit awards to be made to and contracts to be entered into with these firms, the spirit of the statute providing for the annual awarding of contracts was directly violated and its directions deliberately and designedly ignored.

The materials thus purchased by and supplied to the State Printing Office were grossly inferior in character and were purchased at prices far in excess of what materials of better quality would cost in the open market.

In order to render ineffective the honest awarding of contracts in June, 1911, Shannon ordered in advance at exorbitant prices such quantities of materials that not only was all of the available space in the building and warehouse used by the State Printing Office taxed to its utmost capacity, but a private warehouse was rented and filled with some of the materials. Other portions of the materials thus ordered were exposed to the elements because of lack of proper accommodations.

[illegible]

[illegible]

[illegible]

Schedule B

Character of material	Old price	New price	Excessive percentage in old prices
Book paper for school books, 21x42, 80 lb., per lb.	$0.0265	$0.044	51
Book paper for school books, 24x51, 100 lb., per lb.	.0265	.044	51
Book paper, S. & S. C., per lb.	.063	.0455	39
Book paper, M. F., per lb.	.052	.043	21
Book paper, eggshell, per lb.	.06	.049	22
Gummed paper, white, non curling, per lb.	.16	.15	6
Gummed paper, colored, non curling	.26	.15	73
Bond paper, Crane's (list less discount), discount	25%	45%	63
Bond paper, high grade, per lb.	.20	.18	11
Bond paper, good grade, per lb.	.19	.12	58
Envelopes, bond, high grade (list less discount), per M.	2.45	1.80	36
Bond paper, linen finish, high grade, per lb.	.32	.209	53
Flat paper, good grade, per lb.	.195	.091	114
Flat paper, medium grade, per lb.	.12	.078	54
Flat paper, colored, superwove, per lb.	.16½	.107	54
Ledger, good grade, per lb.	.375	.135	178
Chemical manila, pink or blue, per lb.	.06	.0505	18
Cardboard, 120, high grade, per sheet	.03	.0215	139
Cardboard, 140, high grade, per sheet	.035	.026	150
Cardboard, 120, colored, per sheet	.065	.0145	348
Blanks, 6-ply, per sheet	.0325	.028	16
Railroad board, 6-ply, colored, per sheet	.04	.027	48
Index Bristol, 110, per sheet	.0330	.033	2
Cover paper, S. & S. C., per lb.	12	.0595	101
Cover paper, rough finish, in colors, per lb.	.12	.09	33
Envelopes, XXX, good grade, No. 6¾, per M.	1.12	.96	16
Envelopes, XXX, good grade, No. 6¾, per M.	1.20	1.05	14
Envelopes, XXX, good grade, No. 9, per M.	1.88	1.59	18
Envelopes, XXX, good grade, No. 10, per M.	2.11	1.80	17
Envelopes, XXX, good grade, No. 11, per M.	2.55	2.25	13
Envelopes, Columbian clasp (list less discount), discount	80%	75½%	17
American Russia buffings, per foot	.155	.085	82
American Russia cowhide, per foot	.295	.16	78
Calf, assorted, per foot	.50	.33	51
Roans, assorted, No. 1 quality, per skin	1.41	1.07	32
Bark skivers, XXX, per skin	1.87	1.15	62
Binders book cloth, assorted, T grain, per yard	.75	.12[illegible]¾	5[illegible]8
Gold leaf, deep, XXX, per package	9.50	6.80	40
Gold leaf, pale, XXX, per package	9.25	5.98	54
Muslin, Indian head, per yard	.12½	.11	16
Strawboard, No. 20, No. 30, pasted and unpasted, per ton	48.50	47.00	3
Tarboard, No. 30, 23x31½, per ton	49.00	48.00	2
Super, grey, XX, per yard	.06½	.04¼	47
Twine, soft, in skeins, per lb.	.45	.37	21
Black ink, halftone, per lb.	2.50	.39	541
Book ink, per lb.	2.50	.20	1150
Black ink, job, best quality, per lb.	2.50	.49	271
Bond ink, best quality, per lb.	1.00	.49	104
Blue ink, job ultramarine, per lb.	2.00	.70	186
Blue ink, bronze, per lb.	2.50	.70	257
Copying ink, colors as ordered, per lb.	4.00	.70	471
Red ink, geranium lake, per lb.	3.00	.85	253
Red ink, scarlet lake, per lb.	2.00	.90	122
Red ink, rose lake, per lb.	3.00	.95	216
Red ink, cherry lake, per lb.	3.00	.95	216
Yellow ink, chrome, per lb.	2.00	.48	316
White ink, per lb.	1.50	.42	257
Laketine, per lb.	.75	.24	212
Varnish, reducing, OOO, per gallon	3.00	1.10	173
Varnish, Damar, per gallon	4.00	1.50	166

ROYALTIES.

The royalties paid to the owners of copyrights exceed in the aggregate $40,000 per annum. This element of cost in the state text books could be greatly reduced by the purchase outright by the State of manuscripts or by the securing of expert service directly or under competition, in compiling text books for use in the public

[illegible] to be the maximum strength to the limit of [illegible] by the [illegible] Story.

At the [illegible] there [illegible] a meeting to [illegible] the Board [illegible] Officer [illegible] was [illegible] by a [illegible] and [illegible] [illegible] Council [illegible] [illegible] [illegible]

ADOPTION OF TEXT-BOOKS

Under the provisions of the Constitution it was the duty of the State Board of Education to select and adopt a uniform series of text-books for use in the common schools. The selection of these books was practically committed by the board to three of its members, organized as a text-book committee, with a paid secretary, which committee conducted a preliminary investigation and submitted its recommendations to the entire board for final action.

As a result of the investigation, this committee finds that:

1. On certain subjects required to be taught in the common schools, no text-books have been adopted or provided.

2. In the adoption of a series of books upon one topic, such as history or geography, the board frequently selected an elementary work prepared by one author, and an advanced work, prepared by another with the result that there was no general plan of presenting the entire subject, and no harmonious relation between the books comprising the series.

3. In the majority of cases, adoption of books by the board was more or less a perfunctory matter. Meetings of the board and also of the text-book committee were held infrequently, and only a very small amount of the time, relatively, of the members was given to this most important function. On the other hand, in the few instances where serious difference arose over adoption, long delays ensued. The interest of the pupils was practically ignored, and the methods finally used to secure a decision, in one recent case at least, were reprehensible.

4. In the preparation of the list of books approved for use in the high schools of the State no attempt was made by the board to secure indifferently all to recommend the best book. On the contrary, the list included practically every text-book published upon each subject embraced in such list.

In justice to the members of the former State Board of Education, the legal existence of which was terminated by the adoption of the constitutional amendment referred to, it is but proper to state that because of the attention which each member was obliged to give to the particular office or school with which he was connected and to which he was giving his best thought and his close attention it was practically impossible for him to devote to the business of the State Board of Education the time necessary to conduct the business of that board as was required by the laws of the State.

ADVISABILITY OF FREE TEXT-BOOKS AND OF STATE PRINTING OF SUCH BOOKS

With the adoption at the last election of the amendment to the Constitution providing for free text-books, the people of the State, by a vote of more than two to one, declared in favor of the reorganization of the State Board of Education and in favor of a uniform series of text-books, to be furnished and distributed free to all children in the elementary schools of the State. Therefore, the requirement of a recommendation from this committee upon the advisability of amending Section 7 of Article IX of the Constitution, so as to provide free text-books in such schools, had already been acted upon and adopted by the people by the above emphatic majority, which also carries the approbation of the people of the policy of printing such uniform series of text-books at the State Printing Office.

RECOMMENDATIONS

Your committee recommends:

1. That such appropriate legislation be enacted during this session of the Legislature as will not only require the attendance of witnesses before special committees of the Senate or the Assembly during the session of the Legislature and after such Legislature shall have adjourned, but which shall empower the Senate or Assembly to confer upon any such committee or committees full power and authority to punish for contempt of such committee or committees of the branch of the Legislature by which such committee or committees shall have been appointed any witness who shall refuse to appear before such committee or committees in response to any subpœna served upon him, or who, after appearing before such committee or committees, shall refuse to answer questions that have been propounded to him which, in the judgment of such committee or a majority thereof, are material to the subject matter being investigated, or who shall refuse to produce for the inspection of such committee such documentary evidence as in the judgment of such committee, or a majority of the members thereof, is material to the investigation.

2. That a State Board of Education shall be established. The majority of the members of your committee favor the establishment of a board of seven lay members; one member of your committee favors the establishment of a board of five lay members, to be appointed by the Governor of the State, who shall serve without compensation. The members of said State Board of Education shall be entitled to receive their actual expenses while engaged in the discharge of the duties pertaining to their office. No person shall be eligible to appointment who, at the time of his appointment is holding any salaried educational position in the State of California, nor shall any member of the State Board of Education be permitted, during his term of office, to occupy any other educational position in this State. Such board shall

[illegible]

[illegible]

[illegible]

EXPENSES OF TEXT-BOOK INVESTIGATION COMMITTEE—Continued.

Date.		No. of Voucher.	For	Amount.
1912.				
Dec. 28	S. C. Smith	10826	Traveling expenses	$14 85
Dec. 28	T. F. Armstrong	10827	Traveling expenses	37 20
Dec. 31	O. H. Chilcote	10833	Traveling expenses	18 75
Dec. 31	Harr Wagner	10834	Traveling expenses	9 50
1913.				
Jan. 3	J. L. Coughlin	10959	Traveling expenses	81 40
Jan. 6	A. F. Lange	10983	Traveling expenses	5 25
Jan. 6	Allison Ware	10984	Traveling expenses	14 15
Jan. 6	Frederic Burk	10985	Traveling expenses	18 00
Jan. 7	T. W. H. Shanahan	11069	Traveling expenses	62 65
Jan. 8	E. K. Strobridge	11196	Traveling expenses	68 30
Jan. 9	N. W. Thompson	11259	Traveling expenses	40 25
Jan. 14	Frank I. Browne	11866	Traveling expenses	28 45
Jan. 18	Warren E. Doan		Reporting and transcribing	639 60
Jan. 27	Warren E. Doan		Reporting and transcribing and preparing report	64 00
			Total	$3,107 95

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced.

By Senator Avey: Senate Bill No. 912—An Act to prohibit any person from using the distinguishing part of the name of any church or religious organization as a distinguishing part of any trade name or trademark upon certain merchandise.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 913—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 914—An Act to amend section three hundred sixty-seven c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Bill read first time, and referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 915—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Hoyt: Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered eighteen hundred seventy-one, relating to experts, their appointment by the court or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 917—An Act to amend section thirty-eight hundred twenty-four of the Political Code, relating to excise taxes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 918—An Act to add a new section to an Act entitled "An Act to provide for work on and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the manner and payment of street improvement bonds to represent such assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, to be numbered section one, defining certain terms used in said Act.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 920—An Act to amend section nine hundred sixty-three of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 921—An Act to amend section 670 thereof of the Code of Civil Procedure, relating to the powers and duties of the Supreme Court in appealed cases and to the manner of giving judgments thereon.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 922—An Act to amend an Act entitled "An Act for the certification of deeds and the acknowledgment of the transfer of real estate," approved March 17, 1897.

Bill read first time, and referred to Committee on Judiciary.

By Senator Larkins (by request): Senate Bill No. 923—An Act to regulate the real estate mortgage business, and to require all mortgage investment companies to certify to the Superintendent of Banks certain data with respect to real estate mortgages, and requiring the Superintendent of Banks to issue a mortgage bulletin each month, and providing for the manner in which such mortgages shall be offered for public sale, and making further provisions with relation thereto.

Bill read first time, and referred to Committee on Banking.

By Senator Strobridge: Senate Bill No. 924—An Act to amend section seventeen hundred fifty of the Political Code of the State of California, relating to the course of study in high schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 925—An Act to amend section sixteen hundred sixty-five of the Political Code of the State of California, relating to studies to be taught in the primary and grammar school.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 926—An Act to add a new section to the Penal Code, to be known as section three hundred and eleven *a*, relating to theatres, concert halls, moving pictures, moving picture shows, nickelodeons, and penny arcades or other places of amusement, and fixing the penalty for the violation thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 927—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered three hundred sixty-seven *f*, concerning the operation or driving of an automobile, motorcycle or other motor vehicle by a person who is crippled by loss of one or both hands, or deaf, dumb, or blind, and prescribing a penalty for the violation of said section.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section one of Article XIII thereof relating to revenue and taxation.

Constitutional amendment referred to Committee on Revenue and Taxation.

By Senator Campbell: Senate Bill No. 928—An Act to amend the Penal Code by adding a new section thereto, to be numbered two hundred sixty-nine *c*, relating to the violation of the marriage laws of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 929—An Act to amend section sixty-nine of the Civil Code of California, relating to marriage licenses.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 930—An Act creating the office of inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the Attorney General and district attorney in relation to suits instituted by the inspector of mines.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Senate Bill No. 931—An Act to amend section one of an Act entitled "An Act regulating the hours of employment in underground mines and in smelting and reduction works," approved March 10, 1909.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Hans: Senate Bill No. 932—An Act to promote the enforcement of the game laws of the State of California by designating each member of the Legislature as a game warden, with full authority of peace officers for the purposes of this Act.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Anderson: Senate Bill No. 933—An Act to amend section sixteen hundred ninety-six of the Political Code, relating to the duties of teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 903—An Act to amend an Act entitled "An Act to provide for the regulation of fees on, and the protection and management of, public and private forest lands within the State of California, creating a state board of forestry and certain offices subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, defining and providing for the punishment of certain offenses for violations of the provisions of the Act, and fixing an appropriation therefor," approved March 18, 1905.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 905—An Act to amend section three hundred eighty-four of the Penal Code, relating to forms, approved May 1, 1911.

Bill read first time, and referred to Committee on Agriculture.

By Senator Stanford: Senate Bill No. 906—An Act to repeal section two hundred fifty-nine of the Penal Code, requiring certain newspaper articles to be signed.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 907—An Act to repeal section two hundred and fifty-eight of the Penal Code, relating to the publication of certain returns and tax rolls.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 908—An Act to amend section eight hundred and sixty-three of an Act entitled "An Act to provide for the organization, government and procedure of municipal corporations."

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 909—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District, to prevent damage thereto by the raising of a weir across Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district, defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and fixing the validity of the levy of such assessment and the issuance of such bonds.

Bill read first time and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Joint Resolution No. 17—Relative to the appointment of a committee to draft code of parliamentary rules.

Resolution referred to Committee on Federal Relations.

By Senator Curtin: Senate Bill No. 910—An Act to amend section seventeen hundred twenty-one, seventeen hundred twenty-eight, seventeen hundred thirty-nine and seventeen hundred forty-nine of the Political Code of the State of California, relating to boards for county high schools.

Bill read first time and referred to Committee on Education.

By Senator Flint (by request): Senate Bill No. 911—An Act to pro-

vide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 942—An Act to amend section four thousand forty-one of the Political Code, relating to general permanent powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 943—An Act to amend section four thousand two hundred and seventy-two of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Breed: Senate Bill No. 944—An Act to add a new section to the Code of Civil Procedure, to be numbered eleven hundred sixty-six *a*, relating to actions for obtaining possession of real property, to the manner in which tenants may be ejected and providing the form of complaint, the form of the amount of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 945—An Act to amend section ten of an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending section fifteen thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend section thirty-seven thereof relating to free and reduced-rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," approved December 23, 1911.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 946—An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts.'" approved March 22, 1905, amended, approved March 3, 1909, by amending section six thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 947—To amend section three thousand eight hundred ninety-eight of the Political Code, relating to the distribution of proceeds of sale of property assessed by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wolfe: Senate Bill No. 948—An Act to amend section four thousand two hundred and eighty-four of the Political Code, relating to county and township officers, et cetera, of the 6th class.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 949—An Act to amend section four thousand three hundred [illegible] of the Political Code of the State of California, relating to bitumen fees.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 950—An Act to amend section four thousand seventeen of the Political Code, relating to the consolidation of county offices.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 951—An Act to establish a legislative reference and counsel bureau, and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Stevens: Senate Bill No. 952—An Act to amend section three hundred forty-five of the Civil Code, relating to the extension of time of delinquent sale of pledge or conversion.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 953—An Act to provide for the development of a water supply, the installation of a pumping plant, tank, distributing system, and all appurtenances and accessories of a water supply and distribution system, in the grounds of the state normal school at Chico, California, and making an appropriation therefor.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 954—An Act for the construction of powerhouse, power plant equipment, tank, pipe line, and appurtenances to drainage, water heating, and electrical systems in the grounds of the state normal school at Chico, California, and making an appropriation therefor.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 955—An Act to provide for heating, ventilating, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 956—An Act to amend section three hundred twenty-one of the Civil Code, relating to the meetings of stockholders who may vote thereat, and proxies.

Bill read first time and referred to Committee on Judiciary.

By Senator Reed: Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to act with

a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor, and for the acceptance and maintenance thereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 958—An Act to amend the Political Code of the State of California by amending section two thousand one hundred and forty-one thereof, relating to the powers of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 959—An Act to amend section one of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 960—An Act to amend an Act entitled "An Act to prohibit the use of nets, seines, traps, or weirs for the catching of fish in Cache Slough and its tributaries in the counties of Solano and Yolo," approved February 20, 1911.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Finn: Senate Bill No. 961—An Act to amend section six hundred and thirty-two and one half of the Penal Code, relating to the protection of steelhead trout.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as section six hundred thirty-two, relating to the taking of trout by using salmon or trout roe or eggs.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 963—An Act to amend section three thousand six hundred and fifty-eight *a* of the Political Code of the State of California, relating to maps for assessment purposes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 964—An Act to amend section five hundred and thirty-eight of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 965—An Act to amend section five hundred and thirty-five of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

By Senator Caminetti: Senate Bill No. 966—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

Bill read first time, and referred to Committee on County Government.

Also Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building inter-county bridges.

Bill read first time, and referred to Committee on County Government.

Also, Senate Bill No. 946—An Act fixing the compensation to be paid to county clerks and registrar of voters in the several counties or cities and counties of the State of California for services performed by them for the State in primary, general and other elections held under the laws thereof.

Bill read first time and referred to Committee on County Government.

Also, Senate Bill No. 947—An Act to amend sections sixteen and seventeen, of an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of each political party may express their choice of each person of said party to be voted for as candidate of such party for the United States Senator," approved April 1, 1911, and now in force and effect, by an Act entitled "An Act to amend sections one, three, ten, twenty-one, twenty-two, thirteen, twenty-one, and twenty-four of an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary election for United States Senator,'" approved December 23, 1911.

Bill read first time, and referred to Committee on Elections.

Also, Senate Bill No. 948—An Act to amend section forty-two hundred forty-eight of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the sixth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read first time, and referred to Committee on County Government.

Also, Senate Bill No. 949—An Act to define and distinguish state highways and state roads and to designate certain state highways and state roads.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Birdsall: Senate Bill No. 950—An Act to make appropriations for the construction of the bridges, culverts and approaches of a state highway from a point known as the "Y" Pyramid work on the road between Quincy and Greenville, thence in a southwesterly direction to Eureka to Downieville, Sierra County, California.

Bill read first time, and referred to Committee on Roads and Highways.

Also, Senate Bill No. 951—An Act to amend section three hundred and forty-three of the Political Code, relating to the powers of boards of supervisors relative to roads.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 954—An Act to provide for the medical treatment of residents afflicted with tuberculosis, to create a fund therefor, to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto, and making an appropriation for the purposes of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also, Senate Bill No. 955—An Act to amend section three hundred and seventy-four of the Penal Code of the State of California, relating to the placing of dead animals in rivers, creeks, streams and other public

places and to polluting streams and bodies of water with the carcass of dead animals and other refuse matter and causing such acts a misdemeanor and said section as amended also making it unlawful to put the carcass of dead animals within certain limits of houses or residences of cities or towns, or to permit the same to remain without burial or burning, and providing a penalty for such acts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

SENATOR THOMPSON IN THE CHAIR

At eleven o'clock and forty-five minutes a.m., Senator Thompson, of the Thirty-fifth District, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (RESUMED)

The following bills, etc., were introduced:

By Senator Cogswell: Senate Bill No. 976—An Act to amend sections six hundred and thirty-seven and six hundred and thirty-eight of the Civil Code, relating to building and loan associations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 977—An Act to amend section six hundred and thirty-three of the Civil Code, relating to building and loan associations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 978—An Act appropriating additional money for a dairy building and equipment at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Mott: Senate Bill No. 979—An Act to amend an Act entitled "An Act to prevent the propagation by the production of seed, of that certain plant known as *Sorghum halepense*, otherwise known as Johnson grass," approved March 20, 1903, amended, approved March 22, 1907, relating to the propagation of noxious weeds.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 981—An Act to amend sections eleven hundred eighty-three, eleven hundred eighty-four, eleven hundred eighty-six, eleven hundred eighty-seven and twelve hundred two of the Code of Civil Procedure, to add a new section thereto, to be numbered twelve hundred; and to repeal sections eleven hundred ninety-one, twelve hundred three and a half and twelve hundred three *a*, of said Code, all relating to mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 982—An Act regulating head lights on all locomotives and providing a penalty for violation of the provisions of this Act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 983—An Act to amend section one hundred three of the Code of Civil Procedure, relating to Justice of the Peace.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 913—An Act to amend [illegible] to forbid and prohibit [illegible] for [illegible] [illegible] or otherwise preventing [illegible].

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Howell: Senate Bill No. 914—An Act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 915—An Act to promote sanitary conditions in the public schools of California outside of incorporated cities and conferring power on the State Board of Health to make rules and regulations therefor and providing punishment and prescribing penalties for violation thereof.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 916—An Act to amend section six hundred and thirty-four of the Civil Code, relating to building and loan associations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 917—An Act to add a new section, numbered section twelve b, to an Act known as the Black-Cat and entitled "An Act to define and regulate the business of banking," approved March 1, 1909, as amended, providing that certain foreign corporations transacting the business of life insurance in this State shall not be subject to certain provisions of such Black Act.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 918—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered one thousand seventy-one, relating to the testimony of expert witnesses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates: Senate Bill No. 919—An Act to prohibit a standard of weights and measures in the State of California, regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, wares, merchandise, packages and amount of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the submission of evidence of copies of the State's standard weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a State superintendent of weights and measures and his deputies, sealers of weights and measures and their deputies, defining the duties and powers of such officers, and making an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE.

Senate Joint Resolution No. 10—Relative to protecting from fire the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law.

Senate Joint Resolution No. 10 was temporarily passed on file, in the absence of the author, to retain its place.

MOTION.

Senator Wright moved that Assembly Joint Resolution No. 8 be recalled from the Committee on Federal Relations, and be taken up for consideration.

Motion carried.

Assembly Joint Resolution No. 8—Relative to protect from fire the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law.

During the reading of the resolution, the following amendment was offered by Senator Wright:

Add the suffix "ing" to the word "protect," being the third word in the first line of the title.

Amendment adopted.

Resolution ordered to print.

RUSH ORDER TO PRINTER.

On motion of Senator Wright, the Secretary was directed to issue a rush order for printing Assembly Joint Resolution No. 8.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

Senate Bill No. 231 was ordered passed on file, to retain its place.

SENATE CONCURRENT RESOLUTION No. 11.

Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to capitol, hospitals and other public institutions.

Resolved, by the Senate of the State of California, the Assembly concurring, That a committee consisting of five members of the Senate and five members of the Assembly be appointed for the purpose of ascertaining the advisability of submitting to the people of the State the question of bonding the State for the purpose of making needed additions and improvements to the capitol, asylums, hospitals and other public institutions of the State. The President of the Senate shall appoint the Senate members of said committee and the Speaker of the Assembly shall appoint the Assembly members of said committee.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

[illegible]

Senate Concurrent Resolution No. 11 ordered engrossed and [illegible] to the Assembly.

[illegible]

Senate Bill No. 319—An Act to amend section one thousand [illegible] hundred and thirteen of the Civil Code, relating to the execution of instruments and proofs of the record of such instruments.

Bill read second time, ordered engrossed and to be laid [illegible]

Senate Bill No. 320—An Act to amend section one hundred twenty-eight and nine hundred twenty-nine of the Penal Code, relating to grand juries, their powers and duties.

Bill read second time, ordered engrossed and to be laid [illegible]

Senate Bill No. 240—An Act to amend section sixty-nine of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1850.

Bill read second time, ordered engrossed and to be laid [illegible]

Senate Bill No. 395—An Act to amend section three hundred sixty-nine of the Code of Civil Procedure, relating to the trial of contested election actions.

During second reading of the bill the following amendments were offered by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, after the word "such" insert the following: "the electors in the"

Amendment adopted.

Amendment No. 2.

On page 1, line 16, of the printed bill, strike out the words "such body."

Amendment adopted.

Bill read second time, and ordered to print, engrossed, and third reading.

Senate Bill No. 409—An Act to amend section one hundred and eighty-three of the Code of Civil Procedure, relative to the transfer of actions to certain cases.

During second reading of the bill the following amendment was offered by the committee:

On page 1, line 18, of the printed bill, strike out the word "one" and insert in lieu thereof the word "two."

Amendment adopted.

Bill read second time, and ordered to print, engrossed, and third reading.

MOTIONS—LIST OF ORDER.

Senator Gates moved that Senate Bill No. 763 be recalled from print.

Motion carried.

Senate Bill No. 763 ordered recalled from print.

Senator Caminetti moved that the Committee on Judiciary be requested to report to the Senate its construction of the Constitution regarding the introduction of bills after the constitutional recess by members or by committees of the Senate, either directly or as committee substitutes.

Motion carried.

Senator Tyrrell moved that it be the sense of the Senate that it so shape its actions and affairs as to permit an adjournment on Saturday, February 1, 1913.

Senator Caminetti moved that the further consideration of the motion be made a special order for Thursday, January 30, 1913, immediately after the consideration of the special order already set.

The question being on the motion of Senator Caminetti.

The roll was called, and the motion lost by the following vote:

AYES—Senators Caminetti, Colgan, Flint, Gerdes, Judkins, and Owens—6.

NOES—Senators Anderson, Beban, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Curtin, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

MOTION CARRIED.

The question recurring on the motion of Senator Tyrrell, the same was carried.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (OUT OF ORDER).

The following bills, etc., were introduced:

By Senator Cassidy: Senate Bill No. 991—An Act to amend section three hundred and nineteen of the Penal Code of California, relating to lotteries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 992—An Act to amend section three hundred and twenty of the Penal Code of California, relating to lotteries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered three hundred and twenty-seven, relating to lotteries and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wright: Senate Bill No. 994—An Act to amend section four hundred twelve and section four hundred thirteen of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Senator Breed, the Acting President declared the Senate at recess until three o'clock.

RECONVENED.

At three o'clock p.m. the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

[illegible]

Senator Cobb asked and was granted unanimous consent to withdraw Senate Bill No. 763.

Senate Bill No. 763 ordered withdrawn.

[illegible]

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 994—An Act making an appropriation for office equipment for the State Board of Health.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 995—An Act to provide for the creation of a board of parole commissioners for each city, city and county, and town of the first, first and one half, second, third, and fourth classes in this State for the granting of paroles confined in such city, city and county, or town jails and authorizing and empowering such boards to make rules and regulations in relation thereto.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 996—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 3, 1909, by amending sections one, two, three, six, seven, eight, nine, ten, twelve, twelve a, fourteen, fifteen, eighteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-six, twenty-eight, thirty-one, thirty-two, thirty-three, thirty-four, thirty-seven, forty-two, forty-three, forty-four, forty-seven, forty-eight, forty-nine, fifty, sixty, sixty-one, sixty-two, sixty-five, sixty-six, sixty-seven, sixty-eight, eighty, eighty-one, eighty-three, eighty-four, ninety, ninety-one, ninety-two, ninety-three, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred one, one hundred two, one hundred two a, one hundred three, one hundred four, one hundred seven, one hundred twenty-eight, one hundred thirty, one hundred thirty-three, one hundred thirty-four, one hundred thirty-six, one hundred thirty-seven, one hundred thirty-eight and one hundred forty-three thereof and by repealing sections thirteen, eighteen, ninety-three, one hundred, one hundred three and one hundred four thereof and by adding new sections thereto to be numbered sections twenty-one a, thirty-one a, fifty-four, fifty-five, fifty-six, seventy-one a, one hundred thirty-five a, one hundred thirty-six a and one hundred thirty-six b and by repealing section one hundred thirty-five thereof and adding a new section thereto to be numbered section one hundred thirty-five, relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 997—An Act to amend section two hundred ninety-e of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking.

Bill read first time, and referred to Committee on Banking.

Also: (by request): Senate Bill No. 998—An Act to amend section one hundred twenty-seven b of the Penal Code of the State of California,

and to add to said Penal Code a new section, to be numbered section six hundred twenty-seven *c*, relating to the preservation of game and fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Tyrrell: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section sixteen and one-half of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality or school district within the state in any bank or banks.

Constitutional amendment referred to Committee on Banking.

By Senator Gerdes: Senate Bill No. 1000—An Act to amend section four thousand three hundred *a* of the Political Code of the State of California, relating to county clerk's fees.

Bill read first time, and referred to Committee on Judiciary.

By Senator Grant: Senate Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Resolution referred to Committee on Prisons and Reformatories.

By Senator Coleman: Senate Bill No. 1001—An Act to add a new section to the Political Code, to be numbered four thousand two hundred thirty-five *a*, relating to and fixing the compensation of grand jurors in counties of the sixth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1002—An Act to amend the Political Code of the State of California, by adding a new section thereto to be numbered section four thousand fifty-six *b*, relating to the power of boards of supervisors, and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions.

Bill read first time, and referred to Committee on County Government.

By Senator Strobridge: Senate Bill No. 1003—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April, 1872.

Bill read first time, and referred to Committee on County Government.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 29, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 7—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912—and report that the same has been correctly enrolled and presented to the Governor on this 29th day of January, 1913, at three o'clock and thirty minutes p.m.

GRANT, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bill was introduced:

By Senator Cassidy: Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soaps and brushes, in public

harbor dues and placing parties and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

MESSAGE OF EXECUTIVE CONFIRMED—LIST OF PAPERS.

The following message of executive nature was received and read:

EXECUTIVE DEPARTMENT, SACRAMENTO, January 29, 1913.

To the Honorable, the Senate of the State of California:

I hereby nominate and appoint Frank Swanson, of Alameda County, to be a member of the Board of Harbor Commissioners of the City of Alameda, for the term of four years from the first Monday in February, 1913, vice Frank Swanson, whose term of office will then expire.

HIRAM W. JOHNSON.

Assembly Bill No. 127 ordered on file for second reading.

SECOND READING.

Senator Thompson moved that Assembly Bill No. 127 be taken up for second reading.

Motion carried.

Assembly Bill No. 127—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article eleven of the Constitution of the State of California as said section was amended November 9, 1910, providing that the legislature of public works and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, seven, eight, nine and ten and by adding a new section thereto to be numbered eleven, all relating to revenue and taxation.

During second reading of the bill the following amendment was offered by Senator Thompson:

Amend by adding to section 9 after the period following the word "law" on line 32 on page 9 of the engrossed bill, the following:

"The tax levy and each and every tax proceeding in order to validate levy and levies heretofore made, fixed and established by or for the purpose of raising revenues and appropriations specified, according to provisions of Section 14 of Article XIII of the Constitution, are and shall be declared, valid, legal and confirmed after a full, complete, open and public investigation and hearing by and before the Legislature, duly and regularly called and held for all the purposes and functions provided by the provisions of Section 14 of Article XIV of the Constitution, and of all valid and different purposes provided by statutes of this State in furtherance of Section 14 of Article XIII of the Constitution, and of all valid and different purposes provided by statutes of this State in furtherance of said Section 14 of Article XIII of the Constitution, and

and are determined, fixed and established, and have been and are based upon the value of each, all and every of the properties and franchises included within or enumerated in said Section 14 of Article XIII of the Constitution as ascertained and determined as aforesaid by this Legislature and constitute and are the percentages or rates of taxation ascertained and determined by this Legislature which when applied in the manner provided and required by law, do and will levy a tax upon said properties and franchises included within or enumerated in said Section 14 of Article XIII of the Constitution in proportion to the value of the same and in proportion to the value of every and all other and different property subject to taxation of any kind within the State of California as ascertained and determined as aforesaid by this Legislature."

Amendment adopted

Bill read second time, and ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER

On motion of Senator Thompson, the Secretary was directed to issue a rush order for printing Assembly Bill No. 197

INTRODUCTION AND FIRST READING OF BILL — OUT OF ORDER

The following bill was introduced:

By Senator Flint: Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of California, to be numbered ten hundred ninety seven *a*, relating to elections and the registration of voters.

Bill read first time, and referred to Committee on Elections.

SENATOR GATES IN THE CHAIR.

At three o'clock and forty-five minutes p. m., Senator Gates, of the Thirty-fourth District, in the chair.

INTRODUCTION AND FIRST READING OF BILLS — (RESUMED).

The following bill was introduced:

By Senator Flint: Senate Bill No. 1006—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles for compensation; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and prohibit the offer to or acceptance by certain persons of any bonus or discount or other considerations for the purchase of supplies or parts for motor vehicles or for work or repairs done thereon; to limit the power of local authorities to enact or maintain ordinances, rules or regulations upon the matters embraced within the provisions of this Act; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon, to provide for disposition of registration and license fees collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Bill read first time, and referred to Committee on Roads and Highways.

[illegible]

On motion of Senator Thompson, the Senate took up the following message from the Assembly:

[illegible]

Mr. President: I am directed to inform your honorable body that the Assembly has this day adopted Assembly Concurrent Resolution No. 9, directing the printing of the report of the State Committee provided for by Section 1000 of the Political Code.

Whereas, The Hon. Samuel Seabury, in connection with the impeachment of Section 1000 of the Political Code, who under the organic statute entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 21, 1883, relating to cities of the [illegible] class by adding a new section thereto, to be designated as Section 45a;

Pending action on the bill, the following amendments were offered by the undersigned:

Amendment No. 1

On page one, section one, line seven, after the word "county," insert "of" and after the word "Kings" insert the following: "[illegible] as follows and strike out [illegible]

Amendment adopted

Amendment No. 2

On page one, section one, line seven, between the words "[illegible]" and "[illegible]" insert the word "the"

Amendment adopted

Amendment No. 3

On page one, section one, line [illegible], between the words "[illegible]" and "[illegible]" insert the words "[illegible]"

Amendment adopted

Amendment No. 4

On page one, section one, line [illegible], after the word "[illegible]" insert the word "[illegible]"

Amendment adopted

Amendment No. 5

On page one, section one, line [illegible], strike out the words "[illegible]" and insert in lieu thereof the following: "[illegible] as follows"

Amendment adopted

Senator Shanahan offered the following amendment:

Add a new section to the bill as follows:

Sec. 2. This Act is [illegible] to be an urgency measure within the meaning of section one of article four of the Constitution of the State of California, and shall take effect immediately. The [illegible] is a statement of the facts constituting such urgency.

Many municipal corporations governed by the Act of which this Act is amendatory, [illegible] of which pertains exclusively to bridges of every kind and nature built across the various streams forming the exterior boundaries of such cities, and the construction of such bridges being necessary for the public safety for travel to and from such cities, and as the provisions of Title VII, Part IV, of the Code of Civil Procedure do not enumerate among the public uses for which the right of eminent domain may be exercised, the taking of private property necessary for the construction, by cities of the sixth class, of bridges across streams forming the exterior boundaries of such cities, and the construction of such bridges being necessary for the public safety for travel to and from such cities, this Act is hereby declared to be an urgency Act within the meaning of the section and article of the Constitution of the State of California above in this section mentioned.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Shanahan, the Secretary was directed to issue a rush order for printing Senate Bill No. 477.

INTRODUCTION AND FIRST READING OF BILLS, ETC. [OUT OF ORDER]

The following bills, etc., were introduced:

By Senator Finn: Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered fifteen hundred twenty-seven, relating to the selection of text-books for use in public schools of the State of California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1008—An Act to regulate the repayment of employers' advances, and providing penalties for the violation of its provisions.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examinations of plumbers.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Kehoe: Senate Bill No. 1010—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Shanahan: Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers and providing for the proper distribution of such books.

Bill read first time, and referred to Committee on Education.

ADJOURNMENT.

At four o'clock p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

[illegible]

Thursday, January 30, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Oliver J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

[illegible]

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Hunt Saville.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 29, 1913, the further reading was dispensed with, on motion of Senator Rush.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the special order heretofore set for this day, being the consideration of Senate Joint Resolution No. 13, the same was taken up for consideration.

NOTICE.

Senator Gates moved that Senate Joint Resolution No. 13 be not on the table.

POINT OF ORDER.

Senator Sanford raised the point of order that Senate Joint Resolution No. 13 has the same standing under the Senate rules as a bill, and is not subject to a motion to lay on the table.

Senators Cannaday, Gates, Curtis, Campbell, Wright, Staunton, Cartwright, Boynton, Lardner, Kelso and Sanford addressed the chair on the point of order.

DECISION ON POINT OF ORDER.

The President announced his decision and decided the point of order not well taken.

APPEAL FROM RULING OF THE CHAIR.

Senator Sanford appealed from the ruling of the chair.

The Chair put the question, "Shall the ruling of the Chair stand as the ruling of the Senate?"

PROCEEDINGS WITHDRAWN.

Pending a vote on the question, Senator Sanford withdrew his appeal from the ruling of the chair.

The President withdrew his ruling on the point of order.

Senator Sanford withdrew his point of order.

Senator Gates withdrew his motion to lay Senate Joint Resolution No. 13 on the table.

MOTION TO RECOMMIT.

Senator Sanford moved that Senate Joint Resolution No. 13 be re-referred to Committee on Federal Relations.

Motion carried.

Senate Joint Resolution No. 13 ordered re-referred to Committee on Federal Relations.

MOTION.

Senator Shanahan asked and was granted unanimous consent to offer a motion to rescind the action of the Senate by which Senate Bill No. 477 was ordered to print, engrossment, and on file for third reading.

Motion carried.

Senate Bill No. 477 being before the Senate:

Senate Bill No. 477—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy *a*.

Senator Shanahan moved to amend as follows:

Amend the bill as amended in Senate January 29, 1913, by striking out of Section 1, lines 15 and 16, the words "and following section to and including section twelve hundred sixty-three."

Also: Strike out of line 15 "Title 7 of Part 3" and insert in lieu thereof the following: "Title VII of Part III."

Amendment adopted.

Bill ordered to print, engrossment and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Shanahan, the Secretary was directed to issue a rush order for printing Senate Bill No. 477.

LEAVE OF ABSENCE.

Senator Cartwright was, on his own motion, granted leave of absence for the remainder of this day.

PETITIONS.

The following petitions were presented by Senators Larkins and Juilliard, and ordered printed in the Journal:

Opposing the enactment of any legislation restricting the hours of work for women handling perishable fruit or vegetables to eight hours in any one day. From Mrs. M. Bassett and others.

Also, on the same subject: From M. Bassett and others.

Also, on the same subject: By the Sebastopol berry growers, incorporated.

COMMUNICATION.

The following communication was received:

CALIFORNIA STATE LIBRARY.

SACRAMENTO, January 27, 1913.

To the Officers and Members of the Legislature of the State of California.

GENTLEMEN: In accordance with resolution passed by the Senate of the State of California on March 27, 1911 (Senate Journal 1911, p. 2673), I have the honor

[illegible]

[illegible]

[illegible]

ON EDUCATION

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 501, An Act appropriating the income of the State School Land Fund for the purpose of paying expenses of publishing and distributing state text-books free to the school children of the State in accordance with the Constitution, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

AVEY, Chairman.

Senate Bill No. 501 ordered on file for second reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock and ten minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

PRIVILEGE OF THE FLOOR.

At the request of the President pro tem., unanimous consent was granted that the privilege of the floor be extended for the day to Professor A. M. Cleghorn and the following named students of the University Farm at Davis:

Messrs. Carroll, Cockson, Curtis, Fisk, Halsey, Hall, Hearn, Miller, Negus, O'Neil, A. J. Reed, E. C. Reed, Rowe, Rowell, Ward, Cleghorn.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Shanahan: Senate Bill No. 1012—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James E. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Bill read first time, and referred to Committee on Judiciary.

By Senator Belan: Senate Bill No. 1013—An Act appropriating the sum of ten thousand dollars to defray the expenses during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purpose of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating

A concurrent resolution providing for repayment to the State and appropriating the sum of seventy-five thousand dollars therefor.

Bill was read first time and referred to Committee on Ways and Means.

Also: Senate Bill No. 1010—An Act to amend section one hundred eighty-eight, section one hundred forty-five and one half, and section one hundred thirty-six of the Penal Code of the State of California, all relating to the prevention and prosecution of theft.

Bill read first time and referred to Committee on Fish and Game.

By Senator Owens, Senate Bill No. 1011—An Act to amend section fourteen hundred ninety and fourteen hundred ninety-two and to repeal section fourteen hundred ninety-one of the Code of Civil Procedure of California, all relating to the custody of children of divorced persons.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1012—An Act to amend section twelve of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; submitting and State of petitions praying for and relating to the same; the petitions stating the sale of alcoholic liquors shall be forever within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such boundary to be in force; providing that no license petitions or other authority to sell or distribute alcoholic liquors in prohibition territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and making it a public offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 8, 1911.

Bill read first time and referred to Committee on Public Morals.

Also: Senate Bill No. 1013—An Act to amend an Act entitled "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns, for the establishment, maintenance of certain thereof, for the construction, location or purchase of sidewalks, gutters, culverts, bridges, approaches, gutters, culverts, crossings and crosswalks for the use of bonds representing the costs and expenses thereof, for a special fund thereof in part from the county road fund and in part by special assessment upon property and for the establishment of such districts," approved March 21, 1907, by inserting relating to the special bond fund to be established, the manner of levying the special tax to be levied, the transfer of funds from the general road fund and the maintenance of such fund under this Act.

Bill read first time and referred to Committee on County Government.

By Senator Devoy, Senate Bill No. 1014—An Act to amend sections two thousand two hundred eighty-three, two thousand two hundred eighty-five, two thousand two hundred eighty-six, two thousand two hundred eighty-seven and two thousand two hundred eighty-nine of the Political Code, relating to the support and maintenance of orphan, half orphans and abandoned children.

Bill read first time and referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 1020—An Act to provide for the accomplishment of the work of constructing a break water in Port San Louis, California, and making an appropriation for such work.

Bill read first time, and referred to Committee on Finance.

By Senator Strobridge: Senate Bill No. 1021—An Act to grant additional powers to the Fish and Game Commission of the State of California to protect fish, and wild game birds and animals in danger of extermination, and to provide for the exercise thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Cohn: Senate Bill No. 1022—An Act making an appropriation to make general plans for the improvement of the State Fair grounds at Agricultural Park in the city of Sacramento and to prepare drawings, specifications and estimates therefor under the direction of the State Department of Engineering.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 1023—An Act to enable E. A. Avery to sue the State of California for bodily and mental injuries suffered and sustained by him through an unnecessary and negligent operation performed upon him in the Napa State Hospital while he was confined thereon from May 3, 1912, to September 10, 1912.

Bill read first time, and referred to Committee on Judiciary.

By Senator Regan: Senate Bill No. 1024—An Act regulating the licensing of persons engaged in the business of installing any wires or electrical apparatus to convey electric current for light, heat or power, and to provide for a board of electrical examiners for said purpose, and to prevent the doing of such electrical work by persons other than those licensed in accordance with the provisions of this Act, and to provide a penalty for the violation thereof.

Bill read first time, and referred to Committee on Corporations.

By Senator Larkins: Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof for a distance of twenty feet, public highways and providing for the condemnation of such land and for the opening of such highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Curtin: Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1027—An Act to amend section one of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 1028—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of

works for the irrigation of the lands embraced within said districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing sections two, three, thirty, thirty-one, thirty-two and thirty-six thereof, and by adding two new sections to said last to be numbered thirty-two and two and fifty-four and one half, and new sections relating respectively to increasing the rate of interest on bonds of said districts authorized by said act, and to reports to be made by officers of said districts to the State Engineer and recommendations to be made by him.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 1029—An act to amend section one hundred and seventy-six of the Political Code, relating to the investment of state school funds.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1030—An Act to amend section three of an Act entitled "An Act to authorize the deposit of civil moneys in banks in the State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 1031—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered five hundred twenty-one, relating to claim and delivery of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wright: Senate Bill No. 1032—An Act validating the formation and organization, and determining the boundaries of the San Ysidro Irrigation District in the county of San Diego, Cal.

Bill read first time, and referred to Committee on Irrigation.

By Senator Lyon: Senate Bill No. 1033—An Act to amend section four thousand two hundred and thirty of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants.

Bill read first time, and referred to Committee on County Government.

On motion of Senator Lyon, the Secretary was directed to send a message for printing Senate Bill No. 1033.

INTRODUCTION AND FIRST READING OF SENATE CONSTITUTIONAL AMENDMENTS

The following bills were introduced:

By Senator Boynton: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new section thereto, to be numbered section twenty-one of article six thereof, and relating to the recall of judicial officers.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Bill No. 1034—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing pen-

alties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Cogswell: Senate Bill No. 1036—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending sections one, two, three, five, six, seven and eight thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1037—An Act to amend section five of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody, and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts' approved March 8, 1909," approved April 5, 1911, said amendment relating to the commitment of dependent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1038—An Act to amend section seven hundred seventy-two of the Penal Code of the State of California, relating to the removal of public officers by summary proceedings before Superior Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1039—An Act to add a new section to the Penal Code of the State of California, to be numbered section nine hundred forty-six, relating to the powers of grand juries, and providing for the appointment of a special attorney by grand juries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1040—An Act to amend the Political Code by adding one new section to title ten thereof, relating to the completion and correction of election returns, said section to be numberd twelve hundred eighty-one *a*.

Bill read first time, and referred to Committee on Elections.

By Senator Avey: Senate Bill No. 1041—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending section nine of said Act, relating to the recording of certificates authorized

under said Act in the office of the county clerk of the county in which the holder of said certificate is a resident.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1042—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 11, 1907, as amended by a certain Act approved March 10, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act to be known as section twenty, providing for the issuance to persons of a certificate to practice medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California without any examination other than that required by the provisions of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1043—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 11, 1907, as amended by a certain Act approved March 10, 1909, as amended by a certain Act approved May 1, 1911, by amending section six of said Act by striking out therefrom the provisions therein contained relative to the issuance of a certificate to any person who has practiced a special branch of medicine and surgery for the period of three (3) years, fifteen years of which time shall have been within the State of California, and by inserting therein a further requirement that any applicant to practice medicine and surgery, osteopathy, or other systems or modes of treating the sick or afflicted, whose application to practice shall be made subsequent to the first day of January, 1913, shall prove to the satisfaction of the board that, at the time such applicant matriculated with the legally chartered college, the diploma from which he files with his application as in said Act provided, he had then passed the requirements as to preliminary education and qualifications in no particular less than those prescribed at such time by the Association of American Medical Colleges for the matriculation of students of colleges which are members of said association.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Cutten: Senate Bill No. 1044—An Act to add a new section to the Political Code, to be known and numbered as section four hundred fifty-three, providing for the powers and duties of district attorneys in relation to the issuance or annulment of marriage, and to relate to the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1045—An Act to add a new section to the Civil Code, to be known and numbered as section one hundred twenty-one to

providing for the service of summons and complaint on the district attorneys in actions for divorce or annulment of marriage, and conditioning the court's jurisdiction thereon.

Bill read first time, and referred to Committee on Judiciary.

Also; Senate Bill No. 1046—An Act to provide for the regulation and supervision of investment companies and to create a corporation commission to administer the laws regarding the regulation and supervision of investment companies; providing for the organization of said commission and fixing the penalties for a violation of the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

Also; Senate Bill No. 1047—An Act to provide for the planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities.

Bill read first time, and referred to Committee on Municipal Corporations.

Also; Senate Bill No. 1048—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Bill read first time, and referred to Committee on Banking.

Also (by request); Senate Bill No. 1049—An Act providing for township organization, the assessment and collection of revenue, and management and transaction of the business of townships.

Bill read first time, and referred to Committee on County Government.

Also (by request); Senate Bill No. 1050—An Act to create a bureau of corporations, and a commissioner of corporations to administer this and other laws relative to the regulation and supervision of corporations; and providing penalties for the violation thereof; to protect purchasers of stocks and bonds and prevent fraud in the sale thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell; Senate Bill No. 1051—An Act to amend "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Hewitt; Senate Bill No. 1052—An Act to amend section six of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1055—An Act to amend section three, eight, nine, thirteen, nineteen and thirty-two of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 23, 1909, and to add to said Act a section to be numbered section three and one half relating to the manner of effecting certain local improvements.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1056—An Act to amend section four of "An Act to provide a system of street improvement bonds by municipalities and the assessments for the cost of such work upon property benefited thereby, and also for the payment of such bonds," approved February 7, 1911.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1057—An Act to provide for the acquisition by municipalities of land for public park purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1058—An Act to provide for the planting, improving, care and maintenance of parkways and parkways in the public streets, boulevards and highways of incorporated cities.

Bill read first time and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1059—An Act to amend section two hundred sixty-two of the Code of Civil Procedure, relating to conclusive presumptions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1060—An Act requiring every owner, manager, proprietor, lessee, or other person having the management, charge or control of any public hotel, inn, lodging or rooming house, to provide a book for the registration of all guests engaging rooms in same, and requiring all such guests to register in such book, and requiring such book to be opened to the inspection of peace officers, upon demand, and providing for posting of this Act in conspicuous place, and providing penalties for the violation of the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1061—An Act to amend section one thousand five hundred ninety nine of the Political Code of California, relating to the election of school trustees.

Bill read first time, and referred to Committee on Elections.

By Senator Mott: Senate Bill No. 1062—An Act to amend section six hundred and thirty three, section six hundred and thirty eight, section six hundred and forty two, section six hundred and forty four, and section six hundred and forty eight of the Civil Code of the State of California, relative to building and loan associations.

Bill read first time, and referred to Committee on Banking.

By Senator Birdsall: Senate Bill No. 1063—An Act amending section one thousand seven hundred and five of the Code of Civil Procedure of the State of California, relating to publications in probate proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also, by request: Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem and making an appropriation for the payment by the State of any such judgments.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rush: Senate Bill No. 1065—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 1066—An Act to amend section ten [1] of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance, until twenty one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Courts jurisdiction of such offenses, and repealing inconsistent Acts,'" approved March 8, 1909.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 1061—An Act to accept for the State of California from the General Government of the United States of America certain public lands in Del Norte County.

Bill read first time, and referred to Committee on Federal Relations.

Also: Senate Bill No. 1062—An Act to amend section four hundred two hundred and forty-three of the Political Code of the State of California, relating to salaries and fees of justices and public officers in counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Bryant: Senate Bill No. 1063—An Act providing for the regulation and licensing of motor carriers of automobile vehicles and persons employed by them in operating the same, prescribing the qualifications of such licenses, and providing for the handling of complaints, fixing of reasonable rates, rules and regulations governing the operation of motor vehicles by motor carriers, and defining their liabilities.

Bill read first time and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1064—An Act to amend section [illegible] relating to the protection of workmen employed upon or about buildings or staging for the protection of workmen employed upon or about buildings imposed upon them under the provisions of section four hundred and two of the Penal Code of the State of California and under section twelve of an Act entitled "An Act to provide for and support a Bureau of Labor Statistics," approved March 3, 1883, and amended by adding thereto new sections twelve to the Act amendatory of Act mentioned, Act approved February 27, 1907, providing for and preventing the use of such scaffolding or staging and providing that its provisions shall be subject to use of a building thereof to the same penalties as prescribed in said section four hundred and two of the Penal Code, and providing for the enforcement of the Act by the Commissioner of the Bureau of Labor Statistics in accordance with the duties under the provisions of the aforesaid Act, approved March 3, 1883, and the Act amendatory thereof, approved February 27, 1907.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Kehoe: Senate Bill No. 1071—An Act to amend section forty two hundred eighty-five of the Political Code, relating to the salaries and compensation of officers of counties of the fifteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1072—An Act to amend section two hundred thirty-four of the Political Code, relating to the annexation of school districts to high school districts, and to the petition of school districts from union or joint union high school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1073—An Act to appropriate money to [illegible] the county of Trinity in the construction of a highway from a point on the Trinity River in the county of Trinity, near the town of Douglas-ford, thence westerly down said river to connect with the existing road in Humboldt County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution amending Article VI thereof, by inserting therein a new section to be known as section four *a*, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act pro tempore as justices of said District Courts of Appeal, to hold such extra sessions thereof.

Constitutional amendment referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 1074—An Act to amend section one thousand two hundred and forty-three of the Code of Civil Procedure, relative to the place of commencement and trial of proceedings in eminent domain.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1075—An Act to amend section one thousand two hundred forty four of the Code of Civil Procedure, relative to proceedings in eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hans: Senate Bill No. 1076—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvass, or articles composed in whole or in part of cotton duck or canvass, awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Judhard: Senate Bill No. 1077—An Act to amend section eight hundred fifty of the Code of Civil Procedure, relating to notice of hearing in justice's court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1078—An Act to amend section eight hundred fifty-nine of the Code of Civil Procedure, relating to amendment of pleadings in justice's court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1079—An Act to amend section nine hundred seventy-eight of the Code of Civil Procedure, relating to undertakings on appeal to the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hewitt: Senate Bill No. 1080—An Act to amend sections ten and twenty-eight of an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Carr: Senate Bill No. 1081—An Act relating to arrangements, contracts, agreements, trusts or combinations made with the intention or which tend to prevent, restrain or lessen competition in articles imported, or the manufacture or sale of articles or material grown or produced in this State, and declaring all arrangements, con-

tracts, agreements, trusts or combinations thereof or which tend to advance, reduce or regulate the price or the production or transportation of such articles against public policy, and providing for the punishment of violation of this Act, and relating to the duties of the Attorney General and of the judges of courts in regard thereto, and providing for damages to be recovered by any one suffering damage as a result of a violation of this Act, and declaring the intention of the Legislature in case parts of this Act be declared unconstitutional.

Bill read first time, and referred to Committee on Judiciary.

By Senator Caminetti: Senate Bill No. 1093.—An Act to provide for the investigation of the practicability of the construction of locks and the installation of power, light transmission, and other apparatus in California in aid of commerce; to define the duties of the Department of Engineering and of the Governor in relation thereto, and to make an appropriation to defray the cost of such investigation.

Bill read first time and referred to Committee on Commerce and Navigation.

Also, Senate Joint Resolution No. 28.—Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California for investigation and survey of the California Debris Commission under the provision of an Act of Congress, approved March 1, 1893, to aid in the preparation and making of a report on a project for the relief from floods in the San Joaquin Valley and the mouth of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

Resolution referred to Committee on Federal Relations.

Also, Senate Joint Resolution No. 29.—Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Debris Commission relating to control of floods in the lower reaches of the Sacramento Valley and the adjacent San Joaquin Valley region.

Resolution referred to Committee on Federal Relations.

By Senator Curry: Senate Bill No. 1094.—An Act to amend an Act entitled "An Act to authorize and regulate the employment of convicts in state prisons by the State and to provide for the disposition of the products of their work and labor," approved February 27, 1911, so as to provide for separate machines in prisons and state institutions and providing for the payment of the same.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also, Senate Bill No. 1095.—An Act to appropriate money for the purpose of assisting to defray the expenses of a public meeting and banquet to be held in honor of the anniversary of the Grand Republic of the Veterans of the State, to be held in 1913.

Bill read first time and referred to Committee on Military Affairs.

By Senator Thompson: Senate Bill No. 1096.—An Act to amend sections thirty-seven hundred seventy-four, thirty-seven hundred seventy-six, thirty-eight hundred ninety-seven, and thirty-eight hundred ninety-eight of the Political Code of the State of California, and to add to said Political Code two new sections, to be numbered respectively thirty-seven hundred seventy-three and thirty-seven hundred eighty-

five *b*, all relating to property sold to the State for delinquent taxes and providing for its disposal by sale and redemption.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1086—An Act to amend section eight of an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities and for the assessment of the cost and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1087—An Act to provide for the appointment of a board of investigation, defining its duties and providing for an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections twenty one, twenty two and twenty-three, all relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Beedon: Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1090—An Act relating to the solvency of workmen's compensation insurance companies and associations, providing means and methods by which such solvency is to be determined and maintained, providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers and duties and the means and methods to be used in making rates, making provision for the payment of its expense, making an appropriation therefor and providing penalties for violations of the provisions of the Act.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1091—An Act to amend section four hundred twelve of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1092—An Act to amend section seventeen hundred sixty-five of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1093—An Act to amend section fifteen hundred thirty-seven of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to a decedent's estate.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria for consumptives and other institutions for the treatment of tuberculosis and making appropriations therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the traveling expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1095—An Act to add a new section to the Penal Code of the State of California, to be numbered twelve hundred eight, relating to qualifying jurymen and controlling the execution of judgments in criminal actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 1096—An Act directing the State Board of Health to prepare and disseminate information upon the subject of hay fever and kindred diseases and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1097—An Act providing for an investigation of the prevalence of venereal diseases in the State of California and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Lyon: Senate Bill No. 1098—An Act to add a title to Part IV of Division Fifth of the Civil Code, to be known as Title XIII, relating to providing for the protection of adults in general.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1099—An Act to amend sections six hundred and seven, six hundred and seven b, six hundred and seven c, six hundred and seven d, six hundred and seven e and six hundred and seven f of the Civil Code, relating to remedies for the prevention of cruelty to children.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Senator Thompson, the senate President declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m. the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Tyrrell: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending sec-

tion eighteen of article eleven thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

Constitutional amendment referred to Committee on Judiciary.

By Senator Cammetti: Senate Bill No. 1100—An Act appropriating money for the purchase and installation of electric generators and connections and equipment therefor at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Curtin: Senate Bill No. 1101—An Act relating to the compensation of injured workmen in our industries, and the compensation of their dependents where such injuries result in death, creating an industrial insurance department, making an appropriation for its administration, providing for the creation and disbursement of funds for the compensation and care of workmen injured in hazardous employment, providing penalties for the non-observance of regulations for the prevention of such injuries and for violation of its provisions, asserting and exercising the police power in such cases, and, except in certain specified cases, abolishing the doctrine of negligence as a ground for recovery of damages against employers, and depriving the courts of jurisdiction of such controversies.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Birdsall: Senate Bill No. 1102—An Act relating to the compensation of injured workmen in our industries, and the compensation to their dependents where such injuries result in death, creating an industrial insurance department, making an appropriation for its administration, providing for the creation and disbursement of funds for the compensation and care of workmen injured in hazardous employment, providing penalties for the non-observance of regulations for the prevention of such injuries and for violation of its provisions, asserting and exercising the police power in such cases, and, except in certain specified cases, abolishing the doctrine of negligence as a ground for recovery of damages against employers, and depriving the courts of jurisdiction of such controversies.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Anderson: Senate Bill No. 1103—An Act requiring all persons, corporations, receivers or trustees operating lines of railway in the State of California to provide toilets on certain classes of cars used on such railways, for the convenience of passengers, and providing a penalty and damages to be paid by such persons, corporations, receivers or trustees, to the State of California, for failure to provide such toilets.

Bill read first time, and referred to Committee on Corporations.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and fifteen minutes p. m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:

By Senator Tyrrell: Senate Concurrent Resolution No. 15—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION

Senator Tyrrell moved that the rules be suspended and Senate Concurrent Resolution No. 15 be placed on the without reference.

Motion carried unanimously.

The President pro tem declared the rules suspended accordingly.

SENATE CONCURRENT RESOLUTION NO. 15.

WHEREAS, Section two of article four of the Constitution of the State of California provides that, after the Legislature has been in session for a period not exceeding thirty days, a recess shall be taken by both houses for a period of not less than thirty days; therefore, be it

Resolved by the Senate, the Assembly concurring, That the recess period of the Legislature of the State of California shall commence for said recess on Saturday, February 1, 1913, and shall terminate at the hour of twelve o'clock noon on Tuesday, March 4, 1913.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 15 adopted by the following vote:

AYES: Senators Anderson, Avey, Boynton, Brown, Burnett, Burnham, Caminetti, Carr, Cartwright, Chandler, Cogswell, Cutten, Curtin, Flint, Gates, Gerdes, Hare, Hatfield, Holohan, Lanagan, Leavitt, Owens, Purkitt, Rominger, Sanford, Strobridge, Thompson, Tyrrell and Wright—32.

NOES: None.

Senate Concurrent Resolution No. 15 ordered to print and to the Assembly.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

The following bills were introduced:

By Senator Anderson: Senate Bill No. 1194—An Act to amend section sixteen hundred eighty-five of the Political Code, relating to causes for the suspension or expulsion of school children.

Bill read first time, and referred to Committee on Education.

By Senator Owens: Senate Bill No. 1195—An Act to add a new section to the Code of Civil Procedure, to be numbered one thousand eight hundred and ten a, relating to the name in which a ward's property shall be invested or conveyed.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 1196—An Act to amend section seventeen hundred and eighty-nine of the Code of Civil Procedure, and to repeal section eighteen hundred and two thereof, relating to commissions to guardians in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 1197—An Act relating to local bodies to consent to pay the cost of municipal or other local improvements under any law of the State, in the possession and occupation of persons, firms, companies or corporations, and used by any such person, firm, company or corporation for rights of way or other easement thereon, limited to public use under a franchise authorizing such use, and providing for the extension of the lien of any such assessment to the right of way or other easement thereon and to the franchise of any such person, firm, company or corporation, and providing for the enforcement

of such lien; also providing an alternative method of enforcing payment of such assessment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Curtin: Senate Bill No. 1108—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for the funds of the banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the use of such bonds as security for the performance of any act, and providing for a commission which shall approve such bonds for the foregoing purposes, for a report thereon, for the filing of said report and for the certification of such bonds by the State Controller.

Bill read first time, and referred to Committee on Irrigation.

By Senator Avey: Senate Bill No. 1109—An Act to amend section eighteen hundred ninety of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1110—An Act appropriating money for the purchase and installation of electric units and distributing lines for a lighting system at the Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Owens: Senate Bill No. 1111—An Act to amend section forty-two hundred fifty-one of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES—[OUT OF ORDER]

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 13—Relative to memorializing the Congress of the United States to appropriate the moneys of the Senate Joint Resolution No. [illegible] relating to the reclamation of arid lands, and [illegible] the Committee has had the same under consideration, and respectfully reports back to the Senate, with the recommendation that it be adopted.

WRIGHT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 16—Relative to [illegible] has had the same under consideration, and respectfully reports back to the Senate, with the recommendation that it be adopted.

WRIGHT, Chairman.

Senate Joint Resolution No. 13 and Assembly Joint Resolution No. 16 ordered on file.

CONSIDERATION OF BILLS—SECOND READING OF BILLS.

Senate Joint Resolution No. 10—Relative to protecting from fire the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law.

MOTION.

Senator Eyhalf moved that the consideration of Assembly Joint Resolution No. 8 be substituted for the consideration of Senate Joint Resolution No. 10.

Motion carried.

ASSEMBLY JOINT RESOLUTION NO. 8

[illegible]

WHEREAS, The Seventy-second Congress proposed the laws of the United States to prevent trusts, but the United Corporations of California [illegible]

WHEREAS, Under the provisions of Section [illegible] and the other laws provided by law for a tribunal to hear the [illegible] and the Federal Constitution in any matter [illegible]

WHEREAS, It appears that the [illegible]

Resolved by the Assembly of the State of California and the Senate, jointly, That the Congress [illegible]

Resolved, That a copy of this [illegible]

The question being on the adoption of the resolution,

The roll was called, and Assembly Joint Resolution No. 8 followed by the following vote:

AYES: Senators [illegible]

NOES: None.

Resolution ordered transmitted to the Assembly.

MESSAGE WITHDRAWN.

Senator Eyhalf asked and was granted permission to withdraw Senate Joint Resolution No. 10.

Senate Joint Resolution No. 10 withdrawn and ordered stricken from the file.

SENATE BILLS ON FINAL PASSAGE.

Senate Bill No. 233—An Act to amend an Act entitled "An Act to [illegible] and [illegible] of the Constitution of the State of California [illegible] November 8, 1910, providing for the separation of taxes from local [illegible] and providing for the taxation of [illegible] and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending section two thereof, and by adding a new section thereto to be numbered [illegible] all relating to revenue and taxation.

MOTION.

Senator Thompson moved that the consideration of Assembly Bill No. 197 be substituted for the consideration of Senate Bill No. 233.

Motion carried.

THIRD READING OF BILLS (RESUMED).

Assembly Bill No. 197. An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto, to be numbered thirty-six, all relating to revenue and taxation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 197 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 9.

Relative to the continuance by the United States of the government line of steamers from eastern seaports to Colon, in the "canal zone," and the extension thereof to Pacific seaports, on the western coast of the United States, on the completion of the Panama Canal.

WHEREAS, There is maintained and operated by the United States from eastern seaports of our country to Colon, in the "canal zone," a government line of steamers for the transportation of freight consisting of supplies for use in the construction of the Panama Canal, and of certain merchandise for the Pacific Coast States, the latter transshipped from Avon on the western end of the government railways across the Isthmus of Panama, to steamers operated by private corporations, plying between Avon and Pacific coast ports; and

WHEREAS, On the completion of said canal, public interests and the necessities of those interested in western commerce, demand that the government owned vessels now in the service on the Atlantic side, be not only continued in operation as now, but extended to Pacific seaports, on the western coast of the United States; and

WHEREAS, The failure to so continue and extend such government service would reopen the struggle between the producers and shippers of California and sister states, on the one side, and the steamship companies acting in concert with the transcontinental railways on the other; and thus, to a great extent, restore the unfavorable conditions, that will, in the future, and as they were, in the past, be manipulated and controlled by transcontinental railways and their allies; and

WHEREAS, The experience of our producers and shippers in the past and recently in connection with a steamship line not enjoying the favors of the transcontinental railway lines and their allies, doing business on the Pacific side of the canal, should warn these in authority and the people, to avoid a similar danger in the future, particularly when its repetition will greatly impair the benefits that should accrue to them and to the country at large, by the construction and operation of such canal under the auspices of the Government of the United States; and

WHEREAS, The early completion of the Panama Canal should urge quick action on the subject-matter of these resolutions; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urge upon the Congress of the United States, to enact such legislation as will continue after the completion of the Panama Canal, such Government line of steamers, and extend their service, with such additional steamers and facilities as may be necessary, to Pacific seaports, on the western coast of the United States; be it further

Resolved, That our Senators in Congress be instructed, and our Representatives in Congress requested, to use all honorable means to secure the enactment of the aforesaid legislation; be it further

Resolved, That duly authenticated copies of these resolutions be transmitted by

the Governor of the State of California to the President and the President of the United States and the presiding officers of the respective houses of the Congress and requesting members of Congress and Cabinet officers and Supreme Court Justices of the United States to be present at the joint session of the Legislature in Sacramento on said occasion of Lincoln's birthday.

The question being on the adoption of the resolution,

The roll was called, and Senate Joint Resolution No. 9 adopted by the following vote:

Ayes—Senators Anderson, Avey, Black, Burnett, Chandler, Cogswell, Curtin, Dennett, Dennison, Dunn, Finn, Flint, Gerdes, Gerlach, Gerrard, Hare, Hatfield, Holsen, Hopkins, Hurd, Inman, Jones, Kehoe, Leavell, Lee, Lewis, Lyon, Mahan, Mathews, Mitchell, Nelson, Owens, Peck, Rigdon, Rush, Saylor, Shearer, Stetson, Strobridge, Tyrrell, Walker, Wallace, Wolfe and Wright—34.

Noes—None.

Resolution ordered engrossed and transmitted to the Assembly.

SECOND EXPRESSION OF THE PEOPLE.

At three o'clock and fifteen minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

SENATE JOINT RESOLUTION No. 13.

Relative to the two persons nominally the Electors Chosen at the general election held in the county throughout the United States and requesting assent of the Act of Congress providing therefor.

Whereas, The Electoral College constituted by the Electors elected by American citizens is a necessary safeguard to our Republican system; and

Whereas, The method we provide for the appointment, and qualifications of said persons to act as electors, and as such, in addition to conferring with the Governments of the United States as provided in the Constitution, are laws thereof; and

Whereas, In the exercise of such power, the Congress of the United States has assumed a new province in American affairs designed to undermine confidence in the Republic, that passages through such votes; and

Whereas, An attempt is being made to pass such law, introduced by a ... of Congress by the people now [illegible] of the State of California, namely, That the Legislature of the State of California hereby respectfully memorializes the Congress of the United States to delegate all necessary to [illegible] and be it further

Resolved, That any [illegible] to Congress for [illegible] and such Representatives of Congress requested, to use all honorable means to defeat the passage of said act, and that duly authenticated copies of these resolutions be transmitted by the Governor of the State of California to the President and the Representatives of the United States and the presiding officers of the respective houses of the Congress and members thereof, and also to each of our Senators and Representatives in Congress in said sessions of Congress.

Resolution read.

Senate Joint Resolution No. 14 was on motion of Senator Chandler temporarily passed on the file to retain its place.

SENATE JOINT RESOLUTION No. 15.

Relative to U. S. Senate Amendment No. 16 to House of Representatives Bill No. [illegible] providing for the re-establishment of the fourth division judicial district of the State of California.

Whereas, The fourth judicial district consists of [illegible], with headquarters at Sacramento and sessions of the superior court at San Francisco on the Oregon line, and that the latter State of Nevada, was proclaimed on the first day of October, 1864; and

Whereas, Said district did not contain [illegible] of [illegible] and

Whereas, Said district was also consolidated with the first judicial district of California, with headquarters at San Francisco, which district comprises only the San Angelo district, and separated from it [illegible]; and

Whereas, The act of the fourth district still [illegible] to the counties of [illegible] and Nevada, without any [illegible] by the Act thereof; and

Whereas, An amendment, known as Senate amendment number sixteen, to the House of Representatives bill entitled [illegible] providing for the re-establishment of the aforesaid fourth judicial district [illegible]

of the State of California, has been approved by the Senate of the United States Congress and now goes to conference; therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California approves all of the provisions of said amendment, and our Senators in Congress are hereby instructed and our Representatives requested to vote for and use every honorable means to secure the passage of said amendment to said bill; and be it

Resolved, further, That copies of this resolution be sent by telegraph to each of our Senators and Representatives in the Congress of the United States.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 15 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cogn, Curtin, Finn, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33

NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 8.

Relative to House Bill No. 13500, by Congressman John E. Raker of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic and pauper labor.

WHEREAS, There is pending in the Congress of the United States House Bill No. 13500, by Congressman John E. Raker of California; and

WHEREAS, House Bill No. 13500 has for its object the extension of the Chinese Exclusion Act so as to include all Asiatic and pauper labor; and

WHEREAS, There is a misapprehension in the East as to California's position regarding Oriental immigration; therefore, be it

Resolved by the Senate and Assembly, jointly, of the State of California, That we approve of the passage of House Bill No. 13500 and request Congress to pass the same.

Resolved, That the Secretary of the Senate be instructed to send a copy of this Resolution to the Vice President of the United States, to the Speaker of the House of Representatives and to each of our Senators and Representatives in Congress.

The question being on the adoption of the resolution

The roll was called, and Senate Joint Resolution No. 8 adopted by the following vote:

AYES—Senators Beban, Birdsall, Breed, Bryant, Caminetti, Campbell, Cohn, Curtin, Finn, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—24

NOES—Senators Anderson, Cogswell, Gates, Mott, and Wright—5.

Resolution ordered engrossed and transmitted to the Assembly.

SECOND READING OF BILLS.

Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond Municipal Water District.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 587—An Act to amend the Civil Code of the State of California by amending a new section thereto to be numbered five hundred and fifty *a*, relating to the furnishing of water for family use.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereon," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending section two

thereof, relating to the proceedings for the selling of an owner's farm, for.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 687—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 690—An Act to amend section eight hundred and seventy-five of an Act entitled "An Act to provide for the organization, government, and government of municipal corporations," approved March 19, 1883, as subsequently amended, relating to the powers of the president and members pro tem. of boards of trustees of the cities of the sixth class.

Bill read second time, ordered engrossed and to file for third reading.

Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

Assembly Joint Resolution No. 3 passed on file, by unanimous consent.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Cogswell: Senate Bill No. 1113—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declarations of the payment or performance thereof and to authorize their recordation in the office of the Secretary of State.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1114—An Act authorizing and empowering any city and county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire within its corporate limits, for a site upon which the State of California may erect public buildings or institute grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1115—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500", providing for the management and control thereof and declaring all lands, tracts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any lands drainage, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1116—An Act creating a reclamation district,

to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Tyrrell (by request): Senate Bill No. 1116—An Act to amend section two hundred and ninety-two of the Penal Code of the State of California, relating to the burial of bodies of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Avey: Senate Bill No. 1117—An Act to amend sections twenty-three hundred and twenty-two *a*, twenty-three hundred and twenty-two *b* and twenty-three hundred and twenty-two *d* of the Political Code of the State of California, said sections relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, prescribing the duties and powers of the county horticultural commissioner and fixing his compensation, and providing for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors and quarantine guardians and prescribing their duties and powers.

Bill read first time, and referred to Committee on County Government.

By Senator Thompson: Senate Bill No. 1118—An Act to amend section four hundred seventy-two and section four hundred seventy-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office and fixing their salaries.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1120—An Act to amend section forty-two hundred forty-three of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Joint Resolution No. 1—Relative to the continuation by the United States of surveys for the construction of storage reservoirs for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

Also: Senate Bill No. 55—An Act to amend section two hundred sixty-four of the Penal Code, relating to the punishment for the crime of rape.

And report that the same have been correctly engrossed.

GRANT, Chairman

STATEMENT.

Senator Royster asked and was granted permission to have printed in the Journal a statement that he was absent when the vote on Senate Joint Resolution No. 8 was taken, and had he been present he would have voted for the adoption of the resolution.

ADJOURNMENT.

At four o'clock and thirty-five minutes p.m., on motion of Senator Gordon, the senate President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 31, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert F. Walker, President of the Senate, in the chair.

The roll was called and the following answered to their names:

Senators Andrews, Ang, Bitting, Bobbitt, Brooks, Bond, Bunch, Burns, Butler, Carpenter, Campbell, Carr, Cochrane, Connor, Council, Cox, Craig, Dees, Dyer, Eaves, Gardner, Gates, Ryan, Hobbs, Jones, Caldwell, Keller, Lambeth, Lewis, Mott, Graves, Rogers, Scott, Sentelle, Shuford, Stockard, Thompson, Tyson and Wright—46.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. Tyree Snyder.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 31, 1913, the further reading was dispensed with, on motion of Senator Bond.

APPROVAL OF JOURNALS.

The Journals of Tuesday, January 14, 1913; Wednesday, January 15, 1913; Thursday, January 16, 1913; Friday, January 17, 1913; Monday, January 20, 1913; Tuesday, January 21, 1913; Wednesday, January 22, 1913; Thursday, January 23, 1913; Friday, January 24, 1913; and Saturday, January 25, 1913, having been corrected, upon motion of Senator Gates, approved.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, RALEIGH, January 30, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 361—An Act to appropriate money to pay the expense of distributing ballot boxes, etc., to the several counties of the State in accordance with the provisions of the Constitution.

Also Senate Bill No. 367—An Act making an appropriation for an additional

stenographer for the Governor's office during and following the present session of the Legislature.

Also: Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the forty-first Legislature of the State of California during the sixty-fourth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 251, 59, and 37 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bills:

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

Also: Senate Bill No. 477—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy *a*.

Also: Senate Bill No. 690—An Act to amend section eight hundred and seventy-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the presidents and presidents pro tem. of boards of trustees of cities of the sixth class.

Also: Senate Bill No. 689—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending section two thereof, relating to the proceedings for the calling of an election thereon.

Also: Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered five hundred and fifty *a*, relating to the furnishing of water for family use.

Also: Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond municipal water district.

Also: Senate Joint Resolution No. 15—Relative to U. S. Senate Amendment No. 68 to House of Representatives Bill No. 26680, providing for the re-establishment of the fourth revenue collection district of the State of California.

And report that the same have been correctly engrossed.

GRANT, Chairman.

MOTION.

Senator Shanahan moved that Senate Bill No. 477 be taken up for consideration out of order.

Motion carried.

Senate Bill No. 477—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy *a*.

Read third time.

On motion of Senator Shanahan, Senate Bill No. 477 was passed on file, to retain its place.

[illegible]

The following reports of standing committees were received and read:

[illegible]

Mr. Chairman: Your committee on Revision and Printing to whom was referred Senate Bill No. 1013 entitled "An act [illegible]" have had the same under consideration and report back the same with the recommendation that it do pass.

[illegible]

[illegible]

We favor the adoption of the committee amendment to Senate Joint Resolution No. 18, and do not favor the adoption of the resolution.

[illegible]

[illegible]

Senator Hewitt presented the following petitions:

Los Angeles, January 28, 1913.

Hon. A. J. Wallace, President of the Senate of the State of California, Sacramento and Lieutenant of the State of California, Sacramento, Gentlemen:

At a meeting of the city council of the city of Los Angeles held January 28, 1913, the following resolution was adopted:

Whereas, The present system of securing water based upon the assessed valuation of the land exclusive of the improvements by an expensive application of the law does not give fair treatment to citizens independent of being unnecessarily burdened with taxes to promote settlement upon their holdings thereby the municipality loses its revenues most just and necessary without affording any compensating benefits; and

Whereas, The unsatisfactory decision in drafting bonds which issued to the advantage of citizens of low incomes, preventing the undertaking or completion of the law; and

Whereas, It is necessary in the interests of the general good that the water rates for users of the land such law must cease operating for the accomplishment of a just taxing plan ensuring for the public credit of the city; and so it further

Resolved, That a copy of this resolution be sent to the Governor of the State, the State Senate and Assembly, and to all the representatives from Los Angeles in the State Senate and Assembly.

Respectfully,

CHAS. L. WILLIS, City Clerk.

Los Angeles, January 28, 1913.

Hon. A. J. Wallace, President of the Senate of the State of California, Sacramento and Lieutenant of the State of California, Sacramento, Gentlemen:

At a meeting of the city council of the city of Los Angeles held January 28, 1913, the following resolution was adopted:

Whereas, The city of Venice, a part of the same urban community and contiguous to the city of Los Angeles, has consistently for almost seventeen years conducted a public municipal pleasure resort by allowing the operation of [illegible] there and permitting gate tolls; and

Whereas, It is possible to maintain these attractions "Venice Ocean" on the coast shore of Los Angeles as they have been, or may be added to, notwithstanding a part of the shore ceases; and

Whereas, Such communities are likely to become annual [illegible] resorts therefore to the benefit that the revenue of [illegible] upon the [illegible] interest of the larger municipality by permanent [illegible] [illegible] which are maintained by that larger municipality, and which are necessary to a complete [illegible] and

Whereas, The maintenance of such amusement and recreational [illegible] tends to publicity and pleasure to a population for many long hours of [illegible] and [illegible]

regulations of the larger city relative to liquor traffic, prize fighting and the maintenance of disorderly establishments; now, therefore, be it

Resolved, That the city of Los Angeles prays relief from this situation by appeal to the State Legislature to adopt such laws as will compel cities of the sixth class located within a radius of two miles of any city operating under a freeholder's charter to conform to the police regulations and ordinances of said larger charter cities relative to the sale and distribution of spirituous, malt, vinous, and other intoxicating liquors, to prize-fighting, conduct or maintenance of houses of prostitution or ill-fame and other matters pertaining to the immorality and disorderly conduct in such communities; and

Resolved, That an appeal is hereby made to the county grand jury and the board of supervisors of Los Angeles County to investigate conditions existing in said city of Vernon during the past year, and take whatever action may be in their power to abate the nuisance above referred to; and

Resolved, That a copy of this resolution be sent to the Governor of the State, the State Senate and Assembly, and to all the representatives from Los Angeles in the State Senate and Assembly, to the county grand jury and to the board of supervisors of Los Angeles County.

Respectfully,

CHAS. L. WILDE, City Clerk.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Cartwright: Senate Bill No. 1121—An Act to amend section sixteen of an Act known as "The Building and Loan Commission Act," chapter three hundred and fifty-four Laws of 1911, approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read first time, and referred to Committee on Banking.

By Senator Regan: Senate Bill No. 1122—An Act making an appropriation to be expended by the State Mining Bureau for the purpose of investigating and examining any probable fake or wildcat mining organization affecting mining properties within the State of California, and directing the State Mineralogist to bring suspicious cases of this character to the attention of the Attorney General.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Senate Bill No. 1123—An Act to amend section fourteen hundred and seventy-five of the Code of Civil Procedure of the State of California, relating to the setting apart of a homestead when selected before death of decedent.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sanford: Senate Bill No. 1124—An Act to amend section four thousand two hundred and fifty-three of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Strobridge: Senate Bill No. 1125—An Act to amend sections three hundred and two and three hundred and three of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

Bill read first time, and referred to Committee on Public Morals.

By Senator Kuchel: Senate Bill No. 1127—An Act to amend section four thousand two hundred and seventy-four of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, experts and employees of the county officers of counties of the forty-fifth class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, experts and employees of such counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1128—An Act to amend section four thousand two hundred and sixty-six of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, experts and employees of the county officers of counties of the thirty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, experts and employees of such counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1129—An Act to amend section four thousand two hundred and sixty-six of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, experts and employees of the county officers of counties of the thirty-fourth class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, experts and employees of such counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1130—An Act to amend section four thousand two hundred and eighty-six of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, experts and employees of the county officers of counties of the fifty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, experts and employees of such counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1131—An Act to amend section four thousand two hundred and eighty-six of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, experts and employees of the county officers of counties of the fifty-third class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, experts and employees of such counties.

Bill read first time, and referred to Committee on County Government.

By Senator Anderson: Senate Bill No. 1132—An Act to provide for an irrigation commission and for the organization, and supervision thereby of irrigation districts, for the organization and government of such irrigation districts, for the legislation of irrigation districts of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution

thereof, and providing for the issuance of bonds and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

Bill read first time, and referred to Committee on Irrigation.

By Senator Brown: Senate Bill No. 1133—An Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent acts, approved March 8, 1909," approved April 5, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1134—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Gates: Senate Bill No. 1135—An Act to amend section eight hundred fifty of the Code of Civil Procedure of California, relating to notice of trial or hearing thereof in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1136—An Act to amend section eight hundred fifty-two of the Code of Civil Procedure of California, relating to pleadings in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1137—An Act to repeal sections eight hundred fifty-four, eight hundred fifty-seven, eight hundred fifty-eight, eight hundred sixty, eight hundred seventy-two and eight hundred seventy-nine of the Code of Civil Procedure of California, all relating to demurrers and proceedings thereon in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1138—An Act to amend the Code of Civil Procedure of California by adding a new section thereto to be numbered section eight hundred fifty-four *a*, relating to demurrers in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1139—An Act to amend section eight hundred fifty-five of the Code of Civil Procedure of California, relating to what the answer in justices' courts shall contain.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1140—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered eight hundred fifty-five *a*, relating to the pleading of defenses in actions in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1141—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered eight hundred fifty-seven a, relating to denial of pleadings and amendments to pleadings in justice' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1142—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered eight hundred fifty-eight, relative to notice to appear in actions in justice' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1143—An Act to amend section eight hundred fifty-nine of the Code of Civil Procedure of California, relating to amendment of pleadings in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1144—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered eight hundred fifty-nine a, relating to relief from default taken against parties in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1145—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered eight hundred sixty-a, relating to time to move to vacate or plead.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1146—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered eight hundred seventy-a, relating to appeals in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1147—An Act to amend section eight hundred seventy-three of the Code of Civil Procedure of California, relating to judgments when defendant fails to appear in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1148—An Act to amend section eight hundred seventy-four of the Code of Civil Procedure of California, relating to the time when trial must be commenced in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1149—An Act to repeal section eight hundred eighty-seven of the Code of Civil Procedure of California, relative to instruments in the nature of bonds executed upon appeal from justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1150—An Act to amend section eight hundred twenty-six of the Code of Civil Procedure of California, relating to entry of judgment of dismissal without prejudice in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1151—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered nine hundred seventy-seven a, relating to notice of motion.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1152—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered nine hundred twenty-seven a, relating certain actions of said Code

applicable to justices' courts and relating to time to be given of motion by notice; when and how notices and papers shall be served and notices after appearance, all in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1153—An Act to amend section ninety-nine of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having a population between two hundred fifty thousand and four hundred thousand.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1154—An Act to amend Section one hundred of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between two hundred fifty thousand and four hundred thousand.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1155—An Act to amend section one hundred one of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between two hundred fifty thousand and four hundred thousand.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1156—An Act to amend section one hundred two of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having a population between two hundred fifty thousand and four hundred thousand.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1157—An Act to amend section one hundred two of the Code of Civil Procedure of California, relating to salary of justices' clerks, assistant justices' clerks and deputy justices' clerks in townships having a population between two hundred fifty thousand and four hundred thousand.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1158—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursements from said fund; and making an appropriation to carry out the purpose of this Act.

Bill read first time, and referred to Committee on Public Morals.

Also (by request): Senate Bill No. 1159—An Act to amend the Political Code of the State of California by adding thereto a new section to be numbered two thousand one hundred and sixty-seven *b*, relating to and establishing a lunacy court, to have general jurisdiction over the arrest, the examination and parole of persons charged with being insane in counties and cities and counties of over two hundred thousand population and providing for a judge of said court and fixing the salary of said judge and providing for a clerk of said court and fixing the salary of said clerk and providing for a phonographic

reporter of said court and fixing the compensation of said pro tempore reporter.

Bill read first time and referred to Committee on Judiciary.

Also (by request), Senate Bill No. 1102—A bill to provide relief to sheriffs, coroners and other officers in regard to the sale thereof and to provide penalties for the violation thereof.

Bill read first time and referred to Committee on Judiciary.

By Senator Hare, Senate Bill No. 1103—An Act to amend section eighteen hundred seventy-four of the Political Code and to repeal section eighteen hundred seventy-four a of the Political Code, relating to school textbooks and to provide for furnishing textbooks gratuitously to the elementary and secondary schools.

Bill read first time and referred to Committee on Education.

Also, Senate Bill No. 1104—An Act to amend section [illegible] of the Political Code, relating to teachers' salaries and fixing a minimum amount to be paid.

Bill read first time and referred to Committee on Education.

Also, Senate Bill No. 1105—An Act to amend section [illegible] of an Act entitled "An Act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to said registration and fixing penalties for the violation of this Act" approved March 16, 1905.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also, Senate Bill No. 1106—An Act to amend section three hundred and eighty-two of the Political Code of the State of California, relating to the enforcement of provisions governing the registration of births and marriages.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Curtis, Senate Bill No. 1107—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered three hundred twenty-five, providing for the issuance of patents to swamp and overflowed lands, where the original patent has been lost or destroyed, and out of record in the county where the land is situated.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Hewitt, Senate Bill No. 1108—An Act to amend section [illegible] of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Bill read first time and referred to Committee on Banking.

Also, Senate Constitutional Amendment No. 38—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as section [illegible] of said Article XIII, relating to the exemption from taxation of buildings and lands

used for institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children.

Constitutional amendment referred to Committee on Revenue and Taxation.

By Senator Avey: Senate Bill No. 1167—An Act to amend the Political Code of the State of California by adding a new section thereto, to be number twenty-six hundred and forty-eight, relating to county government.

Bill read first time, and referred to Committee on County Government.

By Senator Grant: Senate Bill No. 1168—An Act to amend an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gerdes: Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1170—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section four hundred and twenty-six *a*, relating to the complaint in actions for divorce.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor, approved March 25, 1903, as amended by Act approved May 1, 1911.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1173—An Act to amend section four thousand two hundred and ninety of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

Bill read first time, and referred to Committee on County Government.

By Senator Flint: Senate Bill No. 1174—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred and twenty-six *q*, relating to the feeding or baiting of wild ducks or other wild birds.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1176—An Act to amend section [illegible] and twenty-eight [illegible] of the Penal Code, relating to the protection of [illegible].

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 1179—An Act to add a new section to the Penal Code of the State of California, to be numbered section one hundred and [illegible]-six and one half, to prevent the use of [illegible] and [illegible] and providing for penalty therefor.

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 1177—An Act to amend section six hundred and [illegible] of the Penal Code, relating to unlawful nets and lines.

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 1178—An Act to provide the Code of Civil Procedure of the State of California, by adding thereto a new section, to be numbered one thousand six hundred and ninety; providing for the granting of letters of administration upon the estates of persons presumed to be dead by reason of absence from the State for seven years, and for the administration of the estates of such absentees.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1175—An Act to amend the Civil Code of the State of California, by adding three new sections thereto, to be numbered three thousand four hundred seventy-four, three thousand four hundred seventy-five and three thousand four hundred seventy-six, regarding all assignments of wages to be earned in the future, to be recorded in the county in which such wages are to be earned, and prescribing the effect thereof and the fees therefor, and requiring all assignments of wages to be earned in the future when the assignor thereof is a man or woman to be signed by the wife or husband of the assignor.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1180—An Act to amend section five hundred and thirty-eight of the Code of Civil Procedure of the State of California, relating to attachments in civil actions, and providing what the affidavit for attachment shall contain.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1181—An Act to amend section seven hundred thirty-seven of the Political Code, relating to the salary of superior judges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1182—An Act providing that no tract of land sold by the State prior to March 28, 1909, of not less than [illegible] at least [illegible] to satisfaction of the Court to be [illegible] proposed sale, south and three-fifths acres, and [illegible] to the State by reason of previous application under Act of Congress, or the failure of [illegible] of such land from any cause, the Surveyor General shall, on application of the purchaser, [illegible] when [illegible] and [illegible] and [illegible] and

hundred and twenty nine of the Political Code in regard to the size of election precincts.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1184—An act to amend section three thousand six hundred seventy eight of the Political Code of the State of California, relating to daily abstracts of all papers and documents filed with county recorders for record and the sale of copies of such daily abstracts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1185—An Act to amend section forty-one hundred and thirty one of the Political Code of the State of California, relating to the duties of county recorders.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1186—An act to amend section four thousand and seventy five and section four thousand and seventy-six of the Political Code, relating to the presentation and form of claims against counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1187—An Act to amend section three thousand four hundred and eighty eight of the Political Code of the State of California, relating to excluding all swamp and overflowed salt marsh and tide lands within one mile of the state prison at San Quentin, within the city and county of San Francisco, city of Oakland, or within five miles of the corporate limits of either, and tide lands within two miles of any other incorporated cities or towns, from the operation of chapter one title VIII, of the Political Code, and also as to the application of the provisions of sections three thousand four hundred and forty six, three thousand four hundred and forty seven, three thousand four hundred and forty nine three thousand four hundred and fifty, three thousand four hundred and fifty two, three thousand four hundred and fifty three, three thousand four hundred and fifty four, three thousand four hundred and fifty five, three thousand four hundred and fifty six, three thousand four hundred and fifty seven, three thousand four hundred and fifty nine, three thousand four hundred and sixty, three thousand four hundred and sixty one, three thousand four hundred and sixty two three thousand four hundred and sixty three, three thousand four hundred and sixty five three thousand four hundred and sixty six, three thousand four hundred and sixty seven, three thousand four hundred and sixty eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, three thousand four hundred and seventy-three of such chapter of the Political Code to any lands situated within the limits of any municipality in the State of California of the first class, and tide lands within two miles of any other incorporated cities or towns which land is subject to overflow or incursions from the tide or inland waters of the State in any manner and also providing for the formation of reclamation districts as in said sections provided and the reclamation of said lands thereunder and also providing for the performance by the officers of such municipality of the duties provided for certain county officers in said sections, and also providing that the trustees or the owners indicated in section three thousand four hundred and

sewer, flow of the Political Code shall have power to be and without and conduct the operation of ordinances in all respects and in such manners therefor.

Bill read first time and referred to Committee on Drainage, Levees and Overflowed Lands.

Also: Senate Bill No. 1193—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the validation of irregularly executed patents heretofore issued for swamp and overflowed lands.

Bill read first time, and referred to Committee on Drainage, Levees and Overflowed Lands.

Also: Senate Bill No. 1194—An Act to define and regulate land and mortgage companies.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1195—An Act to amend section six hundred and twenty-one of the Penal Code of the State of California, relating to the preservation and protection of wild game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Dennison: Senate Bill No. 1196—An Act authorizing the sum of five thousand dollars for the purpose of inducing and securing two thousand of Native Birds from the foreign countries the same as Mayor of the northern to the states spending the same over the city of Oroville.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1197—An Act appropriating money to pay for the expense of improving Front street in the city of Chico, fronting the property belonging to the state normal school in that city.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1198—An Act to amend section four hundred and sixty-four of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

Bill read first time, and referred to Committee on County Government.

Also (by request): Senate Bill No. 1199—An Act creating a territory desired to be known as Reclamation District No. 10, prescribing its boundaries and providing for the improvement and control thereof, dissolving Protective District No. 10 of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of actions and other assets or indebtedness of said protective district.

Bill read first time, and referred to Committee on Drainage, Levees and Overflowed Lands.

By Senator Caminetti: Senate Bill No. 1200—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending section ten thereof.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1201—An Act to amend section sixteen, para-

graph seven thereof of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections, placing it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions, and providing penalties for such offenses."

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 1197—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act, which section shall be numbered six g, relating to the issuance of certificates entitling the owners thereof to practice medicine and surgery within the State of California, without the passing of an examination, but upon certain conditions in said section expressed.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1198—An Act to make an appropriation for maintenance of the Alpine state highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Finn: Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1200—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1201—An Act to add a new section to the Penal Code to be known as section twelve hundred two c, relating to "indeterminate sentences."

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1202—An Act to repeal section six hundred

sale case of the Penal Code of the State of California, setting the second term of imprisonment, when in existence.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1205—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the employment of women by persons confined in any state prison or reformatory of this State, and further authorizing said State Board of Prison Directors to put such rules in operation of such rules and regulations, and making an appropriation for the purpose of carrying out the provisions of this Act.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1204—An Act to amend section six hundred thirty-seven A of the Penal Code of the State of California, relating to impaired fish and game.

Bill read first time and referred to Committee on Fish and Game.

By Senator Tyrrell: Senate Bill No. 1206—An Act to permit certain thirty-five hundred ninety-four of the Political Code of the State of California, relating to the sale of school lands, and to amend section thirty-five hundred and fifteen of said Political Code, relating to contracts for right to purchase state lands.

Bill read first time, and referred to Committee on Education.

By Senator Campbell: Senate Bill No. 1207—An Act appropriating money for the purpose of preservation, permanent and improvement of the old Chapter building and grounds at Monterey.

Bill read first time, and referred to Committee on Finance.

By Senator Bryant: Senate Bill No. 1208—An Act to create and abandon a portion of Channel street in the city and county of San Francisco and utilize the same for industrial purposes.

Bill read first time and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1209—An Act to add a new section to the Penal Code to be numbered section four hundred twenty-six, making it a misdemeanor to sell or offer for sale any ticket or tickets to a theater or other place of amusement for more than the original price thereof.

Bill read first time and referred to Committee on Judiciary.

By Senator Cogswell: Senate Bill No. 1210—An Act amending section two of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 12, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries to open the swamp lands adjacent to said river, providing the State Engineer to prepare that said lands swamp and situations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a redemption board and defining its powers," approved December 24, 1911, by adding a provision thereto, to read:

to the approval of plans, where the same are not inconsistent with the plans of the California Débris Commission.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1210—An Act to amend section twelve hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the estates subject to public use in eminent domain proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cogswell: Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1212—An Act to amend section two hundred forty-five of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1213—An Act to amend section two hundred sixty-eight of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 1214—An Act to repeal an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1215—An Act to amend section one hundred twenty-five of the Political Code, relating to the division of the State into equalization districts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the constitution by amending section nine of article thirteen, relating to the State Board of Equalization and to the assessment of taxable property in the State, and creating the office of commissioner of revenue and taxation and defining his power and duties.

Constitutional amendment referred to Committee on Revenue and Taxation.

By Senator Juilliard: Senate Bill No. 1216—An Act to amend section forty-two hundred thirty-nine of the Political Code of the State of California, relating to officers and salaries, fees and compensation thereof, in counties of the tenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Cassidy: Senate Bill No. 1217—An Act to provide greater safety to life and property from loss by fire and explosions and pre-

seeking means for the attainment of that end and punishment for the violation of its provisions.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Rose: Senate Bill No. 1158—An Act to amend an Act entitled "An Act approving the report of the California Inland Commission transmitted to the Senate of the State of California by the Secretary of State on June 27, 1911, directing the approval of plans of reclamation along the meandering lines or by boundaries upon the swamp lands adjacent to said lines, directing the State Engineer to prepare data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Inland Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 23, 1911, and creating a drainage district to be known as Sacramento drainage district, providing for the management and control of said district and the making of improvements and issuing of bonds therefor, also defining the powers of certain boundaries, levees, drainage and protection districts, and making an appropriation to pay the expenses of the State Engineer and making said bonds receivable as investments of or security for public money and trust funds and for bonds.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Carr: Senate Bill No. 1159—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to issue bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and the exercising of their operations and providing for the proper management and government of such districts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1160—An Act to provide municipal corporations and counties in which certain property and the persons residing of same to be public property, and to validate the acts, deeds and proceedings of such municipal boards.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1161—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places fronting the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the maintenance of sewers, sewer and sewerage systems and to assessing (lessening)," approved April 23, 1911, by adding a new section thereto, to be numbered thirty-six, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Shoemaker: Senate Bill No. 1221—An Act to amend section forty-two hundred and fifty-seven of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Hans (by request): Senate Bill No. 1223—An Act to simplify and uniformize court proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1224—An Act to amend section one hundred seventy-seven of the Code of Civil Procedure so as to give the judge power to give his decision according to the evidence, irrespective of technicalities.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benson: Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket-ball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1226—An Act appropriating money for completing the grading of the school grounds and for laying concrete walks at San Jose State Normal School.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1227—An Act appropriating money for repairing the old manual training buildings at San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1228—An Act appropriating money for repairing the old training school building at San Jose Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Anderson: Senate Bill No. 1229—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in the creameries of the State.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1230—An Act to amend section three of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 24, 1893, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1231—An Act to amend section forty-hundred and seventeen of the Political Code of the State of California, relating to consolidation of offices.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 1232—An Act to amend section forty-six hundred fifty-three of the Political Code of the State of California, relat-

...ing to certified copies of assessment rolls to be furnished upon payment and limitations thereon on request.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1209—An Act authorizing assistance by the Railroad Commission to counties and cities in securing lower railroad freight and passenger rates and better transportation facilities and service, and making an appropriation therefor.

Bill read first time and referred to Committee on Transportation.

Also: Senate Bill No. 1210—An Act to amend section [illegible] of the Political Code, relating to the duties of teachers.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1211—An Act to amend section [illegible] of the Political Code, relating to school libraries.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1212—An Act to amend section [illegible] of the Political Code, relating to the admission of pupils from other states to the normal schools of this State.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1213—An Act to repeal an Act entitled "An Act to limit women eligible to educational offices," approved March 11, 1874.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1214—An Act to empower the State Board of Health to restore an account under certain conditions of death and providing the procedure therefor.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1215—An Act providing for the investigation of hookworm among the people of California as to the best means of preventing the spread of hookworm and for investigation of its prevalence and making an appropriation therefor.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1216—An Act to amend section [illegible] of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 6, 1909, amended and approved April 5, 1911.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1217—An Act to amend section [illegible] hundred sixty-six of the Code of Civil Procedure, relative to forcible detainer.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1218—An Act to amend section [illegible] hundred forty-two of the Political Code of the State of California

relating to salaries and fees of officers of counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1243—An Act to amend section fourteen of an Act entitled "An Act for the certification of land titles and the certification of the transfer of real estate," approved March 17, 1897.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1244—An Act to amend section four thousand and thirteen of the Political Code of the State of California, relating to county officers.

Bill read first time, and referred to Committee on County Government.

Also: Senate Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending article fourteen thereof, relating to water and water rights.

Constitutional amendment referred to Committee on Irrigation.

By Senator Owens: Senate Bill No. 1245—An Act to amend section six hundred fifty of the Penal Code, relating to the sending of threatening letters.

Bill read first time, and referred to Committee on Judiciary.

By Senator Birdsall: Senate Bill No. 1246—An Act to amend section ten *r* of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to probation officers in counties of the fourth class and their salaries, and to add two new sections thereto, to be known as sections ten *p* and ten *q*.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1247—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor."

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1248—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit Station.

Bill read first time, and referred to Committee on Roads and Highways.

Also, Senate Bill No. 1337—An Act to make an appropriation for maintenance of the state road from Yreka Junction to Hilt [illegible].

Bill read first time, and referred to Committee on Roads and Highways.

Also, Senate Bill No. 1338—An Act to make an appropriation for the maintenance of the Lake Tahoe road.

Bill read first time, and referred to Committee on Roads and Highways.

Also, Senate Bill No. 1339—An Act making an appropriation for the maintenance of the Redwood Lake state road.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Estee: Senate Bill No. 1340—An Act to appropriate nine hundred and sixty-four dollars and eighty-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in time of insurrection, invasion, tumult, riot or breaking [illegible] thereof," approved June 11, 1901, and [illegible] for services rendered at Camp Park [illegible] in September, 1912.

Bill read first time, and referred to Committee on Finance.

By Senator Wyllie: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to article IV [illegible] sections to be numbered section twenty and section twenty-one, relating to [illegible] sessions.

Constitutional amendment referred to Committee on Finance and Retrenchment.

By Senator Owens: Senate Bill No. 1341—An Act declaring [illegible] persons, firms or corporations operating [illegible] lines for the transportation of [illegible] or petroleum for hire or otherwise to the common carriers regulating such common carriers and the transportation thereof, [illegible] and providing for the punishment and prescribing penalties for the violation of this Act.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 1342—An Act to permit changes touching on the time of the commencement session of the Legislature of California of 1911, [illegible] November 28, 1911, known as the Public Utilities Act, by amending sections [illegible] thereof, relating to [illegible] sessions, and fifty-nine thereof.

Bill read first time, and referred to Committee on Corporations.

By Senator Caminetti: Senate Joint Resolution No. 28—Relative to aid from the Government of the United States for industrial education and the inauguration and establishment of a national university and department of education.

UNANIMOUS CONSENT ASKED

Senator Caminetti asked, and was granted, unanimous consent that the rules be suspended and that Senate Joint Resolution No. 28 be placed on the adjournment calendar, and that it be taken up for consideration without being printed.

SENATE JOINT RESOLUTION No. 20

WHEREAS, The perpetuity of our form of government depends on the intelligence of a free and independent electorate and the ability of the people to meet the obligations of good citizenship in every sphere of human endeavor; and

WHEREAS, The people of the several states [illegible] have established and maintained at great cost public school systems including [illegible] and technical schools and universities, for the education and training of the young of the respective; and

WHEREAS, The preservation of such free institutions [illegible] have been largely due to the education and training [illegible]; and

WHEREAS, There exists throughout the land a growing demand for more instruction in branches that will prepare pupils for industrial pursuits; and

WHEREAS, As results of education [illegible] are [illegible] benefits conferred upon all by an educated citizenship [illegible] expense [illegible] achievement should be proportionately shared by the nation and the several states; and

WHEREAS, The national government should directly aid by a per capita appropriation to such grammar, secondary and [illegible] instruction in industrial branches prescribed by Congress and by inaugurating and endowing at Washington, District of Columbia, a national university, to crown the educational system of the United; and

WHEREAS, The time is at hand in our history when the cause of education should be advanced to a paramount position in the Constitution of the United States by the creation of a department of education and the appointment of a secretary thereof with a seat in the cabinet; therefore, be it

Resolved by the Senate and the Assembly jointly, That our Senators in Congress be instructed and our Representatives in Congress requested to use all [illegible] means to secure the aid set forth in the foregoing preamble and also the [illegible] and establishment of a national university and department of education at Washington, District of Columbia; be it further

Resolved, That the Governor be and he is hereby directed to transmit a certified copy of these resolutions to the President of the United States, the President and Speaker respectively of the Senate and House of Representatives of the United States, the Commissioner of Education and to each of our Senators and Representatives in Congress; be it further

Resolved, That the Governor be and he is hereby further directed to transmit a like copy to the Governor and Superintendent of Public Instruction respectively of each state and also to the presiding officers of the respective houses of the Legislature of each state.

The question being on the adoption of the resolution,

The roll was called, and Senate Joint Resolution No. 20 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Chigswell, Curtin, Flint, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Mott, Owens, Rush, Sanford, Strobridge, Thompson and Tyrrell—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE OUT OF ORDER.

The following report of standing committee was received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. PRESIDENT: Your Committee on Agriculture to whom was referred Senate Bill No. 247—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 370—An Act providing for the support, maintenance and equipment of the department of agriculture of the University of California, including

Senate Bills Nos. 210 and 298 ordered on the Inactive File.

Senate Bill No. 176 ordered transferred to Committee on Finance.

Senate Bill No. 366 ordered re-referred to Committee on Municipal Corporations.

The following bills were introduced:

By Senator Mott: Senate Bill No. 1220—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 31, 1905, or acts amendatory thereof, and providing for the payment of such bonds by levying and collecting assessments pursuant to the Federal Code.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gerdes: Senate Bill No. 1221—An Act to provide for carriage of coal, and to provide for inspection weights on the delivery of coal, providing penalty.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEES—OUT OF ORDER.

The following report of standing committee was received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whose was referred Senate Bill No. [illegible] An Act [illegible] for girls, to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Senate Bill No. 157—An act to establish an industrial reformatory for women, and making [illegible]

Also: Senate Bill No. 222—Appropriating money for building and equipping a hospital for girls at Whittier State School.

Also: Senate Bill No. 223—Appropriating money for building, equipping and furnishing cottages at Whittier State School.

Also: Senate Bill No. 224—An Act appropriating money for constructing and equipping an industrial building or buildings at Whittier State School.

Also: Senate Bill No. 225—An Act appropriating money for general repairs, equipments and improvements at Whittier State School.

Also: Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Also: Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

Also: Senate Bill No. 483—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Also: Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Also: Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipment of the same at Folsom State Prison.

Also: Senate Bill No. 486—An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass, and be re-referred to Committee on Finance.

FINN, Chairman.

Senate Bills Nos. 46, 157, 222, 223, 224, 225, 480, 481, 482, 483, 484, 485 and 486 ordered re-referred to Committee on Finance.

MOTION.

Senator Campbell moved that Senate Bill No. 78 be recalled from Committee on Judiciary and be re-referred to Committee on Banking.

Motion carried.

Senate Bill No. 78 ordered re-referred to Committee on Banking.

CONSIDERATION OF DAILY FILE.

SENATE JOINT RESOLUTION NO. 13.

Relative to approving the course of Senator Works in Congress in recommending the passage of the Senate joint resolution extending the presidential term to six years and limiting the President to one single term.

WHEREAS, The Hon. John D. Works, United States Senator from California, has proven himself to be a true leader of men, possessing the courage of his convictions and thus showing that he is a true and true progressive who refused to be "driven" into espousing a cause he believed to be wrong; and

WHEREAS, Senator Works has so ably defended the Senate joint resolution extending the presidential term to six years and limiting a President to one single term, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we approve the highly independent and patriotic course pursued in Congress by Senator Works, and recommend the passage of the resolution referred to above.

During the reading of the resolution, the following amendments were offered by the committee:

[illegible]

[illegible]

[illegible]

POINT OF ORDER.

Senator Gates raised the point of order that Senator Caminetti was violating the decorum of debate, in that he was not confining himself to the question before the Senate, but was discussing the main question.

Senator Caminetti requested the Chair to permit him a hearing on the point of order.

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order well taken.

Senator Caminetti insisted that he was entitled to the floor.

The President ordered Senator Caminetti to take his seat.

Senator Caminetti refused to obey the order of the President

Senator Wright moved that the Senate adjourn.

DEMAND FOR AYES AND NOES.

The ayes and noes were demanded on Senator Wright's motion by Senators Wright, Shanahan and Owens.

SENATOR CAMINETTI ORDERED INTO CUSTODY.

The President ordered the Sergeant at Arms to take Senator Caminetti into custody for defiance of the authority of the Senate.

Senator Caminetti was removed from the floor of the Senate.

MOTION WITHDRAWN.

Senator Wright withdrew his motion to adjourn.

CALL OF THE SENATE ORDERED.

Senator Sanford moved a call of the Senate.

The roll was called, and the motion lost by the following vote:

AYES—Senators Campbell, Cartwright, Curtis, Grant, Juilliard, Owens, Sanford, Shanahan, and Wright—9.

NOES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Larkins, Leon, Mott, Rees, Rush, Stadtmüller, Thompson, and Tyrrell—28.

SENATOR CAMINETTI RELEASED.

The President ordered the Sergeant at Arms to release Senator Caminetti from custody.

Senator Caminetti resumed his seat in the Senate.

CONSIDERATION OF APPEAL FROM DECISION OF CHAIR.

Senator Sanford addressed the Senate.

POINT OF ORDER.

Senator Gates raised the point of order that Senator Sanford was violating the decorum of debate, in that he was not confining himself to the question before the Senate, but was discussing the main question.

QUESTION OF PERSONAL PRIVILEGE.

Senator Juilliard addressed the Senate on a question of personal privilege.

[illegible]

The question being, "Shall the Journal of the last session be [illegible]?"

The roll was called and the Journal of the date mentioned by the following vote:

[illegible]

[illegible]

Senator Wright explained his vote as follows:

Mr. President: I desire to explain my vote. I voted aye on the motion to [illegible] as was the intent I did not intend by the adoption of the Journal as [illegible] that the Journal is in the form as it [illegible] I voted aye as a mere matter of [illegible] the Journal is correct.

I [illegible] that my colleague [illegible] had the same understanding [illegible] and I do not consider the Journal [illegible] I do not [illegible] a roll call [illegible] Respectfully [illegible] explanation for a colleague would be [illegible] [illegible] and the [illegible] of any other explanation of the [illegible] and [illegible] and [illegible] [illegible] the roll call under the rules of [illegible] [illegible]

LEROY A. WRIGHT.

Senator Larkin explained that with the consent of Senator Gates he did lay on the table the further consideration of Senate Joint Resolution No. 11 and on the appeal from the decision of the Chair thereon as follows:

[illegible]

Senator Jones explained his vote as follows:

Mr. President: I desire to explain my vote. I voted aye on the motion to [illegible] as was the intent I did not intend by the adoption of the Journal as [illegible] that the Journal is in the form as it [illegible] I voted aye as a mere matter of [illegible] the Journal is correct.

I [illegible] that my colleague [illegible] had the same understanding [illegible] and I do not consider the Journal [illegible] I do not [illegible] a roll call [illegible] Respectfully [illegible] explanation for a colleague would be [illegible] [illegible] and the [illegible] of any other explanation of the [illegible] and [illegible] and [illegible] [illegible] the roll call under the rules of [illegible] [illegible]

WILL P. JONES.

Senator Grant explained his vote as follows:

Mr. President: I would like to explain the decision of the Chair in the ruling [illegible] I do not believe that there should be any exception taken. The ruling [illegible] was that [illegible] of the Journal [illegible] If any roll call should be [illegible] the presiding officer and [illegible] [illegible] [illegible] the [illegible]

ROBERT M. GRANT.

Senator Campbell explained his vote as follows:

I voted "aye" on the motion made by the decision of the Chair for the purpose [illegible]

I believe that ordinarily the Chair was correct in the ruling that I [illegible] from the statement of said Senator [illegible] [illegible] [illegible]

may do great harm if invoked in the future when some matter of great public interest might be before this body. I was also influenced in my vote against the Chair because of the unfair ruling of the Chair in refusing to recognize Senator Wright when he was clearly entitled to the floor. Senator Wright, as every Senator knows, and as I believe the Chair well knows, was first on the floor and first spoke to the President, but the Chair refused to recognize him (even though he was a member of the Committee on Federal Relations that had reported the resolution out of that committee to this body), and recognized another Senator who arose afterwards and who was clearly not entitled to recognition by the Chair. This arbitrary action on the part of the Chair impressed me as being a pre-arranged affair with the Chair and I considered it absolutely unfair and unjust and a violation of the rights of every Senator upon this floor. It has established a dangerous precedent of arbitrary rule by the Chair, sustained by the majority, in a body where, as one of the minority, I recognize no Senator as having superior rights on the floor over any other Senator.

A. E. CAMPBELL.

Senator Juilliard explained his vote as follows:

I voted not to sustain the President in his action or ruling that Senate Joint Resolution No. 13, continued to this day and regularly on the file for final passage, was subject to a motion to lay the same on the table. If it was the purpose of the motion to prevent and stifle debate, and it was so stated that such was the purpose—then the proper motion was a motion for the previous question.

The motion to lay on the table is not debatable nor subject to amendment, it is used to temporarily postpone the subject-matter and is sometimes used, and now so generally accepted, for the purpose of arbitrarily and finally disposing of the subject-matter.

If the desire was to postpone action on the resolution, then the usual and proper motion was to postpone. But the harsh motion or course was pursued, contrary to the intent of the Constitution and contrary to the usual course and practice. I therefore believe that such motion was and is out of order, for the proper remedy is open and plain. I also disagree with the order or ruling whereby a member of this body was removed from the Senate Chamber, during the debate and consideration of this matter.

In my judgment, the motion to lay on the table is entirely irregular and out of order. To hold that the same is in order is too dangerous a procedure and precedent to follow and establish.

L. W. JUILLIARD.

Senator Sanford explained his vote as follows:

I appealed from the decision of the Chair because a "gentleman's agreement" was entered into on Thursday to send Senate Joint Resolution No. 13 back to committee for amendment, that amendments be made and the whole subject-matter be taken up Friday for a free and open discussion. This agreement was violated by the majority. The ruling of the Chair would establish "gag" rule and thus stifle debate. If the Chair makes a ruling that will prevent the free discussion of any matter, the Senate has a right to reject that ruling and make one itself that would expedite business and permit of free discussion. The Senate is presumed to be a deliberative body and every matter that comes before it should receive the thoughtful and careful consideration of every member. When the Chair makes a ruling that stifles free speech, it is the duty of the Senate to reverse that ruling and make a proper one. I voted to reverse the Chair for that reason.

J. B. SANFORD.

Senator Campbell explained his vote as follows:

In explanation of my attitude during the consideration of the so-called Sanford Works joint resolution, I will state that when I was called upon to discuss the resolution upon its first consideration in the Senate, I stated candidly that I was not particularly interested in the subject-matter thereof, nor did I consider some of the language therein appropriate to be used as an instrument tool as the Congress of the United States. But in view of the efforts of the then floor leader to stop debate, I did feel an interest in not establishing a precedent for future action in this body.

During many years of experience in both houses of the Legislature of this State, I did not feel that such a precedent should be initiated and I desired to resist its introduction at the time. I did not then think, nor do I now think, it right that in a government like ours any political party or its representatives should gloss debate in a fair field on any question that may be presented for consideration.

On the first day of the consideration of said resolution, the debate was participated in by most of the members and the line of debate of some of the members was interrupted by questions of points of order. In each instance where the point of order was made the member against whom it was made was permitted to reply thereto. On the second day, when an appeal from the decision of the Chair was

tion, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy-a—for the special purpose of investigating as to whether said bill presented a case of urgency under the Constitution, have had the same under consideration, and respectfully report the same back, and that said bill presents a case of urgency within the meaning of the Constitution.

GATES, Chairman

CONSIDERATION OF DAILY FILE

Senate Bill No. 477—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870*a*.

Bill read third time.

Section 2, setting forth the urgency feature of the bill, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the section passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Main, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 477 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Main, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 14—relative to the free passage through the Panama canal of American ships engaged in the coastwise commerce of the United States and opposing repeal of the Act of Congress providing therefor.

Resolution read on a previous day.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Main, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At three o'clock and fifty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

CONSIDERATION OF DAILY FILE—RESUMED.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was

amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

Senate Bill No. 231 was ordered [illegible] passed on file to remain [illegible] place.

SENATE RESOLUTION NO. [illegible]

Senate Bill No. 155—An Act to amend section five hundred [illegible] of the Political Code relating to the duties of the Superintendent of State Printing.

During the second reading of the bill, the following amendment was offered by the committee:

Amendment adopted.

Bill read second time and ordered to print engrossed and third reading.

Senate Bill No. 201—An Act appropriating the money in the State School Book Fund for the purpose of paying expenses of publishing and distributing [illegible] books free to the school children of the State in accordance with the Constitution.

Bill read second time.

SENATE BILL NO. [illegible] (ACT) AS AMENDED.

The following resolution was offered:

By Senator Avey:

[illegible] Senate Bill No. 201 [illegible] a case of appeal as that term is used in Section 13 of Article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read second time and passed upon the [illegible].

The question being on the adoption of the resolution.

The roll was called, and Section 13 of Article IV of the Constitution suspended by the following vote:

Ayes—Senators Anderson, Avey, Birdsall, Bronson, Canad, Cogswell, Dolan, Gaffney, Gerdes, Gesford, Gray, Hansen, Hatch, Hayes, Hewitt, Jones, Kehr, Lawrence, Mott, Owens, Rams, Roth, Sanborn, Simpson, Thompson, Tyrrell, and Wright—30.

Noes—None.

BILL NO. [illegible].

Senate Bill No. 201—An Act appropriating the money in the State School Book Fund for the purpose of paying expenses of publishing and distributing [illegible] books free to the school children of the State in accordance with the Constitution.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. [illegible] passed by following vote:

Ayes—Senators Anderson, Avey, Birdsall, Bronson, Canad, Cogswell, Dolan, Gaffney, Gerdes, Gesford, Gray, Hansen, Hatch, Hayes, Hewitt, Jones, Kehr, Lawrence, Mott, Owens, Rams, Roth, Sanborn, Simpson, Thompson, Tyrrell, and Wright—30.

Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Terrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and five minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF DAILY FILE—RESUMED.

Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

During the reading of the resolution the following amendment was offered by the committee:

On page 1, line 16 of the printed resolution, strike out the word "instructed" and insert in lieu thereof the word "requested."

Amendment adopted.

Resolution ordered to print.

ASSEMBLY JOINT RESOLUTION No. 10.

Relative to Irish home rule.

WHEREAS, After years of adversity, work and hope, but never of despair, on the part of the Irish nation, the British House of Commons recently passed the Irish Home Rule Bill, thereby recognizing the eternal truth that an intelligent people should be sovereign in governmental affairs which concern themselves; and

WHEREAS, It is meet that on the great occasion of the granting of Irish home rule that the fairest of all free States, California, should extend its hearty congratulations to the Irish people, and in the British House of Commons which granted the same; therefore, be it

Resolved by the Assembly of the State of California and the Senate, conjointly, constituting the Legislature of the State of California, That we hereby extend on behalf of the State, our hearty congratulations to the Irish people on their restored assumption of powers and responsibilities, and to the British nation for the act of frank justice rendered.

Resolved, That the Governor of California be and he is hereby requested to transmit a certified copy of these resolutions to the Hon. John E. Redmond, leader of the Irish party, and to Premier Asquith of the British Parliament.

The question being on the adoption of the resolution.

Senator Curtin addressed the Senate as follows:

MR. PRESIDENT AND FELLOW MEMBERS: Might I ask the indulgence of this body for a short time to give expression to a few words on the subject of this resolution, "Relative to Irish Home Rule?"

My friends, there is no country beneath the sun that has a better right to claim attention of any Legislature in the American Union than has dear old Ireland.

It is not my purpose at this time to occupy your attention with a history of Ireland. That history is undoubtedly familiar to us all. By way of introduction of the two names I shall refer to, I may say, that from early history until about the year 1800 Ireland had self-government, and she was a prosperous and happy land until England's complications with other nations brought about internal dissensions in Ireland—dissensions that rent her in twain—dissensions that separated the North from the South and left Ireland indeed unhappy. While in that deplorable state, her lamentable condition was taken advantage of and her sovereignty destroyed, and her right of self government was terminated about the year 1800 by acts of the British Parliament; and with unremitting energy she has ever since struggled to gain it back, and by this resolution we express our gratification on that her struggles seem soon to be fruitful. About the year 1803, a young man but then twenty-four years of age, wrote a declaration of principles for the future government of Ireland, if the efforts for her future government then being made were successful, and that declaration was called "The Provisional Government for the People of Ireland," and the man who wrote it was the immortal Robert Emmet. That declaration has been frequently referred to as "Emmet's Manifesto."

For that "offense," as it was then called, Emmet was charged with treason and his tragic end is the blackest spot in all England's history. At that time Emmet was

[illegible]

[illegible]

[illegible]

her loneliness during his seclusion was the cause of his return to offer her consolation, her grief over his sad fate rendered her life truly sad. Her parents took her to France and to Italy, and all the crowned heads of Europe offered her consolation; but it was in vain. And why not in vain? No human plummet has ever sounded the depths of a woman's love. No surveyor's chain will ever mark the limits of a woman's patient devotion, and only the wings of the Archangel will ever transcend that pinnacle to which the sublime principle of self-sacrifice exalts a woman's soul. It was because of her noble attributes that the Bard of Ireland immortalized her in his beautiful poem, "She Is Far from the Land."

My friends, in those stirring times around the years 1800 and 1803, there is another name that was brought forth—a name that shines bright on the pages of Ireland's history—a name that is heard on the 17th day of every March in every land in the civilized world, and that name is James Napper Tandy, familiarly called Napper-Tandy. About that period there was formed in the city of Dublin a society called the United Irishmen. It had for its purpose the diffusion of education among all Irish subjects and to raise money and provide the means for restoration to Ireland of her right to self-government. Napper-Tandy was a member of that society. About that time the British Parliament had passed an Act making it a death penalty to float the green flag of Erin or to wear the Irish emblem—the shamrock.

For his part in that society Napper-Tandy was arrested, charged with treason. He was defended by John Philpot Curran, and on May 19, 1800, was acquitted. He was again arrested on a similar charge, and seeing no justice to be had before a corrupt court and a packed jury, he pleaded guilty to the charge and in April, 1801, was sentenced to death; but his sentence was commuted and he was exiled to France, where he died on August 24, 1803.

Fellow Senators, within the phraseology of our national anthem, "The Star-Spangled Banner," abides a sentiment that finds a responsive throb in the heart of every American wherever it is sung. It writes the history of our country as to the year 1812. Out of veneration to the "Stars and Stripes" we rise and do it homage. In Ireland's anthem, "The Wearing of the Green," abides a sentiment that strikes a responsive chord in the heart of every man, woman and child through whose veins flows even one drop of Irish blood. It writes Ireland's history as it was in 1800, and in it is a beautiful tribute to America. It is because of its beautiful sentiments that I shall crave your indulgence while I recite it:

THE WEARING OF THE GREEN

O Paddy, dear, and did you hear the news that's going round?
The shamrock is forbid by law to grow on Irish ground;
St. Patrick's Day no more we'll keep; his colors can't be seen;
For there's a bloody law against the wearing of the green.
I met with Napper-Tandy, and he took me by the hand,
And he said, "How's poor old Ireland, and how does she stand?"
She's the most distressful country that ever yet was seen;
They are hanging men and women for the wearing of the green.

Oh, if the color we must wear is England's cruel red,
Sure Ireland's sons will ne'er forget the blood that they have shed.
You may take the shamrock from your hat and cast it on the sod,
But 'twill take root and flourish there, though under foot 'tis trod,
When law can stop the blades of glass from growing as they grow,
And when the leaves in summer-time their verdure dare not show,
Then I will change the color I wear in my cauheen;
But till that day, please God, I'll stick to wearing of the green.

But if at last our color should be torn from Ireland's heart,
Her sons with shame and sorrow from the dear old isle will part;
I've heard a whisper of a country that lies beyond the sea,
Where rich and poor stand equal in the light of freedom's day.
O Erin, must we leave you, driven by a tyrant's hand?
Must we ask a mother's blessing from a strange and distant land?
Where the cruel cross of England shall nevermore be seen,
And where, please God, we'll live and die still wearing of the green.

Mr. President and fellow-members, who is there in all these United States who would raise a voice against an Irishman floating the green flag or wearing the green in our glorious land of the free? When the war of the revolution was over, and Benjamin Franklin was the first American minister to England, the British minister asked him this question: "Please, Sir Franklin, state the different nationalities in the American army in the war of the revolution." Think of his reply, which is a matter of record today. His answer was, "Sixty-seven per cent Irish, twenty-two per cent other nationalities, and eleven per cent native born." Think of it, my friends, it was sixty-seven per cent Irishmen who raised the American flag in victory at the battle at Lexington and who went down with it in defeat at Bunker Hill. It was

Fellow Senators, at the battle of Fredericksburg John Boyle O'Reilly dedicated a poem in which this verse occurs:

"O God, what a pity," they cry in their cover,
As rifles are reached and bayonets made ready,
"'Tis Meagher and his fellows, their caps have green clover;
'Tis Greek to Greek now for the rest of the night."

Twelve hundred the column, their rent flag before them,
With Meagher at their head, they have dashed at the hill.
Their foemen are proud of the country that bore them;
But, Irish in love, they are enemies still.

Out rings the fierce word: "Let them have it." The rifles
Are emptied point-blank in the hearts of the foe;
It is green against green, but a pin neath smiles
The Irishman's love in the Georgian's blow.

The column has reeled, but it is not defeated.
In front of the guns they reform and attack;
Six times they have done it, and six times retreated:
Twelve hundred they came, and two hundred go back.

Two hundred go back with the chivalrous story;
The wild day is closed in the night's solemn shroud;
A thousand lie dead, but their death was a glory
That calls not for tears—the Green Badges are proud.

Fellow Senators, was it not the son of an Irishman, that intrepid little Phil Sheridan, to whom Grant said with reference to Winchester, "Go in," and post haste didn't he ride that fifteen miles and "go in"? And didn't he lead his division of the Union army to victory at Perrysville and Stone River? Was it not the son of an Irishman, Major General Edward O. Ord, who led his army to victory at Dranesville, Vicksburg, Fort Harrison and Petersburg? Why, sirs, you could call the roll of honor until the last name was recited, and proud none would you place a laurel where it would shine brighter than on those of Irish blood.

When the war was over, in appreciation of his splendid services, President Grant appointed Meagher the first Governor of Montana territory, and while coming down the Missouri River on the night of July 4, 1867, he accidentally fell overboard, and with one splash of waters was body passed from sight and that finished scholar, that brilliant orator, that brave soldier, Thomas Francis Meagher, was no more. Today, in the city of Butte, Montana, stands a heroic statue to his memory.

Now, fellow Senators, if I have occupied too much of your time in these busy moments I trust I may be pardoned. It is to me the proudest privilege in my years of service here. My great-grand-uncle, Commodore John Barry—an Irishman to the core, and for whom I was named, and for whom my only son is named—is the accredited founder of the American navy. He won the first and also the last naval victory in the War of the Revolution, and hence hands erected o'er his grave in Philadelphia a beautiful monument, and the Congress of the United States, without a dissenting vote, appropriated sixty thousand dollars to erect, and did erect, in the grounds of the national capitol at Washington, a heroic statue to the memory of Commodore John Barry. I had another uncle, Andrew Corcoran, who was on a British battleship at Quebec when the call to aid the American Union was in the city of Dublin in 1861, and he responded to that call and was with Admiral Farragut when he cut the cable of locks that suspended sons had stretched across the Mississippi River; and therefore I respond cheerfully to that sentiment:

"No matter where in any land the Irish race are seen
Their one and only thought is on that little isle so green."

To dear old Ireland, I can with much feeling devote time to do her reverence. Although many of you may not be of her faith or descend from her people, yet you can join in a slight way toward expressing good will and a fond hope for her deliverance, and thus show that we are interested in her common welfare.

On every field of American war their blood has been shed in our defense.

There is no instance where an Irish sword has been drawn against an American soldier.

Ireland has given us the brightest lights that adorn our legal profession, and has given us those who are among the highest type of our citizenship and the noblest mothers in our land.

She has contributed unsparingly her children to enrich our literature.

She has sent the ministers of her faith to spread among us the truth of the gospel and the precepts of her holy religion.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[

John Philpot Curran, one of the most brilliant and gifted advocates, orators and patriots of the Irish, or any other race, has been glowingly referred to.

Many years ago, when a young man, I was admonished by a scholarly stranger, an exile from Erin, that no lawyer's library was complete without a copy of Curran's speeches. I have the same in my library, a most cherished volume.

He, too, was a champion of liberty and those oppressed.

But Mr. President, one name, not mentioned by Senator Curtin, I deem necessary to pronounce—Daniel O'Connell, the great Irish agitator, who, year after year, leaped high the fire upon the altar of Irish liberty.

When a boy, I had the exquisite pleasure of hearing one of America's greatest lovers of liberty, one of her greatest advocates, Wendell Phillips, in his lecture on Daniel O'Connell.

I heard this great orator say of the great Irishman:

"I have heard all the great orators of England and America. I have heard the great Webster, the fascinating Clay, the ponderous logician, Calhoun—and Daniel O'Connell combined the commanding qualities of all."

But why point out today the individual stars of Ireland's galaxy?

The Irish soldier has fought the battle of liberty on every field. And America has been the exemplar and incarnation of his desire and his hope.

The beckoning star of America has been his compelling lure. And every of the battle fields of this republic in defense of the liberties of man has been drenched in his blood, as the tree of liberty, watered and nourished by them.

Mr. President, Senator Curtin has told you of the patronage of Irish soldiery in the American army, marching and fighting for American liberty, from Lexington to Yorktown.

He has told you of the Sixty-ninth New York at Bull Run; he has told you of Phil Sheridan at Winchester; but even as eloquent as he was in the year a glimpse of the incomparable services of the Irish soldier from Sumter to Appomattox.

Ireland is come into her own. We extend our congratulations. We rejoice with her, and it is fitting, it is proper, to pause at this stage of the lawmaking activities of a great American state, to voice the appreciation of its Legislature and people for the marching, fighting, chivalrous, dauntless and indomitable people who are now achieving their hopes and realizing their lofty aspirations.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 10 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Great Hess, Hewitt, Jones, Justice, Kehoe, Larkins, Melt, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 31, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California [illegible] approved March [illegible] nineteen hundred and [illegible] providing for the taxation of [illegible] taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted, as amended, Senate Concurrent Resolution No. 15, Relative to adjournment of the Legislature for the constitutional recess and fixing date for reassembling, and respectfully request your [illegible]

L. B. MALLORY, Chief Clerk of Assembly
By [illegible]

[illegible]

AMENDMENT No. 1

Strike out the words "Saturday, February 1, 1913" and insert in lieu thereof the following: "Monday, February 3, 1913"

AMENDMENT No. 2

Strike out the words "Tuesday, March 4, 1913" and insert in lieu thereof the following: "Monday, March 10, 1913"

The question being: "Shall the Senate concur in the Assembly amendments to Senate Joint Resolution No. 12?"

The roll was called and Assembly amendments to Senate Joint Resolution No. 12 concurred in by the following vote:

AYES (Senators Anderson, Ard, Black, Bolton, Boyd, Burke, Caminetti, Campbell, Carr, Chandler, Chenoweth, Curtin, Flint, Gates, Gerdes, Gibson, Hare, Hatfield, Holohan, Mott, Owens, Reed, Rominger, Rosendale, Stetson, Thomas, Tyrrell, Walker, Wolfe, Wyllie—36)

NOES—Senator Leahy—1

Senate Concurrent Resolution No. 15 followed by enrollment.

[illegible]

The following bills were introduced:

By Senator Curtin: Senate Bill No. 1227—An Act relating to bonds of irrigation districts, providing under what circumstances said bonds shall be legal investments for the funds of banks, banking institutions, trust companies, insurance companies and for the state school fund and trust funds, and providing for the use of such bonds as security for the performance of any act and providing for a commissioner which shall approve such bonds for the foregoing purposes, for a report thereon, for the filing of said report and for the certificates of such bonds by the State Controller.

Bill read first time, and referred to Committee on Irrigation.

By Senator Leahy: Senate Bill No. 1228—An Act to increase the number of judges of the Superior Court of the county of Kern and to provide for the appointment of an additional judge.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 1229—An Act to amend Section 1238 of the Political Code of the State of California, relative to the compensation of county and township officers of counties of the fourth class.

Bill read first time and referred to Committee on County Government.

By Senator Ard: Senate Bill No. 1230—An Act to amend Section 1238 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools, or to an adjoining county.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 1231—An Act to create the office of inspector of markets and to define the powers and duties thereof.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 1232—An Act to amend section seventeen hundred fifty-five of the Political Code of the State of California

relating to the estimate of tax for building high schools and to making additions thereto.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1263—An Act to amend section eighteen hundred eighty-six of the Political Code of the State of California, relating to the rate of interest, and sale of school bonds.

Bill read first time, and referred to Committee on Education.

By Senator Cassidy: Senate Bill No. 1264—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1265—An Act to amend section two hundred seventy-four of the Code of Civil Procedure of the State of California, relating to fees of official reporters.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1266—An Act to amend section four hundred twenty-seven of the Code of Civil Procedure of the State of California, relating to what causes of action may be joined.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1267—An Act to amend section four hundred and thirty of the Code of Civil Procedure of the State of California, relating to when defendant may demur.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1268—An Act to amend section four hundred fifty-four of the Code of Civil Procedure of the State of California, relating to how to state an account in pleading.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 1269—An Act to amend section five hundred ninety-two of the Code of Civil Procedure of the State of California, relating to trial of issue of fact.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1270—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered six hundred and thirty, relating to appeals in civil cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1271—An act to add a new section to the Code of Civil Procedure of the State of California to be numbered six hundred twenty-nine, relating to trial by jury.

Bill read first time, and referred to Committee on Judiciary.

By Senator Grant: Senate Bill No. 1272—An Act to amend section seven hundred and ten of the Code of Civil Procedure, relating to the collection of moneys from judgment debtors which is in the custody of public officials.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1273—An Act to create a commission, to be known and designated as the commission on unemployment, for the purpose of investigating and reporting to the Legislature at its forty-first session, conditions and remedies in relation to unemployment and kindred subjects; defining its powers and duties, and making an appropriation for the expenses of such commission.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator [illegible]: Senate Bill No. 1214—An act to amend section fifteen hundred sixty of the Political Code of the state of California, relating to the holding of primary elections.

Bill read first time and referred to Committee on [illegible].

[illegible]

Senator Owens moved that Senate Concurrent Resolution No. 12 be rescinded from the Committee on Municipal Corporations, and be taken up for consideration.

Motion carried.

Senate Concurrent Resolution No. 12.

Authorizing the Trustees of the city of San Rafael, county of [illegible], within the said county of the peninsula known as such city, to [illegible] a certain [illegible] [illegible] [illegible]

Article VIII [illegible]
Article IX. Public Lands.
Article X. Police Court.
Article XI. Educational Department.
Article XII. Revenue and Taxation.
Article XIII Public Work and Improvements.
Article XIV. Franchises.
Article XV. Miscellaneous.

ARTICLE I

NAME, RIGHTS AND LIABILITIES OF THE CITY

Name of the city.

SECTION 1. The [illegible] now existing and known as the city of San Rafael shall remain and continue a body politic and corporate in name and in fact, by the name of the "City of San Rafael," and by that name shall have perpetual succession.

Rights and liabilities.

SEC. 2. The city of San Rafael shall remain vested with, and continue to have, hold and enjoy all property, rights of property and rights of action of every nature and description now pertaining to said municipality, and as hereby declared to be the successor of the same. It shall be subject to all the liabilities that now exist against this municipality. All ordinances of said city, now known as the city of San Rafael, not in conflict with the charter shall be continued in force until amended or repealed, and all proceedings pending for any public improvement pending and uncompleted shall be continued in accordance with the law under which said proceedings were commenced.

ARTICLE II.

BOUNDARIES

SECTION 1. The boundaries of the city of San Rafael are as follows: Beginning at the point of intersection of the westerly line of the public highway leading from San Rafael to Kentfield (formerly known as Ross Landing), by way of [illegible] grade, with the southerly boundary line of the lands conveyed by John Reynolds to John O. B. Short and Jacob Short by a deed dated June 22, 1864, and recorded in the office of the recorder of Marin county in liber E of deeds at page 242 said point of beginning being near the summit of the ridge immediately south of the city of San Rafael; running thence along the said ridge in a general westerly direction, following the southerly boundary line of the lands conveyed by John Reynolds as aforesaid and following the southerly boundary line of the lands conveyed by John Simms to John O. B. Short and Jacob Short by a deed dated January 14, 1865, and recorded in the office of said recorder in liber E of deeds, at page 251, to an oak tree standing at the most northerly corner of what was formerly designated as the "Hooper tract" and described in a deed from William B. Hooper to Jonathan G. Kittle dated October 17, 1881, and recorded in the office of said recorder in liber W of deeds, at page 352; thence leaving the summit of the ridge and running northwesterly in a direct line to a point which is south 45 degrees west twenty-five feet from the southwesterly corner of the town of San Rafael as the same is laid down and surveyed in the month of April, 1874 by order of the board of trustees of said town; thence due north to a point on the summit of the aforesaid ridge, said point being on the northerly boundary line of the tract of land which was conveyed by Rebecca J. Makin and Robert G. Makin to Jonathan G. Kittle by a deed dated the [illegible] day of December, 1881, and recorded in the office of said recorder in liber W of deeds, at page 344; thence continuing westerly along said summit and said northerly boundary line of the tract of land conveyed to Jonathan G. Kittle to a point where the said ridge last above referred to intersects the easterly line of the public highway leading from San Rafael to San Anselmo, as said highway existed in the month of May, 1889, thence in a general northerly direction, along the summit of a spur or ridge which divides the waters flowing toward San Rafael from those flowing into the San Anselmo valley, to the summit of a ridge on the lands of the estate of Alexander Forbes deceased, which said ridge now separates the aforesaid public highway leading from San Rafael to San Anselmo and the street formerly known as Culloden avenue, but now known as Fifth avenue, extending westerly from San Rafael to Mount Tamalpais [illegible] at a point due northerly to the northeast corner of the tract of land which was conveyed by Henry A. Du Bois, Jr., to the Mount Tamalpais cemetery [illegible] by a deed dated the [illegible] day of June, 1880, and recorded in the office of said recorder in liber U of deeds, at page 554, said point being on the summit of the ridge lying immediately south of the San Margarita valley; thence in a general [illegible] direction along the summit of the last mentioned ridge, crossing and subdividing the lands of the said Forbes estate, to a white oak tree standing in the westerly boundary line of the tract of land which was conveyed by Arthur W. Foster to Lottie [illegible] S. Foster by a deed dated the [illegible] day of

Telephone, telegraph and transportation.

SEC. 8. To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate telephone and telegraph systems, cable and electric or other railways and transportation service of any and every kind.

Water, heat and power.

SEC. 9. To acquire by purchase, condemnation or otherwise, and to establish, maintain, own, equip and operate works, wells, [illegible] and plants, power works, cables and wires for the supply and distribution to the city and its inhabitants, and also others, of gas, oil or other fuel, electricity, heat, water and power, and to furnish the city with water, gas, heat and electricity.

Sale of products of public utility.

SEC. 10. To sell gas, water, electric current, and all products of any public utility operated by the city.

[illegible]

SEC. 11. To acquire by purchase, condemnation, suit or otherwise, within and without the city, such lands or other property as may be necessary for the establishment, maintenance and operation of any public utility, or to provide for and [illegible] for such public purposes, and to sell, convey and dispose of the same [illegible].

Leases of property.

SEC. 12. To lease, by ordinance, to corporations or individuals, for the purpose of maintenance and operation of any public utility owned by the city, and to provide for the lease of any lands now or hereafter owned by the city, except buildings or lands donated, purchased, acquired or used for public parks or public libraries.

[illegible]

SEC. 13. To exercise the right of eminent domain for the purpose of acquiring real and personal property of every kind for any public use.

To borrow money.

SEC. 14. To borrow money for any of the purposes for which the city is authorized to provide, and for carrying out any of the powers which the city is authorized to exercise, and to issue bonds therefor; *provided* that in the procedure for the creation and issuance of such bonded indebtedness the general laws of the State of California in force at the time such proceedings are taken shall be observed and followed.

Special tax.

SEC. 15. To raise money by special tax in addition to the annual tax levy provided [illegible] and to submit to the electors of the city the question whether such tax shall be raised. [illegible] a week for three successive weeks, specifying the time and place of holding the election, the amount of money proposed to be raised, and the purpose for which it is intended to be used. Such election shall take place within twenty-five days after the [illegible] and unless two thirds of such the same is approved by at least two thirds of the qualified electors who vote at said election. At such election the question may be submitted [illegible] interest not exceeding five per cent per annum. Or the council may be authorized by such election to levy a special tax each year for a period of years, not exceeding [illegible] raised may be expended each year after the same is collected and available.

Police power.

SEC. 16. To exercise police powers and make all necessary police and sanitary regulations, and to adopt ordinances and prescribe penalties for the violation thereof.

Improvement of streams.

SEC. 17. To improve and [illegible] and channels flowing through the city or adjacent thereto, to make [illegible] and change the channels thereof and to [illegible] thereto, to wall and protect the same in front of the city; and to acquire, own, construct, maintain and operate on any lands bordering on said waterways, inlets and channels, within the limits of said city or contiguous thereto, wharves, chutes, piers or bath houses.

Grades of existing streets.

SEC. 18. To build and repair bridges; to establish, lay out, alter, open, keep open, close, [illegible] and repair streets, avenues, alleys, squares and other public highways and places within the city; to drain, sprinkle, oil and light the same; to remove

[illegible]

[illegible]

[illegible]

Water and sewage systems.

SEC. 29. To control the power to construct or maintain or provide for the construction or maintenance of waterworks and sewage systems and from the water and sewerage thereof, and as defined to authorize the issuance of warrants thereof by such officer or officers of the city, or the trustees of such system or systems.

Wharves and slips.

SEC. 30. To regulate, license or prohibit the construction and use of wharves and slips.

Public peace.

SEC. 31. To prevent or suppress the carrying of any deadly or dangerous weapons and to establish and maintain a quiet and peaceful city, to prevent the disturbance or other improper position of any fowls or animals running at large.

Dogs.

SEC. 32. To regulate and prevent the running at large of dogs, to provide for the destruction of vicious dogs and to require the payment of license fees by the owners or persons having the possession of dogs, and to impose penalties upon such persons for refusing to pay such license fees.

Prevention of health.

SEC. 33. To make all regulations which may be necessary and expedient for the preservation of health and the prevention of disease; to make regulations to prevent the introduction of contagious, infectious or other diseases into the city; to make quarantine laws and regulations to prevent, suppress and prevent the spread into the city of persons, business, merchandise or other property infected with contagious diseases.

Dangerous and diseased carcasses; decayed fruits.

SEC. 34. To prevent or prohibit the maintenance of all unwholesome occupations and trades which may be or shall become so as to affect the public health or good order of the city; to abate the same, or which may be dangerous or dangerous to the inhabitants residing in the vicinity, and to provide for the punishment of all persons who may pursue the same or be interested in any building or upon any premises used or occupied for same; to make regulations for the suppression of the carcasses of animals or noxious putrid.

Inspection of food products.

SEC. 35. To provide for and regulate the inspection by the health officer of meats, poultry and other food products, fruits, food upon sanitary foodstuffs sold and offered for sale in the city, and to provide for the taking and seizing of unwholesome meat, poultry or other unwholesome, tainted, adulterated or unwholesome provisions.

Poisons.

SEC. 36. To provide for the regulation and inspection of all drug stores, slaughter houses and establishments that offer for sale any of their products in the city.

Lodging houses and apartment houses.

SEC. 37. To regulate lodging houses and apartment houses and to prevent the overcrowding of the same and to require that they be put and kept in proper sanitary condition.

Sewer connections.

SEC. 38. To regulate the construction, repair and use of sewers, water pipes, water closets and wells, and to compel the connection, drainage or cleaning of the same; and to designate the time and manner in which the work shall be done.

Garbage.

SEC. 39. To provide for the treatment of and collection and disposal of garbage, ashes, animal and vegetable refuse, house sweepings, offal and waste matter.

Livestock markets.

SEC. 40. To license the purpose of operating and keeping all and every kind of livestock and commodity for sale, and all places, conveniences and market houses connected on in the city; to fix the time of business when the same shall be allowed for the collection thereof by city or otherwise.

Weights and measures.

SEC. 41. To provide for the inspection and sealing of all weights and measures used in the city, and to enforce the keeping and use of sealers of weights and measures and to cause the same to be sealed.

Taxation.

Sec. 14. To levy and collect taxes upon all the real and personal property within the city, subject to the limitations prescribed by this charter [section].

Franchises; water rates.

Sec. 15. To grant the privilege to the public service bureau to [] [] [] and to fix and collect rates for such privileges or service rendered.

Fees.

Sec. 16. To fix the fees and charges to be charged and collected for [] [] [] and to fix the [] [] []

welfare of the city or its inhabitants, whether such powers are herein expressly enumerated or not; and to enact appropriate legislation, and do or perform any and all other acts and things which may be necessary and proper to carry out the general powers of the city or of any of the provisions of this charter.

General laws followed.

SEC. 56. In the absence of any procedure for carrying out or effectuating any granted or implied power or authority, the general law of this State, where applicable and where not inconsistent with any express provision of this charter, shall prevail and shall be followed.

Direct legislation by the people.

SEC. 57. The qualified voters of the city shall have the power, through the initiative and otherwise, as provided in this charter and the general laws of the State, to enact appropriate legislation to carry out and enforce any of the general or implied powers of the city.

Liberal construction.

SEC. 58. Lastly, this grant of power is to be liberally construed for the purpose of securing the well being of the municipality and its inhabitants.

ARTICLE IV.

ELECTIONS.

General and special municipal elections.

SECTION 1. A municipal election shall be held in the city on the second Monday in April, 1915, and on the second Monday in April every second year thereafter, and shall be known as the general municipal election. All other municipal elections that may be held by authority of this charter or of general law shall be known as special municipal elections.

Nomination and election of city officers.

SEC. 2. The mode of nomination and election of all elective officers of the city to be voted for at any municipal election shall be as follows and not otherwise:

SEC. 3. The name of a candidate shall be printed upon the ballot when a petition and nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

Form of nomination petition.

SEC. 4. The petition of nomination shall consist of not less than fifty nor more than one hundred individual certificates, which shall read substantially as follows:

Individual certificate.

SEC. 5. Petition of nomination.

STATE OF CALIFORNIA,
COUNTY OF MARIN,
CITY OF SAN RAFAEL } ss.

I, the undersigned, do solemnly swear (or affirm) that I am a qualified elector of the city of San Rafael, and I hereby join in a petition for the nomination of _____, whose residence is at No. _____ street, San Rafael, for the office of _____to be voted for at the municipal election to be held in the city of San Rafael on the _____ day of _____, 19__; and I further declare that I am not at this time a signer of any other petition for the above named office, or in case there are several places to be filled in the above named office, that I have not signed more petitions than there are places to be filled in the above named office.

Subscribed and sworn to before me this _____day of_____, 19____.

_____
Notary or verification deputy.

The petition of nomination of which this certificate forms a part, shall, if found insufficient, be returned to _____ at No. _____ street, San Rafael, California.

Forms to be supplied by city clerk.

SEC. 6. It shall be the duty of the city clerk to furnish upon application a reasonable number of forms of individual certificates of the above character.

Requirements of certificate.

SEC. 7. Each certificate must be a separate paper. All certificates must be of a uniform size as determined by the city clerk. Each certificate must contain the name of the signer thereto and no more. Each signer must be a qualified elector.

[illegible]

Certificate signing.

Sec. 9. Commissioner [illegible] shall [illegible] [illegible] [illegible]

as required by the charter of the city of San Rafael to the city council, which shall meet on said twentieth day for the purpose of receiving such list. Said council shall thereupon cause said corrected list of names and the offices to be filled, designated whether for a full term or unexpired term, to be published for two weeks before the election in not less than one weekly newspaper of general circulation published in the city of San Rafael. Said proclamation shall conform in all respects to the general law governing the conduct of municipal elections now or hereafter in force, except as above provided.

Form of ballots.

SEC. 16. The city clerk shall cause the ballots to be printed and bound and numbered as provided for by the state law, except as otherwise required in this charter. The ballots shall contain the list of names and respective offices, as published in the proclamation, and shall be in substantially the following form:

SEC. 17.

GENERAL OR SPECIAL MUNICIPAL ELECTION.

THE CITY OF SAN RAFAEL

Instructions to Voters. To vote, stamp or write a cross (X) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear or deface this ballot, return it to the inspector and obtain another.

Requirements of ballots.

SEC. 18. All ballots printed shall be precisely of the same size, quality, text of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another, and the names of all candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right hand side for charter amendments or other questions to be voted upon at the municipal elections, as provided for under this charter. The names of the candidates for each office shall be arranged in alphabetical order, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

Every nominee to be on ballot.

SEC. 19. The name of no candidate who has been duly and regularly nominated and who has not withdrawn his name as herein provided, shall be omitted from the ballot.

Arrangement of offices on ballot.

SEC. 20. The offices to be filled shall be arranged in separate columns, in the following order:

"For mayor
Vote for one.
"For councilmen
Vote for (giving number).
"For member of board of education
Vote for (giving number).
"For city clerk (if any)
Vote for one.
"For city assessor (if any)
Vote for one.
"For city treasurer (if any)
Vote for one.
"For city tax and license collector (if any)
Vote for one.
"For chief of police (if any)
Vote for one.
"For city attorney (if any)
Vote for one.
"For police judge (if any)
Vote for one.

Space for voting cross.

SEC. 21. A half inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

Blank spaces for additional candidates.

SEC. 22. Half inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

Temporary residence.

Sec. 24. The county board shall have the authority to determine whether a person who has left his home in the county for temporary purposes only, such as attending school, serving in the armed forces, or for other reasons, has established residence in the county for the purpose of voting. The board shall have the power to require any person who has left the county to file a statement of his intention to return to the county, and may require such person to furnish such evidence as may be necessary to establish his residence in the county.

Time of opening and closing polls.

Sec. 25. The qualifications of voters at any election shall be determined by the judges of election appointed to conduct such election. The polls shall be opened at seven o'clock in the forenoon and shall be closed at seven o'clock in the afternoon of the same day, except that the polls may be opened at an earlier hour and closed at a later hour if the county board shall so determine.

Number of persons allowed to vote.

Sec. 26. If a person offers to vote in person, the judges shall be bound by the oath of the person as to his qualifications to vote.

Disqualifications for misconduct.

Sec. 27. No person shall be entitled to vote at any election who has been convicted of a felony or of any crime involving moral turpitude, unless restored to the rights of citizenship in the manner prescribed by law.

Registration of voters.

Sec. 28. The legislature shall provide by law for a uniform and general system of registration of voters throughout the state.

Absentee voting.

Sec. 29. Any person who is a qualified voter of this state may vote at any election held in the county in which he resides, if he is absent from the county on the day of the election, or if he is unable to attend the polling place because of illness or physical disability, or if he is precluded from attending the polling place by the observance of a religious holiday, or if he is an inmate of a public institution, or if he is a patient in a hospital, or if he is confined in jail awaiting trial on a misdemeanor charge, or if he is employed by a public service company, as defined by law, and his employment is such that he cannot vote at any polling place in the county on the day of election, or if he is a member of the armed forces of the United States, or if he is employed by the United States government in connection with the operation of any of its installations, or if he is employed by the merchant marine of the United States, or if he is employed by a contractor with the United States government in connection with the construction, operation or maintenance of any of its installations, which cause such voter to be absent from the county of his residence during the period the polls are open. The legislature shall provide by law for the registration of such voters and for the casting of their votes, and for the return and canvass thereof.

Corruption of voters.

Sec. 30. Any elector who shall receive any money or valuable thing, or make any promise to procure the support of any person for any office, appointment or election, shall be disfranchised and forever debarred from voting at any election in this state.

Disqualification of officers.

Sec. 31. No person holding any office of profit under the United States government, or any foreign government, shall be eligible to any office of trust or profit under this state.

ARTICLE I

LEGISLATIVE DEPARTMENT AND POWERS

Section 1. The legislature.

Composition of the legislature.

Sec. 1. The legislature of this state shall consist of a senate and a house of representatives, both to be elected by the people.

tion. Before any petition for such submission of a proposed ordinance shall be circulated, an affidavit by or on behalf of its proponents shall be filed with the city clerk containing the proposed ordinance, a statement in not more than two hundred (200) words giving the proponents' reasons for the adoption of such ordinance, a statement of the time, not to exceed ten days, requested for the submission of said ordinance, a request for the election to be published therein, and the address of the party making such affidavit. The council shall have ten (10) days after the filing of such affidavit in which to formulate and send by registered mail to the address given in such affidavit a statement in not more than two hundred (200) words of the reasons why such proposed ordinance should not be adopted. These reasons for and against the adoption of the proposed ordinance shall be printed as a part of each individual certificate forming a part of the petition.

Form and condition of petition.

(2) The initiative petition shall consist of individual certificates signed by qualified electors of the city as many in number as hereinafter required. The form and conditions of each certificate and mode of certification shall be substantially as follows:

(Individual Certificate.)

INITIATIVE PETITION OF THE COUNCIL

REQUIRING THE SUBMISSION AT A SPECIAL (OR GENERAL) MUNICIPAL ELECTION

(The above heading must be printed in type of a 24-point roman face, caps and lower case.)

Of a proposed ordinance entitled:

(Here insert title of ordinance.)

Proponent's Reasons For Adopting Ordinance	Council's Reasons For Not Adopting Ordinance
(Here insert such reasons.)	(Here insert such reasons.)

I, the undersigned, certify that I hereby join in a petition to the council requiring that it forthwith submit to the vote of the electors of the city of San Rafael, at a special municipal election (or general municipal election), the certain proposed ordinance entitled (here insert title of ordinance), to a copy of which this certificate is attached, unless said ordinance be passed by the council, without alteration, when and as provided in the charter of the city of San Rafael.

I further certify that I have read the proposed ordinance and the above reasons for and against the adoption of said ordinance, and am in favor of its adoption; that I am a qualified elector of the city of San Rafael, State of California; that I am not at this time a signer of any other like certificate; that I reside at No. _____ street, between _____ street and _____ street, in said city; and that my occupation is _____.

(Signed) _____.

STATE OF CALIFORNIA,
COUNTY OF MARIN, } ss.
CITY OF SAN RAFAEL }

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate, and that the statements therein are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____ 19__.

(Signed) _____

Verification Deputy (or Notary Public).

The petition of which this certificate forms a part shall, if found sufficient, be returned to _____, No._____ _____street, San Rafael, California.

The provisions of Subdivision 4 of Section 3 of this article, applying to recall petitions, shall apply to petitions filed under this section.

Twenty per cent petition.

(3) If the petition accompanying the proposed ordinance be signed by qualified electors equal at least to twenty (20) per centum of the entire vote cast at the last preceding general municipal election, and contain a request that said ordinance be submitted forthwith to a vote of the people at a special election therefor, then either:

(*a*) The council shall pass said ordinance without alteration within twenty days after the attachment of the clerk's certificate of sufficiency to the accompanying petition; or,

(*b*) Within twenty-five days after the clerk shall have attached to the petition accompanying such ordinance the certificate of sufficiency, the council shall proceed to call a special election, at which such ordinance, without alteration, shall be submitted to the vote of the electors, unless some general or special municipal election occurs not earlier than thirty (30) days and not later than ninety (90) days after

[illegible]

[illegible]

[illegible]

submitted to the voters the ordinance or ordinances upon which a vote is requested by petition, it shall not be so submitted nor upon either if one has not been taken at or within the time elsewhere specified in this charter. This section is prohibitory and mandatory.

Substantial compliance.

(12) A substantial compliance with the provisions of this section shall be sufficient for the holding of an election hereunder and the approval or rejection of any measure submitted thereat.

Further regulation.

(13) The council shall, by ordinance, make such further regulations as may be necessary to carry out the provisions of this section and to submit the provisions of Article IV thereto.

SEC. 2. The referendum.

Mode of prohibiting passage of ordinances.

(1) No ordinance passed by the council shall go into effect before thirty days from the time of its final passage, except ordinances declared by the general laws of the State, or by the provisions of this charter, and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a unanimous vote of the council; provided that no grant of an irrevocable right to construct or operate railroads, gas or electric franchises shall be subject to the referendum vote provided in Subdivision 7 of this section. If during said thirty days a petition signed by qualified electors of the city equal in number to at least ten (10) per centum of the entire vote cast at the last preceding general municipal election preceding the passage of such ordinance, be presented to the council the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance, and if the same be not entirely repealed, the council shall submit the ordinance to the vote of the electors of the city, either at the next general municipal election or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof.

Preliminaries to filing petition.

(2) Before any petition for the submission of an ordinance to the referendary vote of the electors shall be circulated, an affidavit by or on behalf of the proponents shall be filed with the city clerk containing the following: A copy of the ordinance or measure; a statement of not more than two hundred (200) words giving the opponent's reasons against the adoption of such ordinance; a statement of the intention to secure the repeal of such ordinance or measure submitted to a vote of the electors by the referendary petition; and the address of the party making such affidavit. The council shall have ten (10) days after the filing of such affidavit in which to formulate and send to be registered mail to the address given in such affidavit a statement of not more than two hundred (200) words of the reasons why any such ordinance should be adopted. These reasons for and against the adoption of the ordinance shall be printed as a part of the individual certificate forming a part of the petition.

Forms and conditions of petition.

(3) The referendary petition shall consist of individual certificates, signed by qualified electors as many in number as hereinbefore required. The forms and conditions of each certificate and the mode of certification and verification shall be substantially as follows

(Individual Certificate.)

REFERENDUM PETITION TO THE COUNCIL

REQUIRING THE SUBMISSION TO A VOTE OF THE QUALIFIED ELECTORS

(The above heading must be printed in a type of a 24 point roman face, caps and lower case.)

Of that ordinance entitled:

(Here insert title of ordinance or measure.)

Opposed to Passage Against

Assigning Objections

(Here insert such reasons.)

Favorable Reasons For

Assigning Objections

(Here insert such reasons.)

I, the undersigned, qualified elector of the city of San Rafael, in the county of Marin, State of California, hereby petition that the ordinance above named be submitted to the vote of the electors of the city of San Rafael at a municipal election, or general or special election, that may be held on the ____ day of _____, 19____, and I declare that all the statements in this petition are true, that I am a qualified elector of the city of San Rafael, and that my residence is correctly stated in the affidavit hereto attached, to a copy of which this certificate is appended, signed on the _____ day of _____, 19____.

I further certify that I have read the affidavit herein mentioned, and the above reasons for and against the passage of said ordinance, and I am aware

SEC. 3. The recall.

Applies to all elective officers.

(1) Every member of an elective office, whether elected by popular vote or appointed thereto to fill a vacancy, shall be subject to removal from office by the proceedings provided in this section. Such proceedings shall be known as recall proceedings, and shall be as follows:

Petition for recall.

(2) A petition signed by qualified electors equal in number to twenty (20) per cent of the entire vote cast at the last preceding general municipal election, requesting the calling of an election to determine whether the incumbent of an elective office [illegible] shall be submitted to the council and presented to the city clerk. The petition may request that the question of such removal shall be submitted at a special municipal election, or at the next general municipal election.

Form of petition.

(3) The petition for recall and removal from office shall be substantially in the following form.

(Individual Certificate.)

PETITION TO THE COUNCIL REQUESTING A SPECIAL MUNICIPAL ELECTION.
(If such be the case.)

For the recall of (name of officer).
From the office of (name of office).

Reasons for the recall of (name of officer) from the office of (name of office): (Here insert the reasons.)

Reasons against the recall of (name of officer) from the office of (name of office): (Here insert the reasons.)

I, the undersigned, certify that I hereby join in a petition to the council requiring that it forthwith submit to the vote of the electors of the city of San Rafael, at a special [illegible] the question whether (name of officer) shall be recalled and removed from the office of (name of office). I further certify that I have read the foregoing reasons for and against the recall of said officer, and believe that he should be recalled; that I am a qualified elector of said city and [illegible] No. _____ street between _____ street and _____ street, in said city, and that my occupation is _____.

(Signed)

STATE OF CALIFORNIA }
COUNTY OF MARIN } ss.
CITY OF SAN RAFAEL }

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate, and that the statements therein contained are true and correct.

(Signed)

Subscribed and sworn to before me this _____ day of _____, 19_____.

(Signed)
(Verification Deputy (or Notary Public.)

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, at No. _____ _____ street, San Rafael, California.

Filing and examination of petition.

(4) [illegible] shall be separate and contain the name of but one signer who must sign with [illegible] a notary public or [illegible] clearly as to the truth of the statements therein. Such [illegible] shall be fastened together and bound as firmly as may be in book form before being filed. Upon receipt of such petition, the city clerk shall [illegible] the time it was received. He shall then [illegible] said petition to ascertain whether or not it conforms to the requirements of this chapter. Within ten (10) days after such presentation, the city clerk shall [illegible] whether said petition so conforms, and shall attach [illegible] to his certificate showing the result of his examination, and send by registered mail a copy of said certificate to the person named in said petition to whom notice should be mailed. If the petition does not conform to said requirements, the [illegible] of the city clerk shall [illegible] the defects in the petition and in the individual certificates. If the certificate of the city clerk shows the petition to be insufficient it may be amended by presentation, within fifteen days after mailing said certificate of the city clerk, of an amended petition [illegible]. The city clerk shall within seven days after the presentation of such amended petition, make like investigation and determination as to the amended petition, and attach to it a like certificate and mail a copy as aforesaid, and, if his certificate shall show the amended petition to be insufficient, or if no amended petition shall have been presented, the petition shall be returned to the person named therein to whom it shall be returned without prejudice to the filing of a new petition to effect the same purpose. Should any certificate

...

...

...

Election and term of office of mayor.

SEC. 2. The mayor shall be elected at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each second year thereafter, and shall hold office for the period of two years from and after the Monday next succeeding the day of such election, and until his successor is elected or appointed and qualified.

Election and terms of office of councilmen and members of board of education.

SEC. 3. The term of office of councilmen and members of the board of education shall be four years from and after the Monday next succeeding the day of their election, and until their successors are elected or appointed and qualified. Elections for councilmen and members of the board of education shall be held at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each second year thereafter. At the first general municipal election to be held on the second Monday in April, 1915, there shall be elected in said city of San Rafael four (4) councilmen and five (5) members of the board of education. The said councilmen and said members of the board of education so elected at said first general municipal election shall at their first meeting so classify themselves by lot as that two councilmen and two members of said board of education shall go out of office at the expiration of two years.

Election and terms of office of other elective officers.

SEC. 4. The city clerk, city attorney, chief of police, city treasurer, city assessor, city tax and license collector and police judge shall be elected at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each fourth year thereafter, and shall hold office for the period of four years from and after the Monday next succeeding the day of such election, and until their successors are elected or appointed and qualified.

Official bonds.

SEC. 5. The city clerk, city attorney, chief of police, city treasurer, city assessor, city tax and license collector and police judge shall respectively before entering upon the duties of their respective offices, each execute a bond to said city of San Rafael in such penal sum as the council by ordinance may determine, conditions for the faithful performance of his duties, including in said bond the duties of all offices of which he is made ex officio incumbent. Such bonds shall be approved by the mayor. All bonds when approved shall be filed with the city clerk, except the bond of the city clerk, which shall be filed with the mayor. All the provisions of any law of this State relating to official bonds of officers shall apply to such bonds, except as herein otherwise provided. Every elective officer of said city of San Rafael before entering upon the duties of his office, shall take and file with the city clerk the constitutional oath of office.

Vacancies.

SEC. 6. Any vacancy occurring in any elective office provided for in this charter shall be filled by appointment by the council by a majority vote thereof, and the appointee shall hold office for the remainder of the unexpired term of the office so filled. In case the council shall fail for a period of twenty days after such vacancy shall have occurred, to fill the same, then such vacancy shall be filled by appointment by the board of education by a majority vote thereof.

What constitutes a vacancy.

SEC. 7. A vacancy shall exist in any office when the person elected or appointed thereto fails to qualify, dies, resigns, is removed from office, ceases to be a resident of the city, or absents himself continuously therefrom for a period of more than sixty days without permission from the council, is convicted of a felony, or of a misdemeanor committed while he was in office, is judicially determined to be incompetent, forfeits his office under any provision of this charter, or is removed from office by judicial proceeding.

Qualification of officers.

SEC. 8. No person shall be eligible to hold any office in said city of San Rafael, whether filled by election or appointment, unless he be a resident and elector thereof and shall have resided in said city for three (3) years next preceding the date of such election or appointment. This section shall not apply to superintendents, principals and teachers in the public schools.

Compensation.

SEC. 9. The mayor and councilmen shall receive no compensation whatever, except while acting as a board of equalization. While acting as a board of equalization, the mayor and the councilmen shall each be paid the sum of five dollars per day. The city clerk, city attorney, city treasurer, city assessor, city tax and license collector, chief of police and police judge shall respectively receive at stated times a compensation to be fixed by ordinance by the council, which compensation shall not be increased or diminished after their election or during their

session prior to office. All examinations in all other offices except as otherwise provided by the charter, ordinances or regulations shall be held from time to time by the council.

Classification of offices.

Sec. 3a. The council may classify the following offices:

[illegible]

Each classification shall be the employment division, continued and accounts as provided for detailed information as have been [illegible] and [illegible] appointment or height city officials not in the classified.

Examination offices.

Sec. 11. The council shall [illegible] a civil engineer, a superintendent of streets, a health officer, who shall be a duly licensed physician in accordance with the laws of this State or ordinance, a clerk of the [illegible] department, who shall not be employed [illegible] and a superintendent [illegible] of whom shall hold office for the period of four years. The council may consolidate the offices of [illegible] and [illegible] of water, all such examination offices shall be [illegible] at any time by [illegible] vote of the council.

Examinations.

Sec. 12. The council shall have power to [illegible] all [illegible] and [illegible] offices, [illegible], [illegible], [illegible] and [illegible] offices from time to time [illegible] as they may deem necessary to [illegible] the [illegible] of the city, [illegible] to the [illegible] and the terms of the [illegible] shall be determined by [illegible] of [illegible] [illegible] of [illegible].

ARTICLE VII

THE CITY CLERK

Powers and duties generally.

Sec. 1. The [illegible] shall be [illegible] of the council, and shall [illegible] to the [illegible] of the [illegible]. The council shall [illegible] one of its [illegible] to act as [illegible].

Meetings of council.

Sec. 2. The council shall by ordinance provide for the time and place of holding its meetings and for [illegible] by which [illegible] may be called.

Records to be public.

Sec. 3. All [illegible] records of the council, [illegible] [illegible] shall be open to the public.

Ordinances.

Sec. 4. A [illegible] of the council shall [illegible] a [illegible] for the consideration of [illegible] and in the manner [illegible] shall [illegible] of [illegible] and [illegible] the publication of [illegible] ordinances in the manner.

Rules of proceeding.

Sec. 5. The council shall [illegible] its own rules of [illegible], and [illegible] in addition [illegible] [illegible] and [illegible] [illegible] of the council [illegible].

Ordinances and resolutions.

Sec. 6. All the council shall act only by ordinance or resolution.

Ayes and nays.

Sec. 7. The ayes and nays shall be taken upon the passage of all ordinances and [illegible] and [illegible] shall be entered on the [illegible] of the council. [illegible] [illegible] [illegible]

Title.

(4) Every ordinance shall be preceded by a brief title which shall indicate the subject and purport thereof.

Enacting clause of ordinance.

(5) The ordaining clause of all ordinances shall be "The council of the city of San Rafael do ordain as follows"; and the ordaining clause of all ordinances enacted in accordance with the provisions of Article V of this charter shall be, "The people of the city of San Rafael do ordain as follows."

Requirements of ordinances.

(6) No ordinance shall be passed by the council on the day of its introduction, nor within five days thereafter, nor at any other time than at a regular meeting, nor until its publication at least once in full in a weekly newspaper published in said city of San Rafael at least three days before its adoption, and in case of amendment being made thereto before the final adoption of the ordinance, it must in like manner be republished in full as amended at least three days before its adoption as amended.

Ordinance required in certain cases.

(7) No action providing for any specific improvement or the appropriation or expenditure of any public money, except a sum less than five hundred (500) dollars for the appropriation, acquisition, sale or lease of public property, for the granting of any franchise; for establishing or changing the grades, or for the imposing of any penalty, shall be taken except by ordinance: *provided*, that such exceptions be observed as may be called for in cases where the council takes action in pursuance of a general law of the State.

Reconsideration.

(8) When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken except at a meeting of the council held not less than one week after the meeting at which such motion is made.

Signing and attesting.

(9) All ordinances shall be signed by the mayor and attested by the city clerk.

Revision and amendment.

(10) No ordinance shall be revised, re-enacted or amended by reference to its title only; but the ordinance to be revised or re-enacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted in the method provided in this section for the adoption of ordinances.

Repeal.

(11) No ordinance nor section thereof shall be repealed except by ordinance adopted in the manner provided in this section.

Record of city ordinances.

(12) A true and correct copy of all ordinances shall be kept and certified to by the city clerk in a book marked "City Ordinances." Such record copy, with such certificate, or the original ordinance, shall be *prima facie* evidence of the contents of the ordinance and of the due passage and publication of the same, and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the city clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of an ordinance in the usual way.

Council to audit demands.

SEC. 8. All demands against the city of San Rafael, except as otherwise by this charter provided, shall be presented to and audited by the council in accordance with such regulations as it may by ordinance prescribe; and upon the allowance of any such demand the mayor shall draw a warrant upon the city treasurer for the same, which warrant shall be countersigned by the city clerk, and shall specify for what purpose the same is drawn and out of what fund it is to be paid.

Indebtedness not to exceed moneys provided.

SEC. 9. The council shall not create and allow or permit to accrue any debt or liability in excess of the available moneys in the treasury that may be legally appropriated and appropriated for such purposes except in the manner provided in this charter, for incurring indebtedness. No warrant shall be drawn or evidence of indebtedness be issued unless there be at the time sufficient money in the treasury legally applicable to the payment of the same, except as in this charter provided.

Publication of notices and proclamations.

Sec. 27. The council shall cause all ordinances to be properly recorded and indexed and shall in like manner cause all public notices and proclamations to be published in such manner as may be prescribed by the council, or by these articles, or by ordinances to be passed in pursuance hereof.

Annual financial report.

Sec. 28. The council shall cause to be prepared and published within sixty days after the end of each fiscal year a report showing the financial transactions and financial condition of the city for the fiscal year.

Appointment of boards, etc.

Sec. 29. The council shall annually appoint a competent person, expert in matters of bookkeeping and accounting, to examine the books, conditions and affairs of every department, board or officer and report fully thereon in writing to the council.

ARTICLE VIII.

MUNICIPAL FRANCHISES.

The power.

Sec. 1. The duly constituted officers of the city of New Orleans shall be the agents, the proper agent for the purposes hereof, of the municipality. The mayor shall execute contracts of franchise in the name of the municipality. He shall have the authority to call in the previous year this year, this year, granted by the council by the city, and pursuant to the ordinance. The mayor shall see that provisions of the franchise, the performance of duty, penalties and the withholding of the city of New Orleans and public interest and duty, especially duties and [illegible]. He shall have the authority to suspend the franchise, or any part thereof, for the violation of any of the provisions of the franchise, and to declare the forfeiture of

City clerk.

SEC. 4. It shall be the duty of the city clerk to keep a full and true record of all the proceedings of the council and of the board of supervisors. The proceedings of the council shall be kept in a book marked "Records of the Council." The proceedings of the board of supervisors shall be kept in a separate book marked "Records of the Board of Supervisors." He shall keep a book, which shall be marked "City Accounts," in which shall be entered as a credit all moneys received by the city for licenses, the amount of any tax when levied, and all other moneys received; and in which shall be entered on the debit side all commissions deducted, and all warrants drawn on the treasury. He shall also keep a book, marked "City Tax and License Collector's Account," in which he shall charge the city tax and license collector with all the tax lists, if any, delivered to him, and all licenses delivered to him. He shall credit the city tax and license collector with the delinquent lists returned by him. He shall also keep a book entitled "City Treasurer's Account," in which he shall keep a full account of the transactions of the city with the city treasurer. He shall also keep a book, marked "City Licenses," in which he shall enter all licenses delivered by him to the city tax and license collector. He shall also keep a book, marked "City Ordinances," into which he shall copy all city ordinances, with his certificate annexed to each copy stating the [illegible] is a true and correct copy of an ordinance of said city, and giving the number and title of said ordinance, and stating that the same has been published or posted according to law. Each of the foregoing books, except the records of the council and the board of supervisors, shall have a general [illegible] to enable a person readily to ascertain matters contained therein. The city clerk shall also keep a book, entitled "Demands and Warrants," in which he shall enter every demand against the city, and file the same. He shall state therein, under the note of the demands, the final disposition made of the same; and if the same is allowed and a warrant is drawn, he shall also state the number of the warrant, with sufficient dates. This book shall contain an index, in which reference shall be made to each demand. Upon the completion of the assessment roll for any of the taxes of the city, and levying of the tax thereon, the city clerk shall apportion the taxes upon such assessment roll, and shall deliver it to the officer charged with the duty of collecting taxes. It shall not be necessary to make a duplicate assessment roll. He may appoint a deputy, for whose acts he and his sureties shall be responsible, and he and his deputies shall have power to administer oaths and affirmations, to take affidavits and depositions to be used in any court or proceeding in the State, and to certify the same. He and his deputies shall take all necessary affidavits to demands against the city, and certify the same without charge. He shall make a quarterly statement in writing showing the receipts and expenditures of the city for the preceding quarter and the amount remaining in the treasury. He shall, at the end of every fiscal year, make a full and detailed statement of the receipts and expenditures of the preceding year, and of the statement of the financial condition of the affairs of the city. He shall perform such other services as this charter and the ordinances of the council shall require.

City attorney.

SEC. 5. It shall be the duty of the city attorney to advise the city authorities and officers in all legal matters pertaining to the business of the city, and to render such other services in the line of his profession as may be required of him by the council.

Chief of police.

SEC. 6. The department of the police shall be under the direction of the chief of police. He shall have all the powers given to peace officers under the laws of this State. He shall have power and it shall be his duty to employ the police force to suppress riots, tumults and disturbances. He shall have all the powers conferred on sheriffs by the laws of the State. His orders shall be promptly executed by the police officers, and all persons in the city and upon the canal, shall lend him aid, when required, for the arrest of offenders and the maintenances of order and protection of persons and property. He shall execute and return all process issued to him by legal authority; and it is hereby made his duty to arrest on view, with or without a warrant, persons violating any law of the State or ordinance of the city. It shall be his duty to take persons arrested before the judge of the police court, or a justice of the peace. Persons arrested for violating any of the ordinances of the city may, before arrest, be required to give their names. He shall perform all duties imposed upon him by the ordinances of the council.

City tax and license collector.

SEC. 7. The city tax and license collector shall collect all taxes, general and special, all city licenses, and such other branches of the city revenue not otherwise provided for as the council by ordinance may direct, and pay the same over to the city treasurer daily. He shall at all times keep proper books, showing in detail the amount of money received, by whom, at what time and for what purpose paid, and the funds to which the same is apportioned. He shall also keep a book containing a record of every deed issued by him for or on account of said city for real property

hundred dollars in valuation of property according to the assessment rolls, for the maintenance and improvement of its parks. Such tax, when collected, together with any other money given, donated, devised or bequeathed to the city for park purposes, shall constitute the park fund and shall be kept by the city treasurer separate from all other public moneys, and shall be used only and exclusively for the benefit of the city's parks and playgrounds. All expenditures of said fund must be authorized by the board of park commissioners, and all claims payable therefrom must be approved by said board before being presented to and allowed by the council. The council shall, by ordinance, provide for carrying into effect the powers herein granted to the board of park commissioners, enforcing such orders, rules and regulations as it may make concerning the use of the public parks and playgrounds and the preservation of park and playground property.

ARTICLE IX

PUBLIC LIBRARY

Management.

SEC. 1. The public library of said city shall be under the management of a board of five (5) trustees, who shall be appointed by the mayor; *provided*, that the first board of library trustees appointed under this charter shall take office on the third Monday of April, 1915, and shall at their first meeting so classify themselves by lot that two of their number shall go out of office at the expiration of two years, and three at the expiration of four years. Library trustees shall not be less than twenty-five years of age, and must have been residents of said city for at least five years prior to their appointment, and shall serve without compensation. The term of office of library trustees shall be four years.

Meetings.

SEC. 2. The board of library trustees shall meet at least once a month at such times and places as they may fix by resolution. Special meetings may be called at any time by three trustees by written notice served upon each member at least three hours before the time specified for the proposed meeting. A majority of the board shall constitute a quorum for the transaction of business. Such board shall elect one of its number president, who shall serve for two years and until his successor is elected, and in his absence shall elect a president pro tem. Such board shall cause a proper record of its proceedings to be kept.

Powers.

SEC. 3. The board of library trustees shall have power:

1. To make and enforce all rules and regulations and by-laws necessary for the administration, government and the protection of the libraries under their management and all property belonging thereto.

2. To administer any trust declared or created for such libraries, and to receive by gift, devise or bequest, and hold in trust or otherwise, property situated in this State or elsewhere, and, where not otherwise provided, dispose of the same for the benefit of such libraries.

3. To prescribe the duties and powers of the librarian, secretary and other officers and employees of any such libraries, to determine the number of and appoint all such officers and employees, and to fix their compensation, which said officers and employees shall hold their offices or positions at the pleasure of said board.

4. To purchase necessary books, journals, publications and other personal property.

5. To purchase such real property, and erect or rent and equip such building or buildings, room or rooms, as may be necessary, when in their judgment a suitable building, or portion thereof, has not been provided by the council.

6. To require the Secretary of State and other State officials to furnish such libraries with copies of any and all reports, laws and other publications of the State not otherwise disposed of by law.

7. To borrow books from, lend books to and exchange the same with other libraries, and to allow non-residents to borrow books upon such conditions as they may prescribe.

8. To provide memorial tablets, niches or other means to perpetuate the memory of any person who makes donations or bequests to the public library.

9. To enter into any contract with the board of supervisors of the county of Marin, State of California, for the purpose of carrying into effect any of the provisions of an act entitled "An act to provide county library systems," approved April 12, 1909 (California statutes 1909, page 811), or any amendments thereto hereafter adopted.

10. To do and perform any and all other acts and things necessary or proper to carry out the provisions of this article.

Reports.

SEC. 4. The board of library trustees shall, on or before the last day of July in each year, make a report to the council giving the condition of the library on the thirtieth day of June preceding, together with a statement of their proceedings for the year then ended, and forward a copy thereof to the state library at Sacramento.

Title.

Sec. 1. The common council on behalf of the city of [illegible] is hereby authorized to grant to [illegible] the right to [illegible] for the purpose of [illegible] and [illegible] the [illegible] of the city of [illegible] and [illegible] the [illegible] of the [illegible] and [illegible] the [illegible] of the [illegible] and [illegible] the [illegible] of the

When open.

SEC. 7. The police court shall be open for the transaction of business at all times except Sundays and non-judicial days.

Sickness or disability.

SEC. 8. Upon the sickness or disability of the judge of said police court, he may cause to preside in his place any qualified justice of the peace of the county of Marin.

Courtroom, etc.

SEC. 9. The council shall provide a suitable courtroom, dockets, blanks and stationery necessary for the transaction of the business of said police court.

Fines.

SEC. 10. All fines and other moneys received or collected by the judge of said police court, for or on account of the city of San Rafael, shall be paid into the city treasury on the first Monday of each month.

Bailiff.

SEC. 11. The chief of police shall attend, or assign a police officer for attendance, on said court to preserve order therein and enforce its orders and serve its process.

Unfinished proceedings.

SEC. 12. All actions and proceedings pending in the city recorder's court shall be proceeded with, heard, tried and determined in said police court hereby provided for, before said judge, the same as if said actions or proceedings had been originally commenced in said police court.

Justice of the peace.

SEC. 13. Nothing in this charter shall be so construed as to prevent any justice of the peace from holding the office of police judge.

ARTICLE XI

EDUCATIONAL DEPARTMENT

School department.

SECTION 1. The school department of the city of San Rafael shall comprise all the schools within the limits of San Rafael. The San Rafael school district and all territory that is now or may hereafter be annexed thereto for school purposes, which shall be known as "San Rafael school district," and which shall succeed to all the obligations, property, rights, and privileges of the San Rafael school district. It shall consist of elementary and secondary schools as now established or that may hereafter be established, and may, at the discretion of the board of education, include technical, industrial, kindergarten and night schools; *provided*, that no school moneys shall be used for technical, industrial or night school or kindergarten when such use would prevent the board of education from maintaining elementary and secondary schools as provided by law.

School territory.

SEC. 2. All territory included within the limits of the San Rafael school district, or that may hereafter be included within said limits but not within the city limits, shall be deemed a part of said city for the purpose of holding the general municipal elections, and shall constitute one or more separate election precincts, and the qualified electors therein shall vote only for members of the board of education and on questions submitted to a vote for the people at special or general elections pertaining to school matters; and said outside territory shall be deemed a part of said city for all matters connected with the school department.

Government.

SEC. 3. The government of the school department of the district shall be vested in a board of education, to consist of five members, to be called members of the board of education, and who shall receive no compensation.

Meetings.

SEC. 4. The board of education shall meet on the first Monday after the election of its members shall have been officially declared and shall organize by electing one of their number president, and they shall also elect a secretary and fix his salary, and shall meet [illegible] at such times as may be designated by resolution and at the places provided for them by the council. Special meetings may be called by the president of the board of education, or by three members of said board united in a call. All meetings of said board shall be public.

responsible bidder, after advertising for sealed proposals at least once a week for two (2) weeks in a weekly newspaper of general circulation published in said city. Such notice shall specifically state the work contemplated to be done. The council may reject any bid deemed excessive and re-advertise, or the work may be done by the council. If no bid is received, the work may be done by the council.

Advertising.

SEC. 4. The city clerk shall submit a list of blanks and blank books used in the several offices and departments, and the council shall annually fix the prices therefor, and also the price of all job and city printing and each officer, board or department shall procure such blanks, blank books and printing and advertising at a price no greater than is so fixed, and certify the bill therefor to the council.

Contracts for lighting.

SEC. 5. No contract for lighting streets, public buildings, places or offices shall be made for a longer period than three (3) years, nor at a higher rate than the minimum price charged private consumers.

Collusion with bidder.

SEC. 6. Any officer of the city, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall wilfully mislead any bidder in regard to the character of the material or supplies called for, or who shall knowingly certify to a greater amount of labor that has actually been performed, or to the receipt of a greater amount or other kind of material or supplies than has been received, shall be guilty of malfeasance in office.

Collusion of bidder.

SEC. 7. If any person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other person, for the purpose of preventing any other bids, then the contract so awarded shall be null and void, and the council shall re-advertise, or said work may be done by the council.

Officers interested in contracts.

SEC. 8. No officer shall be interested in any contract made by him in his official capacity, or by any other body or board of which he is a member, and any such contract shall be null and void; and it shall be a felony punishable as provided in section seventy-one of the Penal Code of California for any commissioner or officer to suggest or require of any employee that such employee or any member of his family trade individually, or directly or indirectly, with any certain person, firm or corporation.

Hours of labor.

SEC. 9. The maximum time of labor or service required of any laborer, workman or mechanic employed upon any municipal work, whether employed directly by the city and its officers or by a contractor or sub-contractor shall be eight hours during any one calendar day.

ARTICLE XIV

FRANCHISES.

SECTION 1. The council shall have power to designate the terms, conditions and duration of all franchises, subject to the general laws of the State and the provisions of this charter relating thereto; *provided*, that no exclusive franchise shall ever be granted.

SEC. 2. The grant of every franchise or privilege shall be subject to the right of the city, whether reserved or not, to make all regulations which shall be necessary to secure in the most ample manner the safety, welfare and accommodation of the public, including among other things the right to pass and enforce ordinances to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise, and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper service and accommodations for the people and insure their comfort and convenience.

SEC. 3. The grant of every franchise or privilege shall be subject to the right of the city, whether reserved or not, to prescribe and regulate the rates, fares, rentals or charges made for the service rendered under such franchise. The grant of every franchise for a street railroad or interurban railroad shall provide that all United States mail carriers and all officials, policemen and firemen of the city shall at all times, while in the actual discharge of their duties, be allowed to ride on the cars of such railroad within the boundaries of the city, without paying therefor and with all the rights of other passengers.

SEC. 4. Every grant of any franchise or privilege in, over, under or along any of the streets, highways or public places of the city for railway purposes, shall be

[illegible]

[illegible]

[illegible]

Meaning of words.

SEC. 7. The word "city" whenever it occurs in this charter means the city of San Rafael, and every commissioner, board, officer or employee mentioned in this charter means the commissioner, board, officer or employee as the case may be of the city of San Rafael. The word "council" when used in this charter means the council of the city of San Rafael.

Provisions for elections.

SEC. 8. If, for any reason, the first general municipal election is not held on the day herein provided for, the validity of this charter and of such election is not affected thereby, and the board of trustees of the city of San Rafael then in office must provide for the holding of such election as soon as possible thereafter.

Illegal approval of demands.

SEC. 9. Every officer who shall approve, allow or pay any demand on the treasury not authorized by an ordinance of this charter, shall be liable to the city, individually, and on his official bonds for the amount of the demand so illegally approved, allowed or paid.

Women eligible to office.

SEC. 10. Nothing in this charter shall be construed as prohibiting the election or appointment of women to any office, and the words used in this charter in the masculine gender shall include the feminine.

Surrender of books and records.

SEC. 11. All officers, boards, commissioners and departments of the city shall, upon vacating office, turn over to their successors all books, papers, documents, records, archives and other property which may be in their possession or under their charge.

Boundaries.

SEC. 12. The boundaries of the city of San Rafael as described in this charter may be altered and the territory contained therein may be added to or diminished in accordance with the laws of the State of California, covering the annexation and exclusion of territory by municipalities.

Additional duties of officers.

SEC. 13. All officers of the city of San Rafael, elective or appointive, shall, in addition to the duties prescribed in this charter, perform such duties as may be imposed by ordinance or by the general laws of the State of California.

Books and records open to inspection.

SEC. 14. All books and records of the various offices and departments of the city, except those of the police department and the city attorney, shall, during business hours, be open to the inspection of any citizen or taxpayer, who may make copies of same [illegible]. Such copies may be certified by the officer in charge of the records on payment of a fee of twenty-five cents for each ten folios or fraction thereof.

Fiscal year.

SEC. 15. The fiscal year mentioned in this charter shall commence with the first day of July and end with the thirtieth day of June following of each year.

Petition—Percentage of votes.

SEC. 16. After this charter becomes effective and until after the first general municipal election is held thereunder, the per centum of signatures required to any petition for any of the purposes provided for in Articles IV and V of this charter shall be based upon the entire vote cast in the city of San Rafael at the general election held November 5, 1912.

Vacancies, how filled.

SEC. 17. In case at any time there should exist a vacancy in office of a majority of the council, then the board of education shall by majority vote forthwith fill such vacancy; *provided*, that should the board of education fail, for a period of ten (10) days after such vacancy shall have occurred, to fill such vacancy, then the same shall be filled by appointment by a majority vote of the board of library trustees.

Amendments.

SEC. 18. This charter may be amended at such times and in such manner as is provided in the Constitution of the State of California.

General provision.

SEC. 19. In all matters pertaining to municipal affairs, concerning which no special provision is made in this charter, the general law of the State shall be a part of this charter as far as the same may be applicable.

[illegible]

[illegible]

[illegible]

said section of the Constitution and the laws of the State of California pertaining to the adoption of said charter have been fully complied with in every particular.

In witness whereof, I have hereunto set my hand and caused the corporate seal of the city of San Rafael to be affixed this 25th day of January, 1913.

R. KINSELLA,
President of the Board of Trustees of the City of San Rafael.

Attest: EUGENE W. SMITH,
City Clerk of the City of San Rafael.

AND WHEREAS, Said proposed charter has been duly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein), That said charter of the city of San Rafael as presented to, adopted and ratified by the qualified electors of said city be, and the same is, hereby approved as a whole as and for the charter of the said city of San Rafael.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

Senate Concurrent Resolution No. 12 ordered engrossed and transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 1275. An Act to amend section two hundred ninety of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cogswell: Senate Bill No. 1276. An Act to amend section one thousand four hundred eighty-nine of the Political Code, relating to the powers and duties of normal school boards.

Bill read first time, and referred to Committee on Education.

By Senator Hewitt: Senate Bill No. 1277. An Act to permit the consolidation of elections and to provide a procedure therefor.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1278. An Act to add a new section to an Act entitled "An Act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts, and to fix the compensation of certain officers thereof," which Act became a law under constitutional provision without the Governor's approval, March 5, 1901, to be numbered ten and one half relating to the selection of jurors and the impaneling of juries in such courts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Gerdes: Senate Bill No. 1279. An Act to appropriate the sum of eight thousand eight hundred forty-one and seventy-nine one hundredths dollars out of the general fund in the state treasury to pay the assessments levied by the city and county of San Francisco against

property belonging to the State of California for land improvements.

Bill read first time and referred to Committee on Finance.

By Senator Bryant: Senate Bill No. 1240—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911.

Bill read first time and referred to Committee on Labor and Capital.

By Senator Mott: Senate Bill No. 1241—An Act to amend an Act entitled "An Act relating to the liability of employers for injuries or death sustained by their employees, providing for the compensation for the accidental injury or employees, establishing an industrial accident board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911.

Bill read first time and referred to Committee on Labor and Capital.

By Senator Flint: Senate Bill No. 1242—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of said officers and employees, to make an appropriation for the salaries and other expenses for the execution of the Act, to provide how and making certain acts a felony and repealing an Act entitled 'An Act creating a commission of public works, defining its duties and powers, and fixing his compensation,' approved February 9, 1909, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled "An Act to create a department of highways for the State of California, to define the duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April first, eighteen hundred ninety seven, also repealing an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relative to drainage, to purchase machinery, tools, implements and appliances therefor, to improve and excell water channels, to place water hammers and connect to said drainage or overflow land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of the Act," approved March seventeenth, eighteen hundred ninety-seven, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled "An Act to provide for the appointment, duties and compensation of a State commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March twenty-fourth, eighteen hundred and ninety-nine, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled "An Act to create the office of Land Taking agent and commissioner, providing for the term of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April first, eighteen hundred ninety seven, and all Acts or parts of Acts

amendatory thereof;" approved March eleven, nineteen hundred seven, and all Acts or parts of Acts amendatory thereof, by amending sections five and twelve thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the chief engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds, to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1284—An Act entitled an Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the moneys in the fund created by said Act.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Benson: Senate Bill No. 1285—An Act to amend section one thousand six hundred and sixty-two of the Political Code of the State of California, by determining the number of years of instruction in the day and evening elementary schools, determining the age of admittance to the day and evening elementary schools, and providing for separate schools for Indian, Mongolian, Chinese, Japanese, Malay and Hindu children, and authorizing the exclusion of children of filthy and vicious habits.

Bill read first time, and referred to Committee on Education.

By Senator Carr: Senate Bill No. 1286—An Act to provide for an experiment station to determine proper methods of sewage disposal and water purification, defining the duties of the State Board of Health in relation thereto, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Benson: Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district, to be called 'Reclamation District No. 551,' and providing for the control and management thereof," approved April 8, 1911.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1288—An Act to amend an Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale

or transportation of advertising, published or undecided books and papers and regulating the public duties, powers, position, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 1295—by, An appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of surveying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the state and improving the navigability of said streams and for acquiring land for necessary rights of way.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Thompson: Senate Bill No. 1296—by, An to provide for granting, creating, altering and defining the powers of the Advisory Council of the State and making an appropriation to pay the cost and expense of the same.

Bill read first time, and referred to Committee on Judiciary.

Also, Senate Bill No. 1297—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements where municipalities and also for the payment of such bonds, approved February 27, 1903, by adding thereto two new sections to be known as sections two hundred and two and two hundred and two and one-half, relating to the duties of the Governor, auditor, treasurer and attorney general."

Bill read first time, and referred to Committee on County Government.

Also, Senate Bill No. 1298—An Act to amend an Act entitled "An Act to provide for work on and improvement of streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and claims of any owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent unpaid assessments for the cost thereof, and repealing a certain Act entitled 'An Act to provide for the payment of such bonds, approved April 11, 1911,' by adding thereto one new section, to be numbered eight-and-one-half, relating to the duties of the auditor, treasurer and attorney general."

Bill read first time, and referred to Committee on Municipal Government.

Also, Senate Bill No. 1299—An Act authorizing the investment and reinvestment and disposition of the surplus moneys in the treasury of any county, city and county or municipal city or town.

Bill read first time, and referred to Committee on Finance.

Also, Senate Bill No. 1300—An Act to amend section [illegible] and [illegible] of the Political Code, relating to and defining the powers and duties of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Senator Tyrrell: Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 1297—An Act authorizing and empowering the Regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1298—An Act to amend section five hundred ninety-eight of the Civil Code, relating to the selling, mortgaging, alienating, incumbering or gaining of the real property of religious, social and benevolent corporations.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1299—An Act relating to real estate brokers, agents, salesmen and dealers in the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1300—An Act creating a board to be known as the state advertising board, providing for the appointment of its members; fixing the term of office of its members, their salaries, powers and duties.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1301—An Act creating a fund to be known as the state advertising fund and providing for the formation of such fund.

Bill read first time, and referred to Committee on Judiciary.

NOTICE OF MOTION.

Senator Gates gave notice that he would, on the second legislative day following the constitutional recess, move to take the consideration of Senate Joint Resolution No. 13, the pending amendments, and the subject-matter from the table.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. PRESIDENT—Your Committee on Engrossment and Enrollment have examined the following Senate bills:

Senate Bill No. 282—An Act to amend section three hundred thirty-nine of the Code of Civil Procedure, relating to the time of commencing certain actions.

Also: Senate Bill No. 409—An Act to amend section five hundred and eighty-three of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Also: Senate Joint Resolution No. 8—Relative to House Bill No. 13500, by Congressman John E. Raker, of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic laborers.

Also: Senate Joint Resolution No. 9—Relative to the continuance by the United States of the Government line of steamers from eastern seaports to Colon, in the "canal zone," and the extension thereof to Pacific seaports on the western coast of the United States, on the completion of the Panama Canal.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ENGROSSED AND ENROLLED.

Senate Concurrent Resolution Number 75, [illegible]

Mr. Thompson, Vice Chairman on Enrolled and Engrossed Bills, has reported Senate Bill No. 90, An Act [illegible] to amend [illegible] the Senate Journal of the Thirty-Sixth Legislature.

Also, Senate Bill No. 126, An Act to amend [illegible] an Act entitled An Act to provide for the compensation of engine men and the [illegible] of police and [illegible] Lighting District and Chairman of the Executive Board of Engineers, passed at Regular Term Council and [illegible] Legislature [illegible], approved April 28, 1911.

Also, Senate Bill No. 182, An Act appropriating [illegible] thousand dollars to [illegible] heating and [illegible] the senate wagon and to repair the water supply of the Capitol State House at Olympia, Thurston County, Washington and authorizing and directing the [illegible] and [illegible] the same.

Also, Senate Bill No. 186, An Act appropriating [illegible] thousand dollars [illegible] and authorizing and directing the construction and furnishing of the [illegible] for the use of the [illegible] at the Soldiers Home [illegible] at Orting, Pierce County, Washington.

Have had the same under consideration and respectfully report the [illegible] and recommend that they be passed and be re-referred to the Committee on Finance.

MARK [illegible], Chairman.

Senate Bills Nos. 91, 186, 182, and 273 [illegible] re-referred to Committee on Finance.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Wright:

Whereas, The Legislature discovers that the [illegible] page 10, subject [illegible] in the Senate, entered Senator Chappell's [illegible] and [illegible] from the Senate Chamber, thereby exercising a power which is the [illegible] of this body [illegible] to the [illegible] Sec. 11;

Resolved, That the Senate respectfully protest against the action of one of its members and [illegible] during the Senate Chamber without [illegible] of any, and request the Committee on Rules to proceed on the [illegible] Sec. 11 Constitution in full [illegible] following the [illegible] of the President of the Senate in the [illegible] of business.

Resolution referred to Committee on Rules.

By Senator Owings:

Resolved, That [illegible] be added to the [illegible] of Senate Bill No. 93 [illegible] be [illegible] printed for [illegible].

Resolution read and adopted.

By Senator Grose:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and [illegible] to secure from the State Printer [illegible] copies of Senate Bill No. 120.

Resolution read and adopted.

MOTION.

Senator Clemmons moved that the Remarks of Senators Cotton and Gates on Assembly Joint Resolution No. 10 be printed in the Journal.

Motion carried.

LEAVE OF ABSENCE.

Senator Reed was, on his own motion, granted leave of absence for Saturday, February 1, 1913.

ADJOURNMENT.

At five o'clock and fifteen minutes p.m., on motion of Senator Thompson, the President pro tem declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.
Saturday, February 1, 1913

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Colgan, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 31, 1913, the further reading was dispensed with, on motion of Senator Rush.

SPECIAL ORDER SET.

Senator Caminetti moved that the correction and approval of the Journal of Friday, January 31, 1913, be made a special order for Monday, February 3, 1913, at eleven o'clock a.m.

Motion carried.

PRIVILEGES OF FLOOR OF SENATE EXTENDED.

On request of Senator Shanahan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. J. E. Barber, of Shasta County.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Messrs. H. L. Johnston and Benjamin Blow, of Napa County.

PETITIONS.

Senator Grant presented a petition in favor of the enactment of Assembly Bill No. 353 or Senate Bill No. 320, from S. F. Silgenfeld and other residents of Napa County.

Also: On the same subject, from John W. Winkley and other voters of Ione, Amador County.

Also: In favor of the Kehoe-Benedict Sunday rest law, from Bakers' Local Union No. 24, of San Francisco.

COMMUNICATIONS.

The following communications were presented by the President and ordered printed in the Journal:

UNIVERSITY OF CALIFORNIA.
OFFICE OF THE PRESIDENT.
BERKELEY, January 29, 1913.

MY DEAR LIEUTENANT GOVERNOR WALLACE:

I very much wish that the members of the Senate, individually or in groups, might find it possible to visit the University of California during the approaching recess.

[illegible]

Hon. A. J. Wallace,
[illegible]

Also:

[illegible]

To the Honorable the President and members of the Senate of California:

[illegible]

Also:

[illegible]

ARTHUR J. WALLACE, President of Senate, Sacramento, Cal.:

[illegible]

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was then read and filed:

[illegible]

Also:

[illegible]

Assembly Bill No. 551 read first time.

Senator Boynton moved that the rules be suspended, and Assembly Bill No. 551 be placed on the calendar without reference to committee.

Motion carried unanimously.

Assembly Bill No. 551 ordered on file.

Assembly Bill No. 601 read first time, and referred to Committee on Finance.

RESOLUTION

The following resolution was introduced:

By Senator Boynton:

Resolved, That Assembly Bill No. 551 pursuant to [illegible]

The question being on the adoption of the resolution

The roll was called, and Section 15 of Article IV of the Constitution suspended by the following vote:

AYES—Senators Anderson, Beban, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

CASE OF URGENCY

Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election on November 5, 1912.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 551 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom was sent Senate Bills Nos. 1121 to 1301, inclusive, and Senate Constitutional Amendments Nos. 35 to 38, inclusive, respectfully report that they have examined the same and delivered them to the printer at the hour of nine o'clock and forty-five minutes p.m., February 1, 1913.

FLINT, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 10, Appropriating twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913, and report that the same has been correctly engrossed.

GRANT, Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following resolution:

Resolved, That the Secretary of the Senate be, and he is hereby, instructed to furnish to the public libraries, high schools, chambers of commerce, and boards of trade throughout the State, one copy of all Senate bills, on receiving written requests therefor from said institutions:

Have had the same under consideration, and recommend that the same be amended to read as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, instructed to furnish to every county clerk not already receiving the same, and to any public library, city clerk, college library, readers' library, high school, chamber of commerce or board of trade within the State, one copy of each Senate bill and History complete to date of recess on receiving a written request therefor from any such

...committee which reports about ordering a statement to the effect that such bill could be found on the engrossed bill when the same left the control of the Senate.

And on motion of Senator Kelso the committee was discharged.

...

...

Senator Cantrell moved to amend the bill as follows:

By inserting the words "such balances of taxes to [illegible]."

...

The question being on the amendment.

The ayes and noes were called for by Senators Cantrell and Owens.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Bryan, Chambers, Cornish, Cox, Crosby, Flint, Gore, Hare, Hellwig, Lane, Orford, Rhea, Sadler, Shelton, and Vinson—15.

NOES—Senators Appleman, Ayres, Bryson, Davis, Kelso, Kennedy, Linn, Owen, Roff, Sims, Hewitt, Kehr, Ledbetter, Moss, Newcomb, Thompson, and Wright—16.

...

Senator Cantrell moved that the amendment be laid upon the table.

Motion lost.

...

The question being on the adoption of the amendment.

The ayes and noes were called for by Senators Chambers, Sadler and Owens.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Cantrell, Cox, Owens, and Rhea—4.

NOES—Senators Appleman, Ayres, Bryan, Bryson, Burnett, Butler, Chappell, Cary, Cornish, Crosby, Flint, Gore, Hare, Hellwig, Kennedy, Kehr, Ledbetter, Linn, Moss, Rogers, Sadler, Shelton, Stringfellow, Thompson, Wright, and Wynne—25.

...

Senator Kehr moved to amend by striking out the words

"Chairman of committee on [illegible]."

...

The ayes and noes being called for by Senators Flint, Bryant and Sanford.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Ayres, Bryan, Bryant, Butler, Cantrell, Cox, Flint, Flint, Gore, Hare, Kehr, Ledbetter, Moss, and Rhea—14.

NOES—Senators Appleman, Bryson, Chappell, Crosby, Cornish, Davis, Hewitt, Jones, Hellwig, Linn, Owen, Roff, Sanford, Shelton, Stringfellow, Thompson, Vinson, and Wright—20.

...

The question being on the adoption of the report and resolution, the same were adopted.

MOTION.

Senator Sanford moved that Senate Joint Resolution No. 13, and the pending amendments, be taken from the table.

CALL FOR AYES AND NOES.

The question being on the motion.

The ayes and noes were called for by Senators Cammetti, Owens, and Curtin.

The roll was called, and the motion lost by the following vote:

AYES—Senators Cammetti, Campbell, Cohn, Curtin, Grant, Juilliard, Owens, Regan, Sanford, Shanahan, and Wright—11.

NOES—Senators Anderson, Boynton, Brown, Bryant, Butler, Carr, Cogswell, Finn, Flint, Gates, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Rush, Strobridge, Thompson, and Tyrrell—20.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Bryant:

WHEREAS, The Senate of the State of California has just received the sad intelligence of the death of the daughter of our distinguished member, Hon. Fred C. Geisler, and we, the members of the Senate of the State of California, do hereby express our profound sorrow in the sad affliction which has befallen our distinguished member, and we extend to him hereby our heartfelt sympathy; and be it

Resolved, That when the Senate adjourns on this day it do so out of respect to the memory of the deceased.

Resolution read and adopted by a rising vote of the Senate.

By Senator Lyon:

Resolved, That the Superintendent of State Printing be directed to print five hundred extra copies of Senate Bills Nos. 466, 982, and 984.

Resolution read and adopted.

By Senator Wright:

Resolution directing the State Treasurer and the State Board of Control to furnish the Senate with certain data relating to the sale or purchase of state highway and state harbor improvement bonds authorized at the general election of 1910.

WHEREAS, The State of California, at the general election held in 1910, authorized a state harbor improvement bond issue of $9,000,000 for the improvement of the port of San Francisco, which is under state control, as well as the further bond issue of $1,000,000 for the purchase of sixty-three blocks of the Islais Creek tide lands for the further improvement of the said port of San Francisco; and

WHEREAS, According to the public prints, said improvements have been retarded or delayed through the failure of the State Treasurer to dispose of said bonds in sufficient amounts to cover the harbor contracts already entered into or contemplated by the State Harbor Commission of the port of San Francisco; therefore, be it

Resolved, That the State Treasurer and the State Board of Control be and are hereby requested and directed to furnish the Senate, at the earliest possible moment, the number, date, and result of the public offerings of said state harbor improvement bonds, the purchasers and the amount thereof, if any, the amount that has been placed to the credit of the State Harbor Commission of San Francisco, and the amount of the contracts already awarded by the said commission and approved by the Board of Control, as provided by law.

Resolution referred to Committee on Commerce and Navigation.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Strobridge: Senate Bill No. 1302—An Act to add a new section to the Penal Code of the State of California, to be numbered section four hundred two-f, relating to the use of towels by more than one person.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1303—An Act to prohibit the use of towels in public lavatories and comfort stations by more than one person.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1304—An Act to amend section two hundred and twenty-four of the Civil Code of the State of California, relating to the adoption of children, and the consent necessary thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1305—An Act to improve and regulate the quality of milk and cream produced in the State of California, to promote sanitary methods in producing, handling, transportation and marketing the same; to establish uniform rules and regulations and provide penalties for the violation of the same, and for kindred purposes, who test milk and cream.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1306—An Act relating to the liability of employers for injuries or death sustained by their employees, providing for compensation for accidental injury of employees, establishing an industrial accident board, naming an appropriation therefor, defining its powers, providing for a review of its awards, and providing for the collection, administration and disbursement by the insurance commissioner of an accident fund.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1307—An Act to amend an Act entitled "An Act to secure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act, to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof, providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 24, 1885, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 24, 1907, by adding thereto a section to be numbered thereto, relating to schedule of fees.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1308—An Act to amend section fourteen of an Act entitled "An Act to secure the better education of practitioners

of dental surgery, and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885," approved March 28, 1901."

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1309—An Act to amend section twelve of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1310—An Act to amend section six of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Birdsall: Senate Concurrent Resolution No. 16—Relative to the appointment of a committee of the Legislature to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters, to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county, school and municipal buildings, grounds and public works throughout this State.

Resolution referred to Committee on Judiciary.

By Senator Hewitt: Senate Bill No. 1311—An Act to add a new section to the Political Code to be numbered sixteen hundred seventeen *b* of said code, relating to the sale or leasing of school property by board of trustees of common school districts and by boards of education in city school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts and places in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1313—An Act to repeal sections thirty-eight hundred thirty-nine to thirty-eight sixty-two of the Political Code of California, relating to poll taxes.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boyce: Senate Bill No. 1314—An Act to amend section one and seven of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 2, 1883, and to add a new section thereto, to be numbered three, relating to the duties and powers of the commissioner and his appointees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1315—An Act to amend section two hundred twenty-six and two hundred twenty-seven of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

Bill read first time, and referred to Committee on Judiciary.

RECESS TAKEN AT THIS TIME.

At twelve o'clock and five minutes p.m., Senator Curtin of the Twelfth District, in the chair.

INTRODUCTION AND FIRST READING OF BILLS [CONTINUED]

The following bills, etc., were introduced:

By Senator Logan: Senate Bill No. 1316—An Act to amend section one hundred fifty-three of the Code of Civil Procedure of California, relating to the certification of the record on appeal, and the character of record to be filed.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1317—An Act to amend section two hundred four of the Code of Civil Procedure of the State of California, relating to the selection of jurors for cause of appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1318—An Act to amend section six hundred fifty-eight, six hundred fifty-nine, six hundred sixty and six hundred sixty-one of the Code of Civil Procedure of the State of California, relating to new trials of actions in Superior Courts, the procedure to be pursued in moving for a new trial, and the power on appeal from an order determining such motion.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1319—An Act to amend section six hundred seventy of the Penal Code of the State of California, relating to the terms of imprisonment of persons convicted of crime.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1320—An Act to amend section three hundred thirty-nine and three hundred forty of the Code of Civil Procedure of the State of California, relating to the time of commencing actions other than for the recovery of real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1321—An Act to amend section nine hundred and fifty-three a of the Code of Civil Procedure of the State of California, relating to the record of appeals from judgments, orders or decrees of the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1322—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California

relating to papers to be used and record to be made upon appeal from a judgment of the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1323—An Act to amend section one hundred and ninety-nine of the Code of Civil Procedure of the State of California, relating to the competency of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1324—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such an unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1325—An Act to amend section four hundred twenty-seven of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Bill read first time, and referred to Committee on Judiciary.

By Senator Larkins (by request): Senate Bill No. 1326—An Act to amend section sixty-four of an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read first time, and referred to Committee on Irrigation.

By Senator Cohn: Senate Bill No. 1327—An Act to appropriate twelve thousand dollars, to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1328—An Act amending section two of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to structures and buildings,' approved March 28, 1876," approved March 22, 1909.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1329—An Act to provide for the appointment [illegible] of the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Avey: Senate Bill No. 1330—An Act to repeal section two thousand one hundred and eighty-one of the Political Code of the State of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 1331—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Bill read first time, and referred to Committee on Finance.

By Senator Bryan: Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe

its duties and powers to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof." approved March 23, 1901, by adding thereto a new section, to be numbered section thirty-a, relative to the necessity of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States or any foreign country to practice as a certified public accountant in the State of California.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1333—An act to authorize an industrial commission, to define its powers and duties, to provide for a division of the work, powers, and records, and making an appropriation therefor.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Joint Resolution No. 21—Relative to a federal income tax.

Resolution referred to Committee on Federal Relations.

By Senator Stanford, Senate Bill No. 1334—An act to amend section two hundred ninety-five of the Civil Code of the State of California, relative to sale of silver by redemption of notes and payment of interest.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1335—An act to amend section two hundred ninety-three of the Civil Code of the State of California, relating to necessity to filing articles and amounts to be subscribed and to be fixed.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1336—An act to amend section two hundred nineteen of the Civil Code of the State of California, relative to certain corporations to write further facts to article.

Bill read first time, and referred to Committee on Corporations.

By Senator Hans: Senate Bill No. 1337—An act to regulate and license the practice of healing with drugs, knife and medicine, and to provide therefrom persons for such practice and examination.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hall: Senate Bill No. 1338—An act to authorize the State of California to issue its bonds and to provide the ways for payment of bonds of irrigation districts, reclamation districts and drainage districts, and providing ways and means, exclusive of taxes, for the payment of the interest on said bonds of districts and also to pay and discharge the principal of such said bonds, and providing for the submission of this act to the people at a general election.

Bill read first time and referred to Committee on Irrigation.

Also: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section thirteen of article eleven, relating to assessment, equalization and collection of taxes for state and county purposes.

Constitutional amendment referred to Committee on Taxation.

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to

article twenty thereof, to be numbered section twenty-two, relating to the issuance of state bonds to create a fund for the purchase of the bonds of irrigation, reclamation and drainage districts.

Constitutional amendment referred to Committee on Irrigation.

By Senator Bryant: Senate Bill No. 1339—An Act to add a new section to the Penal Code, to be numbered section five hundred and twenty-seven, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theatre or other place of indoor amusement, and fixing penalty thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Campbell: Senate Bill No. 1341—An Act to amend section three hundred seventy-four and one half of the Penal Code of the State of California, relating to discharging or depositing coal-tar, refuse, or residuary products of coal, petroleum and other carbonaceous material or substances in any of the navigable waters of the State, or upon the waters of the Pacific Ocean within a certain point on the coast line of the State, and prescribing a penalty therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1342—An Act to amend section forty two hundred fifty-two of the Political Code of the State of California, relating to county and township governments and the compensation of the county and township officers of counties of the twenty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Caminetti: Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Bill read first time, and referred to Committee on Finance.

By Senator Gates: Senate Bill No. 1344—An Act to amend section six hundred twenty-five of the Code of Civil Procedure, relating to verdicts by juries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1345—An Act to amend section nineteen hundred and eighty-six and nineteen hundred and ninety-one of the Code of Civil Procedure, relating to the issuance of subpœnas, the disobedience thereof, refusal of a witness to be sworn, to answer as a witness, or to subscribe an affidavit or deposition, and punishment therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1346—An Act to amend section eleven hundred and eight of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1347—An Act to add a new section to the Code of Civil Procedure of California, to be numbered seven hundred forty-nine, relating to the effect of judgments in actions affecting title to real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1348—An Act to amend section four hundred forty-two of the Code of Civil Procedure, relating to cross complaints.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1349—An Act to amend section four hundred seven of the Code of Civil Procedure, relating to the petition, depositions and contents of the summons in civil actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1350—An Act to amend section four hundred thirteen of the Code of Civil Procedure, relating to service of summons by publication.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1351—An Act to add a new section to the Civil Code to be numbered three hundred six, relating to the adoption of a program at directors' meetings.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1352—An Act to add a new section to the Civil Code to be numbered three hundred twenty, relating to notice of calling of annual meeting of corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1353—An Act to amend section three hundred twenty-one 3, of the Civil Code, relating to proxies at directors' meetings.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1354—An Act to add a new section to the Civil Code to be numbered three hundred eighteen a, relating to the voting-trust-holders' meetings, when such voting is not provided for by by-laws.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1355—An Act to add a new section to the Civil Code to be numbered three hundred six a, relating to voting at directors' meetings.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1356—An Act to amend section three hundred twelve of the Civil Code, relating to stockholders' meetings and an adjournment thereof for lack of quorum.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1357—An Act to amend section fifteen hundred sixty-four of the Code of Civil Procedure, relating to personal injuries for the establishment of boards.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1358—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, and a board of district examiners.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Carter: Senate Bill No. 1359—An Act to promote the horticultural interests of the State of California by providing for a county horticultural commissioner, prescribing his duties and fixing his compensation, and repealing an Act entitled "An Act to amend sections twenty-three hundred twenty-two, twenty-three hundred

twenty-two *b*, twenty-three hundred twenty-two *c*, twenty-three hundred twenty-two *d*, and twenty-three hundred twenty-two *e*, approved March 25, 1911, and to repeal sections twenty-three hundred twenty-two, twenty-three hundred twenty-two *b*, twenty-three hundred twenty-two *c*, twenty-three hundred twenty-two *d* and twenty-three hundred twenty-two *e* of the Political Code of the State of California.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 1360—An Act to amend section six hundred and seventy-eight of the Political Code, relating to notices of the issuance and sale of bonds.

Bill read first time, and referred to Committee on Irrigation.

By Senator Tyrrell: Senate Bill No. 1361—An Act to amend section eighteen hundred forty of the Political Code, relating to special school district funds, and the levying and collection of same.

Bill read first time, and referred to Committee on Education.

By Senator Cassidy: Senate Bill No. 1362—An Act to amend section six hundred fifty-six of the Civil Code of the State of California, relating to the ownership of wild animals while living.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Boynton: Senate Bill No. 1363—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 1364—An Act to amend section one hundred ninety-five of the Penal Code of California, relating to homicide and the cases in which homicide is excusable.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1365—An Act to amend sections six hundred fifty-five, six hundred seventy-eight and six hundred eighty-three of the Political Code, relating to the State Board of Control and department of accounting thereto, providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1366—An Act to establish a civil service commission and to regulate the civil service of the State of California.

Bill read first time, and referred to Committee on Civil Service.

By Senator Anderson: Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1368—An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor and providing penalties therefor and repealing an Act entitled "An Act to encourage and provide for compulsory vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An

Act to encourage and provide for a general institution by the State of California," approved February 26, 1909, approved March 1, 1911.

Bill read first time, and referred to Committee on Education.

By Senator Juilliard: Senate Bill No. 1369—An Act creating the California historic landmarks commission, providing for its appointment and defining the powers and duties.

Bill read first time, and referred to Committee on Judiciary.

By Senator King: Senate Bill No. 1370—An Act to authorize the payment of the claim of Windsor, Flint Company against the State of California and making an appropriation therefor out of the San Francisco harbor funds.

Bill read first time, and referred to Committee on Finance.

Also: Senate Constitutional Amendment No. 41—An Act to amend section six of article six of the Constitution of the State of California.

Constitutional amendments referred to Committee on Judiciary.

By Senator Hewitt: Senate Bill No. 1371—An Act to add a new section to the Political Code, to be numbered section four thousand two hundred and seventy-one a, relative to the taxation expense of county officers.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1372—An Act to add a new section to the Political Code, to be numbered section four thousand three hundred seventy-six, relating to the deposit of moneys with county treasurer.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1373—An Act to add a new section to the Political Code, to be numbered section four thousand six hundred and fifty a, relating to the duty of assessors in equalizing assessment books.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1374—An Act to provide for supplying county officers with information concerning bills pending before the Legislature.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1375—An Act to add a new section to the Political Code, to be known as section one thousand eight hundred forty a, relative to the levy of school district taxes.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1376—An Act to add a new section to the Political Code, to be known as section three thousand six hundred sixty-five a, relating to the duty of county surveyors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1377—An Act to add a new section to the Political Code, to be known as section three thousand six hundred and fifty c, relating to the assessment of property sold by the State for delinquent taxes.

Bill read first time, and referred to Committee on County Government.

By Senator Wright: Senate Bill No. 1378—An Act relating to fire insurance, and to provide for the regulation and control of rates of premium thereon, and to prevent discriminations therein.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1379—An Act to provide for work upon public roads, highways, streets, avenues, boulevards, lanes, courts and alleys not within the territory of incorporated cities and towns, and for the construction, therein or thereon of sidewalks, sewers, man holes, bridges, cesspools, gutters, tunnels, curbing, cross-walks, water pipes and appurtenances, and to plant trees thereon; such Act to be known as the "Suburban Improvement District Act of 1913."

Bill read first time, and referred to Committee on Roads and Highways.

Also (by request): Senate Bill No. 1380—An Act making an appropriation for the purchase and acquisition of an aeroplane for the use of the state militia.

Bill read first time, and referred to Committee on Military Affairs.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At twelve o'clock and twenty-five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—RESUMED

The following bills, etc., were introduced:

By Senator Lyon: Senate Bill No. 1381—An Act to establish industrial courts, fixing the jurisdiction of such courts, and fixing the powers, duties and responsibilities of the judges thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1382—An Act to regulate the wages paid to minors, providing for a minimum rate of wages, and prescribing penalties for violations thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1383—An Act to amend section five of "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and Acts amendatory thereof.

Bill read first time, and referred to the Committee on Labor and Capital.

Also: Senate Bill No. 1384—An Act to add a new section to the Civil Code, to be numbered one thousand seven hundred and sixteen, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1385—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Thompson, Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution by the addition of a new section to article five, to be numbered section two-and-one-half, relating to the State Board of Control.

Constitutional amendment referred to Committee on Judiciary.

By Senator Cary, Senate Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section thirteen of article twenty, relating to elections.

Constitutional amendment referred to Committee on Elections.

By Senator Anderson, Senate Bill No. 1000—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and appropriating money therefor," approved March 23, 1903, by adding two new sections thereto, to be numbered three a and three b, relating to the establishing of the conditions and causes of pauperism, disease, insanity, and crime in this State, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals, and making an appropriation therefor.

Bill read first time and referred to Committee on Judiciary.

Also, Senate Bill No. 1001—An Act to amend an Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, together with the amendments thereto, approved April 21, 1911, by amending sections nineteen, ninety-seven and one hundred thereof.

Bill read first time and referred to Committee on Banking.

Also, Senate Bill No. 1002—An Act to amend section two and section two of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1891.

Bill read first time, and referred to Committee on Judiciary.

[illegible]

The following petitions were introduced:

By Senator Saylor:

[illegible]

[illegible]

RECESS.

Senator Gates moved that the further consideration of the matter be made a special order for the second legislative day after the constitutional recess.

Senator Wright moved as a substitute that the resolution be referred to Senator Cartwright as a committee of one to protect.

POINT OF ORDER.

Senator Gates raised the point of order that a motion to postpone to a day certain takes precedence over a motion to amend.

DECISION ON POINT OF ORDER

The President pro tem announced his decision and declared the point of order well taken

POINT OF ORDER

Senator Campbell raised the point of order that the motion of Senator Coles had not been properly seconded

DECISION ON POINT OF ORDER

The President pro tem announced his decision and declared the point of order well taken

SUBSTITUTE OFFERED

Senator Wright offered a substitute for the resolution, as follows:

[illegible]

MOTION

Senator Coles moved that the consideration of the pending substitute and the resolution be continued to the second legislative day following the constitutional recess

AMENDMENT TO MOTION

Senator Sanford moved to amend the motion by substituting Monday February 3 1913, at eleven o'clock a m, as the time for consideration

The question being on the adoption of the amendment, the roll was called

CALL OF THE SENATE

Pending the announcement of the vote Senator Campbell moved a call of the Senate

Motion carried

Time, one o'clock and thirty minutes p m

The President pro tem directed the Sergeant at Arms to close the doors

The doors were closed and the Secretary was directed to call the roll

The roll was called and the following answered to their names

Senators Anthony Avis Bates Bayless Bryan Burke Connelly Cooper Cox Culbertson Cumpton Cantrell Allen Dale Dial Estes Grant Hawes Jones Kelso Lapham Lane Mayo Owens Rogers Rose Sanford Shumate Stockdale Thomson Tidwell and Wright

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At one o'clock and thirty-five minutes p m further proceedings under the call of the Senate were dispensed with on motion of Senator Wright

The roll of absentees was called and the amendment lost by the following vote:

AYES—Senators Caminetti, Campbell, Cartwright, Chandler, Curtis, Cutten, Green, Larkins, Owens, Rigdon, Rush, Stanford, Strobridge, and Wright—13.

NOES—Senators Anderson, Avey, Beban, Benedict, Bennett, Bolfer, Burnett, Carr, Cogswell, Finn, Flint, Gates, Hewitt, Jones, Leake, Lyon, Mott, Strobridge, Thompson, and Tyrrell—20.

SPECIAL ORDER NO. 7

The question occurring on the motion of Senator Beban, the roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Beban, Bennett, Bolfer, Burnett, Carr, Cogswell, Finn, Flint, Gates, Jones, Hewitt, Leake, Lyon, Mott, Strobridge, Thompson, and Tyrrell—21.

NOES—Senators Caminetti, Campbell, Cartwright, Chandler, Curtis, Cutten, Green, Larkins, Owens, Rigdon, Stanford, and Wright—13.

RECONSIDERATION OF ROLL CALL—THIRD READING OF BILLS

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of section 8 [sic] of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of railroad, express and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

Senate Bill No. 231 was on motion of Senator Flint, passed to file to retain its place.

SECOND READING OF BILLS

Senate Bill No. 215—An Act to amend section one of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1

On page 1, section 1, line 8, of the printed bill, strike out the words "time [sic] to time to adopt such" and insert in lieu thereof the following: "the department."

Amendment adopted.

AMENDMENT NO. 2

On page 1, section 1, line 11, of the printed bill, strike out the words "to board" and insert in lieu thereof the following: "the board."

Amendment adopted.

AMENDMENT NO. 3

On page 2 of the printed bill, strike out all of sections 2 and 3.

Amendment adopted.

Bill read second time, and ordered to print, engrossed, and third reading.

Senate Bill No. 296—An Act to amend section two thousand nine hundred eighty-one of the Political Code relating to the meetings of the State Board of Health and the duties of the secretary thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, section 1, line 4, of the printed bill, strike out the period after the word "Counties" and insert in lieu thereof a comma, and add the following words: "at Sacramento, unless otherwise hereafter provided by law."

Amendment adopted.

AMENDMENT No. 2.

On page 1, section 1, line 16, of the printed bill, strike out the period after the word "office" and insert in lieu thereof a comma, and add the words "and his office shall be kept at the same place where the meetings of the State Board of Health are required by law to be held."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 13, Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin county.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

UNANIMOUS CONSENT GRANTED.

Senator Caminetti asked, and was granted, unanimous consent to suspend the rules and place Assembly Concurrent Resolution No. 13 on file without reference to a committee, and to take it up for consideration.

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County.

Resolved by the Assembly, the Senate concurring, That a committee be, and the same is, hereby appointed, consisting of ten members, to investigate, during the constitutional recess, the feasibility of removing the state hospital from its present location in the city of Stockton, county of San Joaquin, State of California, to the State Agricultural Farm on the lower Sacramento road, three miles north of the city of Stockton, in said San Joaquin County. The said committee shall consist of the following persons, each of whom shall be, and is, hereby appointed a member of said committee, namely: the Lieutenant Governor of the State, who shall be chairman of said committee, the Speaker of the Assembly, the Chairman of the Assembly Hospital and Asylums Committee, the Chairman of the Assembly Ways and Means Committee, the Chairman of the Senate Finance Committee, the Chairman of the Senate Hospital and Asylums Committee, the Chairman of the Assembly State Grounds and Parks Committee, the Senator from the Tenth Senatorial District, the Assemblyman from the Nineteenth Assembly District, the Assemblyman from the Twentieth Assembly District, who shall be the secretary of the said committee.

Immediately after the adoption of this resolution, the said committee shall organize and proceed to investigate the feasibility of the removal of said state hospital as hereinbefore provided, with the end in view that a full and complete report be made of the feasibility of the removal of said hospital from within the limits of the city of Stockton to said State Agricultural Farm, and said committee shall also report as to what buildings and the approximate cost of the same will be necessary to be made in order to accomplish such removal.

The said report shall be presented to the Legislature of this State when it convenes after the constitutional recess.

The members of said committee shall receive no compensation for their services, but shall be allowed all expenses necessarily incurred in the performance of their duties.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 14 adopted by the following vote:

[illegible]

Resolution ordered transmitted to the Assembly.

[illegible]

The following bills, etc., were introduced:

By Senator Campbell: Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 3 of Article IV, relating to the number and classes of Senators.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 4 of Article IV, relating to election and term of Senators.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2 of Article IV, relating to sessions of the Legislature.

Constitutional amendment referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 1289—An Act to amend section four thousand two hundred and forty-eight of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1290—An Act to amend section four thousand two hundred and seventy-six of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1291—An Act to amend section four thousand two hundred and seventy-seven of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Hewitt: Senate Bill No. 1292—An Act to add a new section to the Political Code to be numbered four thousand six hundred and fifty-b, relating to the duties of assessors in preparing assessment books and to the contents of said books.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1293—An Act to provide for supplying the

county auditor with a report of commitments to and discharges from public institutions.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1394—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and four *b*, relating to the refunding of taxes erroneously or illegally collected.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1395—An Act to compensate the counties of the State for the cost of work performed in compiling the operative assessment rolls.

Bill read first time, and referred to Committee on County Government.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:

By Senator Carr:

WHEREAS, In the closing days for the introduction of bills, many measures are presented to the members of the Senate with the request that they be introduced so that those interested in such measures may have a hearing upon the same; and

WHEREAS, The members frequently have no time with which to examine such bills, and therefore are unwilling to introduce the same; therefore, be it

Resolved, That bills may be introduced by request by the Committee on Rules in the names of the members thereof for the purpose of giving those interested in such bills an opportunity to be heard on the same but without said committee or any of the members of the committee standing sponsor for bills so introduced; that where a bill is so introduced there shall be noted in the Journal, in the Daily History and on the bill the fact that the bill is so introduced by request pursuant to this resolution.

Resolution referred to Committee on Rules.

RECESS.

At two o'clock and twenty-five minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess for five minutes.

RECONVENED.

At two o'clock and thirty minutes p.m. the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That the following named persons be stricken from the list of attachés and their names be stricken from the pay roll of the Senate:

Clarence W. Jenkins, Assistant Engrossing and Enrolling Clerk	$5 00
Robina Alexander, Assistant Engrossing and Enrolling Clerk	5 00
Gertrude Burnett, Committee Clerk	4 00
Wm. J. Hennessy, Assistant Sergeant-at-Arms	5 00
A. L. Van Alstine, Bill Filer	4 00
Chas. Hosier, Committee Clerk	4 00
Miss Kittie McGinley, Committee Clerk	4 00
E. C. Hubbard, Committee Clerk	4 00
Theo. Lenterdt, Committee Clerk	4 00
John McEwen, Committee Clerk	4 00
Leroy Joseph, Committee Clerk	4 00
C. W. Fikenscher, Committee Clerk	4 00
W. A. Van Orden, Committee Clerk	4 00
J. A. Zimmerman, Assistant Sergeant-at-Arms	5 00
Miss Nita McCollough, Committee Clerk	4 00

MOTION

Senator Grant moved that further consideration of the resolution be postponed till Monday morning, February 3, 1913.

Motion lost.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

Ayes: Senators Anderson, Ayer, Bates, Bennett, Bingham, Blood, Bowe, Bowers, Brown, Burton, Campbell, Carr, Cates, Cavis, Clark, Crane, Dana, Davis, Dickson, Dolan, Dunbar, Eaton, Edson, Ellis, Ellsworth, Fairchild, Fisher, Flint, Gates, Gehrke, Gerdes, Gibson, Gillett, Gleason, Grant, Hall, Hansen, Hatch, Hayes, Hewitt, Hinkle, Holden, Holland, Hollister, Hoyt, Jacobs, Jacobsen, Jones, Kelly, Kerr, Kinney, Lamb, Lane, Lee, Lewis, Lindsay, Lockie, Lyon, Mack, Mahoney, Mann, Marshall, Martin, Mathes, Matthews, McCarthy, McClure, McCoy, McDonald, McGlynn, McKinley, Merrill, Miller, Mills, Moore, Morgan, Morrison, Mott, Nelson, Nicholson, Nolan, Norton, Nutter, Oliver, Osborn, Parker, Peck, Peterson, Pierce, Pike, Pratt, Price, Reed, Reynolds, Richardson, Rigdon, Robertson, Rose, Rowell, Sanford, Sanderson, Sharp, Shaughnessy, Shumway, Simpson, Smith, Stanley, Stephens, Stevenson, Stewart, Strevell, Swan, Swanson, Taylor, Thompson, Tibbals, Tuttle, Van Dyke, Wallace, Walton, Wattis, Wells, Wheeler, Whitaker, Wilcox, Wilkinson, Williams, Wilson, Wood, Woodbury, Woodruff, Wright, Young, Zabriskie, and Mr. President—151.

Nays: Senator Gaskill—1.

ADJOURNMENT

At two o'clock and fifty minutes p.m., on motion of Senator Thompson, the President pro tem. declared the Senate adjourned until Monday, February 3, 1913, at eleven o'clock a.m.

IN SENATE.

Senate Chamber,
Monday, February 3, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Hon. A. E. Bowers, President pro tem., of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ayer, Bates, Bennett, Bingham, Blood, Bowe, Bowers, Brown, Burton, Campbell, Carr, Cates, Cavis, Clark, Crane, Dana, Davis, Dickson, Dolan, Dunbar, Eaton, Edson, Ellis, Ellsworth, Fairchild, Fisher, Flint, Gates, Gehrke, Gerdes, Gibson, Gillett, Gleason, Grant, Hall, Hansen, Hatch, Hayes, Hewitt, Hinkle, Holden, Holland, Hollister, Hoyt, Jacobs, Jacobsen, Jones, Kelly, Kerr, Kinney, Lamb, Lane, Lee, Lewis, Lindsay, Lockie, Lyon, Mack, Mahoney, Mann, Marshall, Martin, Mathes, Matthews, McCarthy, McClure, McCoy, McDonald, McGlynn, McKinley, Merrill, Miller, Mills, Moore, Morgan, Morrison, Mott, Nelson, Nicholson, Nolan, Norton, Nutter, Oliver, Osborn, Parker, Peck, Peterson, Pierce, Pike, Pratt, Price, Reed, Reynolds, Richardson, Rigdon, Robertson, Rose, Rowell, Sanford, Sanderson, Sharp, Shaughnessy, Shumway, Simpson, Smith, Stanley, Stephens, Stevenson, Stewart, Strevell, Swan, Swanson, Taylor, Thompson, Tibbals, Tuttle, Van Dyke, Wallace, Walton, Wattis, Wells, Wheeler, Whitaker, Wilcox, Wilkinson, Williams, Wilson, Wood, Woodbury, Woodruff, Wright, Young, Zabriskie, and Mr. President—88.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. B. Dent Sayles.

READING OF THE JOURNAL

During the reading of the Journal of Saturday, February 1, 1913, the further reading was dispensed with, on motion of Senator Clark.

SPECIAL ORDER—(CONTINUED).

Senator Campbell moved that the special order set for this day be postponed until after the regular order of business.

Motion carried.

LEAVES OF ABSENCE

Senator Bennett was, on motion of Senator Jones, granted leave of absence for two days.

Senator Gerdes was, on motion of Senator Cassidy, granted leave of absence for this day.

PETITION

Senator Shanahan presented a petition for a change in the law regarding the maintenance of ditch screens on irrigation ditches by owners of the ditches from the Meeks County Fish and Game Protective Association and the Altruna Stock Association.

PRESIDENT OF THE SENATE.

Senator Avey stated that the President of the Senate had been obliged to go to his home, on account of illness, under the orders of his physician.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 12—A joint resolution requesting the Congress of the United States to appropriate money to construct an efficient and practical highway in the Donner Lake region in the Truckee River Canyon.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 6—Relative to recognition by the United States of the Republic of China.

Also: Senate Joint Resolution No. 7—Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

Also: Senate Joint Resolution No. 15—Relative to the United States Senate Amendment No. 68, to House of Representatives Bill No. 26680, providing for the re-establishment of the fourth revenue collection district of the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 11—Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to capitol, hospitals and other public institutions.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Joint Resolution No. 12 referred to Committee on Federal Relations.

Senate Joint Resolutions Nos. 6, 7 and 15 and Senate Concurrent Resolution No. 11 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent Senate Bills Nos. 1302 to 1325, inclusive, Senate Constitutional Amendments Nos. 39 to 47, inclusive, Senate Concurrent Resolution No. 16, and Senate Joint Resolution No. 21, respectfully report that they have examined the same and delivered them to the printer at the hour of eight o'clock p.m., February 1, 1913.

FLINT, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 13—Relative to approving seven certain amendments to the charter of the city of Eureka in Humboldt County, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held thereon on the 15th day of April, 1912—have had the same under consideration, and respectfully report the same back with the recommendation that it be adopted.

CARR, Chairman.

Senate Concurrent Resolution No. 13 ordered on file

[illegible]

[illegible]

Mr. PRESIDENT: Your Committee on Enrollment and Enrollment have examined Senate Concurrent Resolution No. 15, relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and being the same has been correctly engrossed.

[illegible]

Also

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills have examined the following Senate bills: Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the forty-ninth Legislature of the State of California during the sixty-fourth fiscal year.

Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Senate Bill No. 251—An Act to appropriate money to pay the expense of distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

And report that the same have been correctly enrolled, and presented the same to the Governor on this third day of February, 1913, at ten o'clock a.m.

GRANT, Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following resolution:

WHEREAS, In the closing days for the introduction of bills, many measures are presented to the members of the Senate with the request that they be introduced so that those interested in such measures may have a hearing upon the same; and

WHEREAS, The members frequently have no time with which to examine such bills, and therefore are unwilling to introduce the same; therefore, be it

Resolved, That bills may be introduced by request by the Committee on Rules in the name of the members thereof for the purpose of giving those interested in such bills an opportunity to be heard on the same but without said committee or any of the members of the committee standing sponsor for bills so introduced; that where a bill is so introduced there shall be noted in the Journal, in the Daily History and on the bill the fact that the bill is so introduced by request pursuant to this resolution.

Have had the same under consideration, and respectfully report the same back and recommend that it be amended to read as follows:

Resolved, That bills may be introduced in the Senate on February 3 and 4, 1913, by the Committee on Rules by request, for the purpose of giving those interested in such bills an opportunity to be heard on the same; and that the record shall show such bills to have been "introduced by request by the Committee on Rules under authority of a resolution adopted February 3, 1913."

And as so amended, that said resolution be adopted.

BOYNTON, Chairman.

Report and resolution, as amended, read and adopted.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered section five hundred ninety-seven *b*, providing for the extermination of the ground squirrel.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered section four hundred two 1, providing that certain buildings shall be provided with fire escapes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1398—An Act to amend section thirteen hundred thirteen of the Civil Code of the State of California, relating to devise or bequests by will.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell: Senate Bill No. 1399—An Act to amend section nine hundred twenty-four of the Code of Civil Procedure, relating to costs and attorneys' fees.

Bill read first time, and referred to Committee on Judiciary.

SENATOR ANDERSON ON THE FLOOR.

At seven o'clock and fifteen minutes p.m. Senator Lewis, of the Thirty-fourth District, to the chair.

INTRODUCTION AND FIRST READING OF SENATE BILLS AND CONCURRENT

The following bills etc. were introduced:

By Senator Crowell: Senate Bill No. 1400—An Act to amend section ten hundred twenty-one of the Code of Civil Procedure, relating to compensation of attorneys and costs in parties.

Bill read first time, and referred to Committee on Judiciary.

By Senator Larkins: Senate Bill No. 1401—An Act to amend section six of "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for contributions and charging the portion of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Flint: Senate Bill No. 1402—An Act authorizing the incurring of indebtedness by cities or towns which, subsequent to the issuance of bonds or the incurring of other indebtedness, have ceased territory to refund such indebtedness, to issue bonds therefor, and to provide for the payment of the same from taxation of the property within the former boundaries of such city or town.

Bill read first time, and referred to Committee on Municipal Corporations.

[illegible] Senate Bill No. 1403—An Act authorizing any incorporated city or town to refund its indebtedness to issue indebtedness for the acquisition of public utilities or for the construction, improvement or extension of public utilities owned by any such city or town, to authorize the execution of the property of and therein therefrom to secure the payment of any such indebtedness and to issue bonds therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator [illegible]: Senate Bill No. 1404—An Act to authorize the Board of State Harbor Commissioners for San Francisco harbor to cause to be [illegible] a tunnel under [illegible] for street purposes of the State Belt [illegible] and to prescribe powers for the execution thereof.

Bill read first time and referred to Committee on Military Affairs.

By Senator [illegible]: Senate Bill No. 1405—An Act to amend section eighteen hundred fifty-eight of the Political Code of the State of California, relating to the appointment of state and county school superintendents for the primary grades of the schools of the State, and to the length of the school day or night for the purposes of such appointment.

Bill read first time, and referred to Committee on Education.

SENATOR HANS IN THE CHAIR

At eleven o'clock and thirty-five minutes a. m., Senator Hans, of the Fourteenth District, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—RESUMED

The following bills, etc., were introduced:

By Senator Curtin: Senate Bill No. 1406—An Act providing for the removal of public officials for a violation of official duties; and repealing an Act entitled "An Act for the removal of civil officers for a violation of official duties," approved March 30, 1874.

Bill read first time, and referred to Committee on Judiciary.

By Senator Grant: Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging-houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1408—An Act to amend the Code of Civil Procedure by adding one new section thereto, to be numbered section five hundred thirty-four, relating to suits and the issuance of injunctions therein, to prevent the unlawful exercise of any franchise, privilege, easement, function or power in connection with the operation of public utilities.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cohn: Senate Bill No. 1409—An Act to amend Section seven hundred eighteen and seven hundred nineteen of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and providing for their vacations, appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1410—An Act dissolving Reclamation District number seven hundred forty-two, and providing for its liquidation and the payment of all outstanding indebtedness.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1411—An Act to amend section ninety-two of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, asserting permanent insanity as a further ground for divorce.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 1412—An Act to amend section eleven hundred forty-two of the Political Code.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof, and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing applications for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to secure em-

employees, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations necessary and for purposes and intent of this Act.

Bill read first time and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1414—An Act to prohibit the writing of prescriptions for drugs or medicines.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1415—An Act regulating the procedure of marriage and divorce.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1416—An Act to amend section and ten of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 5, 1901.

Bill read first time and referred to Committee on Labor and Capital.

Also: (by request): Senate Bill No. 1417—An Act to amend section Two hundred thirty-two of the Penal Code of the State of California so as to apply to the obtaining of credit upon false or fraudulent representations.

Bill read first time, and referred to Committee on Judiciary.

Also: (by request): Senate Bill No. 1418—An Act to amend section ten of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the creation of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children, and defining to the Superior Court jurisdiction of such offenses and repealing inconsistent acts, approved March 8, 1905,' approved April 2, 1913."

Bill read first time and referred to Committee on Judiciary.

By Senator Cates: Senate Bill No. 1419—An Act to amend the Civil Code, by adding a new chapter, to be known as Chapter VIII of Title II of Part IV of Division First of said Civil Code, relating to meetings of corporations.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1420—An Act to amend section five hundred seventy-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Bill read first time and referred to Committee on Insurance.

By Senator Hans: (by request): Senate Bill No. 1421—An Act to amend an Act entitled "An Act to regulate or forever the hunting of wild birds and animals and to provide suitable penalties for game and fish preservation and propagation," approved March 20, 1909.

Bill read first time and referred to Committee on Fish and Game.

Also: (by request): Senate Bill No. 1422—An Act to regulate the operation of dealing in salmon to wholesale fish parlor and to provide

therefrom revenue for the propagation and restoration of fish in the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1423—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-five *b*, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1424—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-nine and one half, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1425—An Act to amend section four thousand and eighty five and one half of the Political Code of the State of California, relating to authorizing the boards of supervisors of the several counties of this State to declare unnavigable streams highways for the purpose of fishing, and providing for the use of the same.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1426—An Act to amend section six hundred and forty-two of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1427—An Act to amend section six hundred twenty-eight *c* of the Penal Code relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1428—An Act to amend section six hundred twenty-nine of the Penal Code of the State of California relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1429—An Act to amend section six hundred thirty seven of the Penal Code of the State of California relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1430—An Act to amend section six hundred and twenty eight *b* of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1431—An Act to amend section six hundred twenty eight *a* of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1432—An Act to amend section six hundred and twenty seven *b* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1433—An Act to add a new section to the Penal Code of the State of California, to be numbered section

six hundred and twenty-seven a, relating to the protection and preservation of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1434—An Act to amend section six hundred and twenty-six a of the Penal Code of the State of California, relating to the protection and preservation of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1435—An Act to amend section six hundred thirty-three of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1436—An Act to amend section seven hundred and twenty-six of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1437—An Act to amend section six hundred and twenty-six g of the Penal Code of the State of California, relating to the protection of live squirrels.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1438—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts, approved March 31, 1911, by amending sections two, three, five, six and seven.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1439—An Act to amend section three of an Act entitled "An Act to regulate the taking or dealing in fish and in wild game and animals for wholesale or barter and to provide therefrom revenue for the propagation and restocking of fish and game in the State of California," approved April 14, 1911.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1440—An Act to amend section six hundred and twenty-eight of the Penal Code of the State of California, relative to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1441—An Act to amend section six hundred and seventy-six of the Penal Code, relative to the preservation of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1442—An Act to amend section six hundred thirty-five and one-half of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1443—An Act to amend section six hundred and thirty-seven a of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1444—An Act to amend section six hundred and seventy-six f of the Penal Code relating to the protection and preservation of wild game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1445—An Act providing for

an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Bill read first time and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1446—An Act to add a new section to the Penal Code of the State of California to be numbered section six hundred thirty-four *a*, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1447—An Act to amend section six hundred thirty-one *a*, section six hundred thirty-one *b*, section six hundred thirty-one *c* of the Penal Code of the State of California, and to add thereto three new sections, to be numbered section six hundred thirty-one *d*, section six hundred thirty-one *e*, and section six hundred and thirty-one *f*, all relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1448—An Act to amend sections six hundred thirty-two and six hundred thirty-two and one half of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1449—An Act to amend section six hundred twenty-eight *c* of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1450—An Act to amend section six hundred and twenty-six of the Penal Code of the State of California, relating to the protection of doves.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1451—An Act to amend section six hundred and twenty-six *h* of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1452—An Act to add a new section to the Penal Code of the State of California to be numbered section six hundred and thirty-four and one half, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1453—An Act to amend section six hundred and twenty-eight *f* of the Penal Code, relating to the protection of Pismo clams.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1454—An Act to amend sections six hundred twenty-six *m*, six hundred twenty-six *n*, and six hundred twenty-six *o*, and to add a new section to the Penal Code of the State of California to be numbered section six hundred twenty-six *p*, relating to the protection of fish and game.

Bill read first time and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 1455—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Kehoe: Senate Bill No. 1460—An Act to amend Section One thousand two hundred and sixty-six of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the first seventy class.

Bill read first time and referred to Committee on County Government.

By Senator Boynton: Senate Bill No. 1461—An Act appropriating money to the "working parents fund" for the purpose of advancing and promoting safety in employment and place of employment.

Bill read first time and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1462—An Act to amend section four thousand [illegible] and [illegible] of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at fairs or forestry expositions and for advertising and advertising the resources of the counties and of agricultural districts.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1462—An Act to amend section four thousand and four one of the Political Code of the State of California, relating to the general permanent powers of the board of supervisors.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 1463—An Act to amend section fifteen hundred and eighty-four of the Code of Civil Procedure of the State of California, relating to notice of motion in writs known as writs of administration.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1464—An Act to amend section fifteen hundred seventy-three of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1465—An Act to amend section fifteen hundred eighty of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees or creditors during the administration of estates of decedents.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1466—An Act to repeal section four hundred thirty-two of the Civil Code, and to add a chapter XIII to Title II

of Part IV of Division First of the Civil Code, relating to title insurance corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1467—An act to amend section eight hundred fifty of the Code of Civil Procedure of the State of California, relating to the requisites for notice of hearing in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1468—An Act to amend section seventeen hundred and seventy four *a* of the Code of Civil Procedure of the State of California, relating to the settlement of guardians' accounts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1469—An Act to amend sections thirteen hundred sixty-five and thirteen hundred sixty six of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 48—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section, to be known and designated as section eight *b* of said article eleven of the Constitution of the State of California, permitting the amendment of the charter of the city and county of San Francisco, in addition to the method and the times provided in section eight of said article eleven of the Constitution, to provide for the granting of franchises to any person, firm or corporation, to supply the inhabitants of the city and county of San Francisco with light, water, power, heat, transportation, telephone service or other means of communication, and to acquire all works installed under any such franchise, as well as franchises, granted in pursuance of such charter amendment.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section nineteen of article eleven thereof, relating to the establishment and operation of public works in municipal corporations.

Constitutional amendment referred to Committee on Municipal Corporations.

Also: Senate Constitutional Amendment No. 50—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending section eight of article eleven thereof, relating to the adoption and amendment of freeholders' charters of the cities containing a population of more than three thousand five hundred inhabitants.

Constitutional amendment referred to Committee on Elections.

By Senator Anderson: Senate Bill No. 1470—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred and thirty-five and one half *a*, to permit the use of trammel nets.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1471—An Act to amend section [illegible] and forty-five and one-half of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the [illegible] District.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered section one hundred and thirty-six and one-half, to prevent the use or possession of beepers nets, paranella nets, trawl or drag nets, and providing the penalty therefor.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1473—An Act to amend section four hundred ninety of the Civil Code, relating to corporations providing toilets and accommodations to passengers on passenger and other cars, and fixing the penalty for failure to provide such.

Bill read first time, and referred to Committee on Judiciary.

Also, by request: Senate Bill No. 1474—An Act to amend section twelve hundred thirty-eight and twelve hundred thirty-nine of the Code of Civil Procedure, relating to the right of removal of property pending.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1475—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1476—An Act to require corporations doing business in the State of California to pay dividends, and authorizing any stockholder to institute proceedings in a competent court against corporations for failure to pay dividends, and empowering said court to issue orders for the dissolution of corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1477—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II of Title II of Part IV of Division First of said Civil Code and to amend sections four hundred twenty-one and four hundred twenty-two of said Civil Code, and to repeal section four hundred thirty-two of said Civil Code, forming part of said Chapter II, and to add to said Civil Code a new chapter to be known as Chapter VII of Title II of Part IV of Division First of said Civil Code relating to title insurance companies.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1479—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by adding a new section thereto, to be numbered section one hundred seven, relating to trust companies.

Bill read first time, and referred to Committee on Banking.

Also: Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to said Constitution, to be numbered section [illegible] of article [illegible]

thereof, relating to exempting from taxation property devoted to orphans' homes or other charitable purposes.

Constitutional amendment referred to Committee on Revenue and Taxation.

By Senator Cassidy: Senate Bill No. 1480—An Act to prevent the entrance of contagious or infectious diseases into the State of California, to prevent the spread of any of said diseases that may have gained entrance or may gain entrance in the future, and appropriating money to be used for such purpose.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1481—An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

Bill read first time, and referred to Committee on Judiciary.

PRESIDENT PRO TEM BOYNTON IN THE CHAIR.

At twelve o'clock m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator Owens: Senate Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nineteen, article twelve of the Constitution of the State of California.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Bill No. 1482—An Act appropriating money for the erection and construction of a polytechnic school in the county of Contra Costa, State of California.

Bill read first time, and referred to Committee on Education.

By Senator Avey: Senate Bill No. 1483—An Act to provide for instruction in the elementary principles and practice of road building, improvement and maintenance in the public schools of the State of California.

Bill read first time, and referred to Committee on Education.

Also (by request): Senate Bill No. 1484—An Act to amend section three and section twelve of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Bill read first time, and referred to Committee on Roads and Highways.

Also, by request: Senate Bill No. 1486—An Act relating to the insurance exemption limit business of the State of California, under any other than their incorporate name.

Bill read first time, and referred to Committee on Insurance.

By Senator Cartwright: Senate Bill No. 1487—An Act to define insult and to provide for criminal penalties and procedure of corporations, firms and persons, and to prevent the competition in business and all classes of business, both in interstate business and intrastate business, engaged in and carried on by or through any corporation, firm or person.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1488—An Act authorizing boards of supervisors of any county or city and county or the trustees or other governing body of any municipality in the State of California to issue, deliver, bequeath, donate and give title to any water for the purpose of erecting monuments in memory of California pioneers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1489—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how to indicate one's choice for candidates for President and Presidential Electors.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1490—An Act to amend section one thousand seven hundred and fifty of the Political Code of the State of California relating to state and free high schools.

Bill read first time, and referred to Committee on Education.

By Senator Hewitt: Senate Bill No. 1490—An Act to establish a legislative reference bureau in the State Library.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1491—An Act to provide for the establishment of a fund agency for the State of California in the City of New York, in the State of New York, and prescribing the duties of such fund agency and the duties of the public officers in relation thereto.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 1492—An Act to amend section two hundred eighty-seven of the Code of Civil Procedure of the State of California relating to the removal and suspension of officers and conviction.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 34—A resolution proposing to the people of the State of California an amendment to section twelve of Article XI of the Constitution of the State of California relating to the purpose of public utilities by municipal corporations.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to section twelve, Article XIII of the Constitution of the State of California, relating to poll tax.

Constitutional amendment referred to Committee on Judiciary.

By Senator Stetson: Senate Bill No. 1493—An Act to prevent fraud in the sale of bee grain, bee supplies, poultry, milk, fruit and eggs in the State of California; prohibiting minimum weights of

eggs and fixing the grades and brands of eggs, and directing the State Board of Health to make rules and regulations to carry this Act into effect.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1494—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Curtin: Senate Bill No. 1495—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 1496—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section seventy-eight thereof, relating to the exclusion of lands from such districts.

Bill read first time, and referred to Committee on Irrigation.

By Senator Thompson: Senate Bill No. 1497—An Act to amend section ten hundred and ninety-five of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in mandate proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the state, counties and municipal corporations in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1498—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1479—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections, and providing the fee therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1580. An Act to amend section thirty-three hundred ninety-eight of the Political Code of the State of California relating to the Surveyor General having the general agency of the state for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands deeded to be selected in lieu of grants made by the State, and said section as hereby amended also providing that the Surveyor General shall not perfect or amend selections made on or before March 31, 1909, and also providing that no further action thereon shall be taken, and also relating to hearings on protesting adverse claims to unperfected selections, designations and relinquishments.

Bill read first time and referred to Committee on Judiciary.

SPECIAL ORDER OF THE DAY.

At twelve o'clock and fifteen minutes p.m., Senator Boyce of the Thirty-eighth District, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(Continued).

The following bills, etc., were introduced:

By Senator Thompson: Senate Bill No. 1501—An Act to amend an Act entitled "An Act providing for the cancellation of all taxes for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be paid as basis for lieu selections in accordance with the provisions of section thirty-three hundred and six of the Political Code," approved May 1, 1911, by amending section one thereof relating to the cancellation of taxes for lands on sixteenth and thirty-sixth sections used as basis for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1502—An Act to amend an Act entitled "An Act to amend section thirty-three hundred ninety-four of the Political Code of the State of California relating to the sale of school lands," approved January 22, 1912.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1503—An Act to amend an Act entitled "An Act providing for the conveyance by patents duly from the State of California to the government of the United States of certain lands erroneously conveyed or patented to said State by said government," approved May 1, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 1504—An Act appropriating money for printing for the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1505—An Act appropriating money for salaries of officers and employees of the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1506—An Act appropriating money for the support of the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1507—An Act appropriating money for printing for the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1508—An Act appropriating money for salaries of officers and employees of the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1509—An Act appropriating money for the support of the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1510—An Act to amend section twenty-two hundred thirty-six of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 1511—An Act to amend section ten hundred and ninety-four of the Political Code, in regard to registration of voters and elections, and repealing all Acts and parts of Acts in conflict herewith.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1512—An Act to amend section two thousand two hundred and eighty-seven of the Civil Code of the State of California, relating to vacant trusteeships filled by the county.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1513—An Act to amend section one thousand two hundred and forty-three of the Code of Civil Procedure of the State of California, relating to the county in which all proceedings under Title VII of Part III of the Code of Civil Procedure may be commenced and tried.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1514—An Act adding a new section to the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section seven and one half of Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

Bill read first time, and referred to Committee on County Government.

By Senator Birdsall: Senate Bill No. 1515—An Act to appropriate the sum of three hundred and sixty-one dollars to pay the claims of the State Board of Health.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1516—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act, and for defraying the same.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Bryant: Senate Bill No. 1517—An Act to amend the Political Code of the State of California by adding thereto a new section, to be numbered section four hundred and seventy-six, empowering the Attorney General to enforce the right of the people to freely speak, write and publish their sentiments on all subjects and to freely assemble to consult for the common good under the guarantee and provisions of sections nine and ten of article one of the Constitution.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1518—An Act granting to the prosecution of civil actions or proceedings by the Attorney General on behalf of the people, in any case where a personal injury or death has been sustained through the construction, maintenance, operation or use of machinery, appliances, buildings, structures of any kind, tunnels, excavations, ways, means for supplying or utilizing the forces or products of nature, processes of any kind, methods of conducting business or doing work, in violation of any law enacted for the safety of the public or for the protection of employees, and making the costs in such actions or proceedings a legal charge against the State.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, to create personal penalties in connection therewith, defining employees, providing a fund for the keeping of such payments and providing how and for what purposes such fund shall be expended.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1520—An Act to add a new section to the Civil Code of the State of California, to be numbered section two thousand and five, relating to County Jitney employes and employers concerning hours and conditions of employment.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1521—An Act to amend the Penal Code of the State of California, by adding thereto a new section, to be numbered six hundred and fifty-three, relating to blackmailing.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Jones: Senate Bill No. 1522—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State and the appointment of other judicial officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1523—An Act to amend section seven hundred sixty-six of the Political Code of the State of California, relating to the maintenance of high schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered twenty-three hundred forty, relating to the liability of parents and guardians for the negligence of their minor children or wards.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1525—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, by amending section thirteen of said Act relating to the funds of sanitary districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1526—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, by amending section sixteen of said Act, relating to the disposition of the revenue of lighting districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1527—An Act relating to primary elections and providing for majority nominations by enabling the voter to designate his first and second choice of candidates.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1528—An Act to amend section fifteen hundred thirty-nine of the Code of Civil Procedure of the State of California relating to notice for probate of sales.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1529—An Act to amend section four hundred forty-three of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Bill read first time, and referred to Committee on Education.

By Senators Jones and Benson: Senate Bill No. 1530—An Act to appropriate money for the dredging of Guadalupe slough or river and the portion of San Francisco Bay lying contiguous to the mouth thereof and for the erection of harbor docks and seawalls along the shores thereof.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose on the southern arm of San Francisco Bay, and to prescribe their powers and duties and to fix

their compensation and the compensation of their employees out of appropriate moneys to carry this Act into effect.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also, Senate Bill No. 1502—An Act amending section twenty-three hundred forty-nine of the Political Code of the State of California, declaring navigable certain streams and sloughs and declaring the same to be public ways.

Bill read first time and referred to Committee on Commerce and Navigation.

By Senator Oster. Senate Bill No. 1503—An Act to facilitate the operation of the initiative, referendum and recall provisions of the Constitution of the State of California.

Bill read first time and referred to Committee on Judiciary.

Also, Senate Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 1 of Article IV of the Constitution of the State, relating to legislative powers.

Constitutional amendment referred to Committee on Judiciary.

By Senator Rolfe. Senate Bill No. 1504—An Act to amend section seventeen hundred thirty-seven of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Leale. Senate Bill No. 1505—An Act granting to the City of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of said city situate in the Mare Island Strait and the Straits of Carquinez, granting the right to extend and construct in the city of Vallejo harbor lines of navigation and commerce and the bulkhead, and providing for the government, management and control thereof.

Bill read first time and referred to Committee on Commerce and Navigation.

Also, Senate Bill No. 1506—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Bill read first time and referred to Committee on Claims.

Also, Senate Bill No. 1507—An Act to authorize and empower the commissioners constituted by an Act entitled "An Act to establish the California state reformatory, to provide for purchase of land therefor and the construction of buildings and other improvements in connection therewith, to provide for the appointment and removal of officers thereto and therefrom, to provide for the government, conduct and management thereof, and to make an appropriation therefor," approved April 4, 1911, to dispose of land heretofore purchased or agreed to be purchased by said commission for a site for said California reformatory and directing it to select another site.

Bill read first time and referred to Committee on Prisons and Reformatories.

By Senator Finn. Senate Bill No. 1508—An Act to amend section fifteen hundred and seventy-eight of the Penal Code of the State of California, relating to the duties of warden of state prison.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1539—An Act to add a new section to the Political Code, to be numbered twenty-five hundred and twenty-four *b*, relating to duties of Harbor Commissioners of San Francisco harbor.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1540—An Act to amend sections twenty-four hundred and thirty, twenty-four hundred and forty, and twenty-four hundred and forty-three, of the Political Code of the State of California, relating to pilots and pilot commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1541—An Act to amend sections twenty-four hundred and sixty, twenty-four hundred and sixty-one, twenty-four hundred and sixty-two, twenty-four hundred and sixty-three and twenty-four hundred and sixty-four of the Political Code of the State of California, relative to pilot regulations for San Francisco, Mare Island, and Benicia.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to section sixteen of Article XX of the Constitution of the State of California, relating to term of offices when not fixed by the Constitution.

Constitutional amendment referred to Committee on Judiciary.

By Committee on Rules (by request), under authority of a resolution adopted February 3, 1913: Senate Bill No. 1542—An Act to authorize and empower the board of trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1543—An Act to amend section four thousand three hundred and sixteen of the Political Code of the State of California, relating to certain officers, and the limitation, and prohibition of the practice of the law by certain officers, their assistants, deputies, and employees.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1544—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure, relating to claim of title to land, water rights and water, based on adverse possession not founded upon a written instrument, judgment, or decree.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1545—An Act to facilitate the purchase by municipality of existing public utility plants at valuation fixed by agreement or by the Railroad Commission of the State of California.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Butler: Senate Bill No. 1546—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as sections one hundred and seventy-three a and one hundred and seventy-three b, relating to the sale, giving away, or serving of intoxicants on holidays, and prescribing a penalty therefor.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 1547—An Act [illegible] Code of Civil Procedure, relating to juries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XX thereof, to be [illegible] section twenty-two, relating to the sale, barter or giving away of spirituous, vinous, malt or fermented liquors by the State of California.

Constitutional amendment referred to Committee on Public Morals.

By Senator Cartwright: Senate Bill No. 1548—An Act to provide for the work of the [illegible] improvement of the navigation of the upper San Joaquin River in the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

[illegible]

The following resolutions were offered:

By Committee on Rules:

Resolved, That the sessions of the several Senate committees be and they are hereby authorized and authorized to sit during the session of the Senate [illegible] and that the Secretary of the Senate shall [illegible] and to be kept by the said Senators during the [illegible] recess and to be returned to him at said Chamber upon the convening of the Senate after the [illegible] of said recess; and said Secretary is hereby instructed to deliver the [illegible] to said Chairmen respectively [illegible] and to [illegible].

Resolved, That the Secretary of the Senate be and he is hereby directed and authorized to employ on the Senate Pay Roll the [illegible] and engrossing help as may be required by him or said Chief Clerk during the [illegible] recess.

[illegible], Chairman.

Resolution read and adopted.

Also:

Resolved, That the Secretary of the Senate be and he is hereby authorized and instructed to order from the [illegible] blanks with [illegible] of [illegible] journals, [illegible] and other papers appertaining to the printing of the Senate as he [illegible] may be necessary.

[illegible], Chairman.

Resolution read and adopted.

By Senator Boyd:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of the Secretary of the Senate for [illegible] out of the [illegible] Fund of the Senate, for the purchase of [illegible] stamps to be used by the [illegible] department.

MOTION TO SUSPEND RULES.

Senator Thompson moved to suspend the rules and to take the resolution up for immediate consideration.

Motion carried.

The question being on the adoption of the resolution.

The roll was called, and resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cogswell, Curtin, Finn, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

By Senator Thompson:

Resolved, That there is hereby appropriated out of the Contingent Fund of the Senate one hundred fifty dollars, or so much thereof as may be needed, for the purpose of purchasing boxes, packing, mailing and expressing all papers and documents belonging to Senators, to their places of residence. Immediately after the adjournment for the constitutional recess, the Sergeant at Arms of the Senate shall cause this work to be done and shall file with the Controller of the State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant or warrants in favor of the Sergeant at Arms of the Senate for the amount necessarily expended, and the Treasurer is directed to pay the same.

MOTION.

Senator Thompson moved to suspend the rules and to take the resolution up for immediate consideration.

Motion carried.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Thompson, and Tyrrell—32.

NOES—None.

By Senator Hans:

WHEREAS, The proposed changes in the fish and game laws have aroused a widespread interest throughout the State of California, and there is a general demand for information on this subject; therefore be it

Resolved, That the chairman of the Committee on Fish and Game of the Senate prepare a set of the bills which have been referred to his committee, together with a brief statement by the author of each bill as to its intent; and that the Secretary of the Senate have printed and bound in the style of the Daily History a sufficient number of copies for distribution during the recess to all requesting information as to the proposed changes in the fish and game laws.

Resolution read and adopted.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts—beg leave to report the same back to the Senate with the recommendation that it be adopted as amended.

WRIGHT, Chairman.

MOTION.

Senator Caminetti moved that Assembly Joint Resolution No. 2 be taken up for immediate consideration.

Motion carried.

Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

During the reading of the resolution, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 21, strike out the word "three" and insert in lieu thereof the word "seven."

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 1, strike out the words "directly in the name of the several counties of the subdivision" and insert in lieu thereof the following: "in school district bonds of the various school districts of the several states."

Amendment adopted.

Resolution ordered to print.

[illegible] ORDER.

On motion of Senator Campbell, the Secretary was directed to issue a rush order for printing Assembly Joint Resolution No. 2.

RESOLUTIONS—[illegible]

The following resolution was introduced:

By Senator Finn:

Resolved, That the Secretary of State is hereby authorized to compile, correct and reprint the Illustrated copies of a couple of bills, namely, the new Senate chamber of the Senate Committee rooms to be provided in both chambers of the Legislature, the happiness of the dissemination of the Journal of Senate, Assembly for the state to be made out of the Senate Committee appropriations and pending binding and paying subject to the order of Secretary of State.

Resolution read and adopted.

PRESIDENT PRO TEM. ROTATION IN THE CHAIR.

At twelve o'clock and fifty-five minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

RESOLUTIONS—[illegible]

The following resolutions were introduced:

By Committee on Contingent Expenses:

Resolved, That the State Controller be and he is hereby directed to issue his warrant upon the proper fund in favor of W. N. Bryson, Secretary, and the State Treasurer is hereby directed to pay the same, for the sum of [illegible] and twenty one cents ($26.21), said amount being for the payment of the following bills attached:

Miller & Cabot
Water [illegible], Disconnecting and Reconnecting Complaints $6 75
Friend & Deal Lumber Co.
Lumber for [illegible] department 4 50
W. F. Powell
2 loose leaf books with binders 5 50
1 eight by five transfer case with cards and guides 4 50
1 numbering machine 5 00

$26 25

SHANAHAN
KEENAN,
Committee on Contingent Expenses.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cohn, Curtin, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, and Tyrrell—29.

NOES—None.

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of the Secretary of the Senate for the sum of one hundred and seven dollars and sixty-nine cents ($107 69) out of the Contingent Fund of the Senate, and the State Treasurer is hereby directed to pay the same, being in payment of the following bills:

	Face amount	Auditor
H. S. Crocker Co.		
6 Hotchkiss stapling machines	$8 10	$4 05
1 dozen scrap books	7 65	3 83
2 scrap books, large size	2 10	1 05
3 commercial letter scales	10 13	5 06
50 waste baskets	20 50	10 25
Geo. Z. Wait Co.		
4 dozen brushes for typewriters	3 20	1 60
Cameron Hardware Co.		
Keys	1 00	50
W. F. Purnell.		
2 dozen memo books	6 00	3 00
100 board files	34 67	17 34
1 dozen perforators	2 32	1 16
Ingraham, Carrouth & Hawden Co.		
1 gross shears	87 60	43 80
R. M. Tenbrook		
4 Clipless paper fasteners	14 00	7 00
Payot, Stratford & Kerr.		
6 Clipless paper fasteners	18 10	9 05
	$215 37	$107 69

SHANAHAN,
KEHOE,
Committee on Contingent Expenses.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cohn, Curtin, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Owens, Regan, Shanahan, Thompson, and Tyrrell—27.

NOES—None.

Also:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of one thousand one hundred and eighteen dollars and seventy-one cents ($1,118 71) out of the Contingent Fund of the Senate and the State Treasurer is hereby directed to pay the same, being in payment of the following bills:

Wahl Stationery Co.	$105 25
Wahl Stationery Co.	22 45
Keystone Type Foundry	80 36
Sleeper & Sleeper	15 65
Bender-Moss Co.	865 00
	$1,118 71

SHANAHAN,
KEHOE,
Committee on Contingent Expenses.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Hewitt, Jones,

Enrolled Bills. Mr. Cross, from Senate Standing Committee on Enrolled Bills, to which was referred:

Senate Bills

reported back the following:

The following messages from the Assembly were taken up and read:

Assembly Chamber, Sacramento, February 3, 1911.

Mr. President: I am directed to inform your Honorable body that the Assembly has this day passed a bill of similar tenor and title to Senate Bill No. 1040, by Senator Wolfe, entitled [illegible] and the same is herewith transmitted to the Senate for its action.

A. B. HILLEBRAND, Chief Clerk of Assembly.
By Thomas W. Wilson, Assistant Clerk.

And

Assembly Chamber, Sacramento, February 3, 1911.

Mr. President: I am directed to inform your Honorable body that the Assembly on this day adopted Senate Joint Resolution No. 1, relative to Senator John D. Works, by Congressman John E. Raker, of California, stating that the object [illegible] of the Panama Exposition Act [illegible] of Senate and Assembly.

A. B. HILLEBRAND, Chief Clerk of Assembly.
By Thomas W. Wilson, Assistant Clerk.

Senate Bill No. 501 and Senate Joint Resolution No. 2 ordered to enrollment.

CONSIDERATION OF SENATE BILL.

Senate Bill No. 791—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, [illegible] thirty-five and by adding a new section thereto to be numbered [illegible] six, all relating to revenue and taxation.

Senate Bill No. 791 was temporarily passed on file on motion of Senator Thompson to return to [illegible].

ASSEMBLY JOINT RESOLUTION NO. 1.

Relative to the establishment of a postal telegraph system.

Whereas, The establishment of a postal telegraph system would be a convenience and economic necessity to our people; and

Whereas, Because of the many economic considerations accompanying the inauguration of such a system, and the possible legal questions and other obstacles to create a favorable condition to support the [illegible] government ownership will be able to afford greater telegraphic facilities at lower rates to the people than the corporations now conducting the business; therefore, be it

Resolved, That the Senate and Assembly of the State of California hereby join in requesting the Congress of the United States to enact appropriate legislation providing for the establishment of a postal telegraph system to be operated as one [illegible] with the mail service; be it further

Resolved, That our representatives in the Senate and House of Representatives at Washington be requested to use their efforts to forward such legislation; and be it further

Resolved, That a copy of these resolutions be forwarded immediately by the Secretary of the Senate to the President of the United States and the Speaker of the House of Representatives of the United States and a copy forwarded to each member of Congress from the State of California.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Boyle, Brown, Bryson, Butler, Cameron, Carr, Cartwright, Caminetti, Curtin, Flint, Gerdes, Gesford,

Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

RECESS.

At one o'clock p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until four o'clock p.m.

RECONVENED.

At four o'clock p.m. the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

ANNOUNCEMENT.

The President pro tem. announced the appointment of Senators Avey, Shortridge, Cogswell, Finn, and Cohn, as the Senate members of the committee provided for by Senate Concurrent Resolution No. 11.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Caminetti: Senate Bill No. 1549—An Act to amend sections fifteen hundred seventeen, fifteen hundred eighteen, fifteen hundred nineteen, fifteen hundred twenty, fifteen hundred twenty-one and fifteen hundred twenty-two of the Political Code of the State of California, relating to the State Board of Education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1550—An Act to amend sections three hundred fifty-four and fourteen hundred eighty-nine, and to repeal sections fourteen hundred eighty-eight, fourteen hundred ninety-one and fourteen hundred ninety-two of the Political Code of the State of California, relating to state normal schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1551—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of San Joaquin River and tributary navigable river channels and improving the navigability thereof and for acquiring land for necessary rights of way.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section nineteen of Article XI thereof, relating to public utilities, and also by adding to said Article XI three new sections, to be numbered twenty, twenty-one and twenty-two, all relating to public utilities and defining certain powers and rights of municipal corporations, the State, persons and corporations in relation to such utilities.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV

thereof, by adding a new section thereto, to be numbered section two and one half, relating to sessions of the Legislature.

Constitutional amendment referred to Committee on Judiciary.

By Senator Sanford: Senate Bill No. 1337—An Act to amend section eighteen hundred fifty-seven of the Political Code relating to the compensation allowed to notary public.

Bill read first time, and referred to Committee on County Government.

By Senator Larkins: Senate Bill No. 1338—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure relating to the appointment of administrator and the order of persons entitled to administer.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1339—An Act to authorize the sale of portions of school lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1340—An Act to amend section fifteen hundred and seventeen, fifteen hundred and eighteen, fifteen hundred and twenty, fifteen hundred and twenty-one and fifteen hundred and twenty-two of the Political Code of the State of California, relating to the State Board of Education and the powers and duties of said board.

Bill read first time, and referred to Committee on Education.

By Senator Juilliard: Senate Bill No. 1341—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and repealing all Acts and portions of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 1342—An Act to regulate the occupation of barbering; to create a state board of barber examiners; for the examination and licensing of persons to carry on said business; to insure the better education of such practitioners; to provide rules governing the proper sanitation of barber shops, barber schools and barber colleges; preventing the spreading of contagious and infectious diseases, thereby insuring to the general public cleanly and healthful service; and providing penalties for violations thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Flint (by request): Senate Bill No. 1343—An Act regulating contracts of surety between common carriers and their employés and sureties upon such contract.

Bill read first time, and referred to Committee on Judiciary.

By Senator Regan: Senate Bill No. 1344—An Act regulating the hours of employment of females in all departments, institutions, establishments and employments of any kind whatever under the management, control or supervision of, or receiving aid from, the State, or any county, city and county, city, district or public corporation of any kind, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1345—An Act to repeal section nineteen hundred seventy of the Civil Code of the State of California, relating to responsibility of employers for injury to or death of employees, and

designating the persons by whom an action can be brought to recover damages for wrongful death.

Bill read first time and referred to Committee on Labor and Capital.

By Senator Butler: Senate Bill No. 1561—An Act to amend sections eight hundred sixty-two and eight hundred eighty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations" approved March 14, 1883.

Bill read first time and referred to Committee on Municipal Corporations.

By Senator Behan: Senate Bill No. 1562—An Act to amend sections eighteen hundred ninety-seven, eighteen hundred ninety-eight, nineteen hundred, nineteen hundred one, and nineteen hundred two, of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 1563—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating seven thousand five hundred dollars therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Avey: Senate Bill No. 1564—An Act to amend an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909,' approved April 7, 1911," by amending sections five, twelve and twenty-three thereof.

Bill read first time and referred to Committee on Elections.

By Senator Carr: Senate Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 8 of Article XI of the Constitution of the State relating to city charters.

Constitutional amendment referred to Committee on Municipal Corporations.

By Senator Wright: Senate Bill No. 1565—An Act to add a new section to the Political Code of the State of California, to be numbered section forty-two hundred twenty *a*, relating to the duties of county surveyors and deputies.

Bill read first time, and referred to Committee on County Government.

By Senator Wright (by request): Senate Joint Resolution No. 22—Relative to encroachments by the United States, on the rights of California, in the public lands.

Resolution referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 1566—An Act controlling the sanitation of oyster and other shellfish grounds and premises

whose agents and other abattoirs are engaged therein or prepared for the market, and controlling the sale of products and other available for food purposes and providing a penalty for the violation thereof and making an appropriation therefor.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Boynton: Senate Bill No. 1367—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered section three thousand two hundred fifty-eight, relating to the procedure to be observed by notaries, commission merchants, auctioneers and auctioneer marts in the sale of unclaimed property.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1368—An Act to amend section three thousand one hundred fifty-three of the Political Code of the State of California, relating to the sale of property contained within safe deposit boxes.

Bill read first time, and referred to Committee on Judiciary.

By Committee on Rules (by request), under authority of a resolution adopted February 3, 1913: Senate Bill No. 1369—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred and seventy-one, relating to the screening of cockpits, and providing a penalty therefor.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1370—An Act to amend section two thousand eight hundred eight, section twelve hundred seventy, section twelve hundred seventy-one, section twelve hundred seventy-two, section twelve hundred seventy-three, section twelve hundred seventy-four, section twelve hundred seventy-five, section twelve hundred seventy-six, seventeen hundred seventy-eight and seventeen hundred seventy-nine of the Political Code of the State of California, relating to the appointment of members of county boards of education, and the powers and duties of county boards of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1371—An Act to amend sections thirty-three hundred eight-three, thirty-three hundred eight-four, thirty-three hundred eight-five, section number eight-six, and section thirty-seven of the Political Code of the State of California, relating to the admission of pupils into public schools, admission of pupils to authority of the teachers, suspension or expulsion of pupils, liability of parents, or guardians for property destroyed by pupils and requiring pupils to be taught by experienced teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1372—An Act to amend section two of an Act of the Legislature of the State of California, entitled "An Act relating to the acquisition, construction and operation of public utilities by municipal corporations," approved May 7, 1913.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1373—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of

California, at foreign and domestic fairs and expositions, and to provide a commissioner thereof, and prescribing his powers and duties.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1574—An Act to amend section sixty-nine c of the Code of Civil Procedure of the State of California, relating to and specifying property exempt from execution of attachment except as therein otherwise specially provided.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1575—An Act to amend section five of an Act entitled "An Act to regulate the practice of architecture," approved March 23, 1901.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1576—An Act to amend sections six and thirteen *a* of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and amended by an Act approved March 19, 1909, and still further amended by two certain Acts approved May 1, 1911, adding a new section to said Act, to be numbered section six *a*, relating to reciprocity with other states and territories and the District of Columbia in the matter of granting licenses without examination, and providing for the issuance of a license to practice medicine and surgery to any physician or surgeon who was previous to the year 1906 licensed to practice in any other state or territory of the United States.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hewitt: Senate Bill No. 1577—An Act to amend section four thousand one hundred thirty seven of the Political Code, relating to the filing and endorsement of the instruments, papers, and notices for record in the recorder's office.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1578—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by section eight of article eleven of the Constitution, with respect to the assessment of property in such cities for the taxes thereof, and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

Bill read first time, and referred to Committee on Municipal Corporations.

SPECIAL ORDER SET.

Senator Caminetti moved that the approval of the Journal of Friday, January 31, 1913, be made a special order for Tuesday, February 4, 1913, immediately after the reading of the Journal.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined

Senate Concurrent Resolution No. 15—Relative to the adjournment of the Legislature for the constitutional recess and to the convening of the Legislature after said recess and fixing the time for said adjournment and said convening; and moved that the same be now considered agreed to. Any amendment not made to the Concurrent at the bar of the Senate, this 31st day of January, 1913, at 5 o'clock and 30 minutes p.m.

GRANT, Secretary.

INTRODUCTION AND FIRST READING OF BILLS, RESOLUTIONS AND NOTICES.

The following bills, etc., were introduced:

By Senator Gates: Senate Bill 1073—An Act to establish a board of parole and pardon commissioners, and prescribing their powers and duties.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1074—An Act to provide the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration to qualified applicants by a board of nurse examiners; and to amend an Act approved March 23, 1907, entitled "An Act to provide the better education of the practitioners of nursing the sick in the State of California," to provide for the issuance of certificates of registration as a registered nurse to qualified applicants of the Board of Regents by the University of California, and to provide penalties for violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

Mr. President: Your Committee on Engrossment and Enrollment have examined the following Senate Bills:

Senate Bill No. 156—An Act to provide notice for hearing interests of the Political Code, relating to the duties of the Superintendent of State Printing.

Senate Bill No. 286—An Act to repeal section one thousand nine hundred eight-one of the Political Code, relating to the meetings of the State Board of Drugs and the duties of the secretary thereof.

Senate Bill No. 215—An Act to amend section one of an Act entitled "An Act to provide for the supervision of contagious diseases," approved April 23, 1911, relating to the reporting of contagious diseases.

And report that the same have been correctly engrossed.

GRANT, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 15, concurring herein and certain amendments to the printing of the Journal of the Senate of the session of the Legislature of the State of California, passed the said resolution as amended, adopted by the Assembly of the City of Long Beach at a special municipal election held Tuesday, the 31st day of January, 1913.

I. E. MALLORY, Chief Clerk of Assembly.
By Thomas C. Wilson, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 709—An Act relating to appointments to

printing for the State Board of Forestry for the balance of the sixty-fourth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Concurrent Resolution No. 10 ordered to enrollment.

Assembly Bill No. 599 read first time, and referred to Committee on Finance.

RECESS.

At four o'clock and thirty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m. the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC. — OUT OF ORDER.

The following bills, etc., were introduced:

By Committee on Rules (by request), under authority of a resolution adopted February 3, 1913: Senate Bill No. 1581—An Act to amend an Act entitled "An Act to define and regulate the business of banking in the State of California," approved March, 1909, as amended April 21, 1911, by amending section sixty-one of said Act, relating to the property, real and personal, which savings banks may purchase, hold and convey.

Bill read first time, and referred to Committee on Banking.

By Senator Wright: Senate Bill No. 1582—An Act to enable cities in this State, located on or near the ocean and embracing within their limits or jurisdiction any beach or ocean front, to open and lay out a public street or public park or place for public resort and recreation, on and along the beach or ocean front of such city, and to purchase or condemn lands, property and rights therefor, and to preserve the same from obstruction or encroachment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Flint: Senate Bill No. 1583—An Act to amend section four thousand two hundred and forty-nine of the Political Code of the State of California, relating to salaries of officers in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Breed: Senate Bill No. 1584—An Act to repeal section five hundred thirty-six of the Political Code, relating to Contingent Fund of the State Printing Office.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1585—An Act to repeal section four hundred and nine of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1586—An Act to amend section five hundred and twenty-nine of the Political Code, relating to printing.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1587—An Act to amend section five hundred

and twenty-eight of the Political Code relating to the printing of laws and journals.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1558—An Act making an appropriation of twenty-five thousand dollars for purchasing machinery and equipment for the State Printing Office.

Bill read first time, and referred to Committee on Finance.

By Senator Hewitt: Senate Bill No. 1559—An Act to amend section six hundred forty-three, six hundred forty-four and six hundred forty-five of the Code of Civil Procedure relating to the reports of referees.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1560—An Act to amend section twelve hundred and thirty-eight of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised, and repealing all Acts and parts of Acts in conflict with this Act.

Bill read first time and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 1561—An Act to amend section six hundred fifty-one of the Code of Civil Procedure, relating to new trials in civil cases.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1562—An Act to amend section three hundred sixty-two of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1563—An Act to amend section one hundred seventy-two of the Civil Code of the State of California, relating to the disposition of certain community property.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1564—An Act to amend sections fourteen hundred and one and fourteen hundred and two of the Civil Code of the State of California, relating to the disposition of community property upon the death of the wife or husband.

Bill read first time and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 1565—An Act to amend section two of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing offices and boards to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 23, 1907, relating to the appointment of a county highway commission.

Bill read first time and referred to Committee on County Government.

By Senator Anderson: Senate Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section one and one quarter of article thirteen thereof, relating to exemption from taxation of property of residents of the State of California who have served in the army, navy, marine corps or revenue

marine service of the United States in time of war, or the property of the widows or widowed mothers of such residents.

Constitutional amendment referred to Committee on Revenue and Taxation.

RESOLUTION.

The following resolution was introduced:

By Committee on Rules:

Resolved, That the Secretary of the Senate be and he is hereby instructed to forward to the several Senators and to the attachés of the Senate, all first-class mail matter addressed to any of them and received at the Senate postoffice prior to March 5, 1913, unless otherwise requested; and be it further

Resolved, That the Secretary of the Senate be and he is hereby authorized to receive from each Senator the set of Codes, supplements thereto, Constitution of the State of California, and any other property belonging to the State and now in the possession of any Senator with instructions to hold said property for safe keeping during the constitutional recess, the same to be re-delivered on the reconvening of the Senate after such recess; and be it further

Resolved, That the Secretary of the Senate be and he is hereby instructed to bring down to date, at the earliest possible moment, the files of journals, bills, resolutions and constitutional amendments, and to turn the same over to the Sergeant-at-Arms, with an additional unbound set of Senate bills, resolutions and amendments, and a history brought down to the date of the constitutional recess, all to be forwarded by the Sergeant-at-Arms to each Senator at his place of residence.

Resolution read and adopted.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER.)

The following bills, etc., were introduced:

By Senator Caminetti: Senate Bill No. 1596—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1597—An Act concerning campaign expenses of political parties and providing for payment thereof by municipalities.

Bill read first time, and referred to Committee on Elections.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 477, "An Act to amend an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy *a*," and respectfully request your honorable body to concur in the amendments.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS CONCURRED IN.

The following Assembly amendments to Senate Bill No. 477 were read:

AMENDMENT No. 1.

On page 2, section 2, line 9, strike out the word "IV" and insert in lieu thereof the following: "III."

AMENDMENT No. 2

On page 2, Section 2, line 10, after the word "provisions," insert the following: "or the Act of which this Act is amendatory."

The question being: "Shall the Senate concur in the Assembly amendments to Senate Bill No. 477?"

The roll was called and the Assembly amendments to Senate Bill No. 477 concurred in by the following vote:

AYES, Senators Anderson, Benson, Black, Blease, Dyson, Ehrat, Gaudaur, Campbell, Carr, Cassidy, Cogswell, Cox, Curtis, Finn, Fitts, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Leonard, Kehoe, Lawlor, Mott, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Wright, and Young—37.

NOES, None.

Senate Bill No. 477 ordered to enrollment.

INTRODUCTION AND FIRST READING OF BILLS NOT ON FILE

The following bill was introduced:

By Senator Jones: Senate Bill No. 1206. An Act authorizing municipal corporations to adopt and use the "preferential system of voting," in municipal elections.

Bill read first time and referred to Committee on Elections.

LEAVE OF ABSENCE

Senator Campbell was, on his own motion, granted leave of absence for Tuesday, February 4, 1913.

ADJOURNMENT

At eight o'clock and thirty minutes p.m., on motion of Senator Thompson, the President pro tem. declared the Senate adjourned until Tuesday, February 4, 1913, at nine o'clock a.m.

IN SENATE

SENATE CHAMBER,
Tuesday, February 4, 1913.

Pursuant to adjournment, the Senate met at nine o'clock a.m.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Benson, Birdsall, Blease, Black, Boynton, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cox, Curtis, Finn, Fitts, Gates, Grant, Hans, Hewitt, Jones, Leonard, Kehoe, Lawlor, Mott, Shearer, Gerdes, Sanford, Sheridan, Stetson, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. B. Dean Napier.

READING OF THE JOURNAL

During the reading of the Journal of Monday, February 3, 1913, the further reading was dispensed with, on motion of Senator Black.

SPECIAL ORDER POSTPONED.

The consideration of the special order fixed for this time was, on motion of Senator Caminetti, postponed till nine o'clock and thirty minutes a.m.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, February 4, 1913.

MR. PRESIDENT: Your Committee on Revision and Printing, to whom were sent Senate Bills Nos. 1396 to 1598, inclusive; Senate Constitutional Amendments Nos. 48 to 62, inclusive, and Senate Joint Resolution No. 22, respectfully report that they have examined the same and delivered them to the printer at the hour of eleven o'clock and fifty minutes p.m., February 3, 1913.

FLINT, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 396—An Act to appropriate the sum of two hundred and fifty thousand dollars for the acquisition of land and the erection, construction, equipment and furnishing of an armory thereon in the city of Oakland for the use of the National Guard of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended, and be re-referred to Committee on Finance.

BEBAN, Chairman.

Senate Bill No. 396 ordered re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Assembly Bill No. 68 ordered on file for second reading.

SENATOR WRIGHT IN THE CHAIR.

At nine o'clock and fifteen minutes a.m., Senator Wright, of the Fortieth District, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Flint, Senate Bill No. 1599—An Act to amend section number forty-two hundred forty-nine of the Political Code of the State of California, relating to county officers, and their salaries and deputies, to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Juilliard: Senate Bill No. 1601—An Act to amend section four thousand fifty-eight of the Political Code, relating to direct legislation, and including initiative and referendum, by charters of counties.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1602—An Act to amend section one hundred of the Code of Civil Procedure, relating to liens and recorded judgments.

Bill read first time and referred to Committee on Judiciary.

By Senator Caminetti: Senate Bill No. 1603—An Act authorizing boards of supervisors to levy taxes for the purchase of an ambulance for use in townships.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 1604—An Act authorizing boards of supervisors to levy taxes for the purpose of building improvements or enlargement of a township hall.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 1605—An Act providing for the placing of the statues of General John C. Fremont and Hon. George Hearst in the Hall of Fame, or Statuary Hall, in the National Capitol at Washington, District of Columbia, appointing a commission therefor, and making an appropriation to carry this Act into effect.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 1606—An Act providing for the payment to the several counties and cities and counties of the State of one half all expenses incurred by them respectively for primary general and other elections held under the laws of the State in years when a general election is held.

Bill read first time and referred to Committee on Elections.

Also: Senate Bill No. 1607—An Act providing for the establishment and maintenance of a telephone system in mines.

Bill read first time and referred to Committee on Mines and Mining.

Also: Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines.

Bill read first time and referred to Committee on Mines and Mining.

Also: Senate Bill No. 1609—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as section three thousand four hundred eighty-nine a, relating to reclamation and sewage fund districts.

Bill read first time and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Breed: Senate Bill No. 1610—An Act to provide for an exposition building in Alameda County, for the use of all the counties of this State for the purpose of maintaining permanent exhibits thereof of the resources of the different counties, and to make an appropriation for the construction of said building and for the equipment of the same.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 1611—An Act to provide for the purchase of

lease of lands or lands and buildings in Alameda County to be used as a place for holding and maintaining permanent exhibit or exhibits showing and displaying the resources of the various counties of this State, and to make an appropriation to buy or lease suitable lands and buildings for the purpose herein set forth.

Bill read first time, and referred to Committee on County Government.

By Senator Boynton: Senate Bill No. 1612—An Act to reimburse the county of Butte, of the State of California, for loss of revenue occasioned by the withdrawal of railroad property from county taxation, in and during the years nineteen hundred eleven and nineteen hundred twelve, under the provisions of section fourteen of article thirteen of the Constitution of the State of California; and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1613—An Act to reimburse the county of Yuba, of the State of California, for loss of revenue occasioned by the withdrawal of railroad property from county taxation, in and during the years nineteen hundred eleven and nineteen hundred twelve, under the provisions of section fourteen of article thirteen of the Constitution of the State of California; and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1614—An Act to reimburse the county of Sutter, of the State of California, for loss of revenue occasioned by the withdrawal of railroad property from county taxation, in and during the years nineteen hundred eleven and nineteen hundred twelve, under the provisions of section fourteen of article thirteen of the Constitution of the State of California; and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1615—An Act declaring the making of certain untrue or deceptive representations by way of advertisement of merchandise, securities or services, to be a misdemeanor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates: Senate Bill No. 1616—An Act relating to applications to purchase lands of the State or rights therein and the determination of priorities of right to purchase where adverse or conflicting applications exist.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1617—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act;" to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of

liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of the proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved April 1, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1618—An Act to amend section one thousand seven hundred and twenty-three of the Code of Civil Procedure of the State of California, relating to disposition of life estates in homesteads or community property, on resale of same, in certain cases.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1619—An Act to amend section one thousand six hundred and sixty-one of the Code of Civil Procedure of the State of California, relating to payment of taxes and decree of distribution of estates.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1620—An Act to amend section one thousand four hundred and forty-three of the Code of Civil Procedure of the State of California, relating to the inventory and the appraisement of estates of deceased persons.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1621—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto and making an appropriation therefor, and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1622—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Jones: Senate Bill No. 1623—An Act to amend section three hundred twelve of the Civil Code of the State of California, relating to the voting of stock by proxy.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1624—An Act to amend sections one thousand five hundred and thirty-eight and one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to section six of article eleven of the Constitution of the State of California, relating to municipal corporations.

Constitutional amendment referred to Committee on Municipal Corporations.

Also: Senate Constitutional Amendment No. 64—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section one of article four, relating to judicial powers.

Constitutional amendment referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 1625—An Act to provide for sanitary inspection and investigation in certain foreign and oriental ports from which dangerous diseases may be introduced into California; specifying the general character of this work, and making an appropriation to the State Board of Health therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Curtin: Senate Bill No. 1626—An Act concerning neglected, dependent, and delinquent persons; providing for their care, custody, and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons, and fixing the salaries of probation officers and also their qualifications; providing for detention homes for such persons, providing for the punishment of persons responsible for, or contributing to, the neglect, dependency, or delinquency of such persons, and giving the Superior Court jurisdiction of such offenses, and providing for appeal from any order or judgment of such Superior Court and repealing inconsistent Acts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Haus: Senate Bill No. 1628—An Act to amend section one thousand six hundred and sixty-five of the Political Code of the State of California, relating to including California history in the course of study.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1629—An Act to amend section seven hundred and fifty of the Political Code of the State of California, relating to the course of study in high schools.

Bill read first time, and referred to Committee on Education.

By Senator Boynton: Senate Bill No. 1630—An Act to amend section seven hundred sixty-three of the Code of Civil Procedure of the State of California, relating to the sale or partition of personal or real property and the appointment of referees therefor.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1631—An Act to amend section fourteen hundred sixty-five a of the Code of Civil Procedure of the State of California, relating to the giving of notice of petition to set apart utmost property.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1632—An Act to amend section twenty hundred ninety-five of the Political Code of the State of California, relating to the advertising of proposed constitutional amendments.

Bill read first time and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 1633—An Act establishing a memorial school and home for orphaned and crippled children in the city of Orange, county of Orange, State of California, and making an appropriation for purchasing ground therefor.

Bill read first time and referred to Committee on Hospitals and Asylums.

By Senator Thompson: Senate Bill No. 1634—An Act to amend sections six hundred twenty-six a, six hundred twenty-six b, six hundred twenty-six f of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 1635—An Act to amend section six thousand thirty-two and one half of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time and referred to Committee on Fish and Game.

By Senator Gates (by request): Senate Bill No. 1636—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war and to provide for pensions to such soldiers, sailors and marines under certain conditions.

Bill read first time and referred to Committee on Military Affairs.

By Senator Caminetti: Senate Bill No. 1637—An Act to provide for the improvement of the public highways and to make an appropriation therefor.

Bill read first time and referred to Committee on Roads and Highways.

Also: Senate Bill No. 1638—An Act to amend section twenty-five of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder, to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collecting, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto,

and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, relating to the disposition of proceeds of the tax levied under the same, and defining the duties of certain officers in relation thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1639—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts and laws amendatory thereof and supplementary thereto, by adding a new section thereto, relating to the disposition of the proceeds of the license tax collected under the provisions thereof, and defining the duties of certain officers in relation thereto.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1640—An Act to amend section fourteen hundred and two of the Civil Code of the State of California, relative to the distribution of community property.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1641—An Act to amend section two hundred ninety-two of the Penal Code of the State of California, relating to the burial of bodies of deceased persons.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1642—An Act to provide for the free treatment of persons exposed to rabies in their own homes and for their free transportation and support while undergoing treatment under the direction and treatment by the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1643—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

Bill read first time, and referred to Committee on Elections.

Also: Senate Constitutional Amendment No. 65—Proposed amendment to Article XI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XI thereof a new section, to be numbered Section 19*a*, relating to the extension of any public utility within one or more counties, and defining the powers, rights and duties of the county or counties requiring any such extension, and the powers, rights and duties of the person or corporation operating such utility.

Constitutional amendment referred to Committee on Judiciary.

By Committee on Rules (by request), under authority of resolution adopted February 3, 1913: Senate Bill No. 1644—An Act to prevent automobile accidents at railroad crossings.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1645—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors at law, and to add a

section to said code to be known as section two hundred and seventy-six, relating to the same subject.

Bill read first time and referred to Committee on Judiciary.

By Senate Bill No. 1646—An Act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the admission and license of attorneys and counsellors at law.

Bill read first time and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 1647—An Act to amend sections one, two, five, eight and eleven of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option, authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions, providing for the calling and holding of such elections, making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes cast be in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted, forfeiting and declaring void all such licenses or permits theretofore issued and in force, making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses" approved April 3, 1911.

Bill read first time and referred to Committee on Public Morals.

LEAVE OF ABSENCE.

Senator Avey was on motion of Senator Jones, granted leave of absence for this day.

CONCURRENT RESOLUTION NO. 11.

Senate Concurrent Resolution No. 11—Approving certain amendments to the charter of the city of Eureka in Humboldt County, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held therein on the 15th day of April, 1912.

Senate Concurrent Resolution No. 11 was temporarily passed on file on motion of Senator Kehoe, to retain its place.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five and by adding a new section thereto, to be numbered thirty-six, all relating to revenue and taxation.

Senate Bill No. 231 was temporarily passed on file, on motion of Senator Thompson, to retain its place.

Assembly Concurrent Resolution No. 6—Relative to the printing of the report of the State Controller provided for by Section 243 of the Political Code.

Assembly Concurrent Resolution No. 6 was ordered temporarily passed on file, to retain its place.

Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

Assembly Joint Resolution No. 2 was ordered temporarily passed on file, to retain its place.

MOTION.

Senator Caminetti moved that Assembly Joint Resolution No. 2 be taken up for consideration.

Motion carried.

ASSEMBLY JOINT RESOLUTION No. 2.

Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

WHEREAS, Under the Act of Congress now in force, which establishes a postal savings system throughout the United States, there is no authority by which the board of trustees of said postal savings system is permitted to loan the funds of said system to the various school districts throughout the nation; and

WHEREAS, It appears that, if such authority existed, the school districts of this State, and every state, would be able thereby to obtain money directly from the funds of said postal savings system with more facility and at lower rates of interest, and

WHEREAS, It appears that, by their ability to borrow money more easily and under better conditions, the school districts of this State and of every state will receive great benefits of economy, saving and financial prosperity by which will consequently afford the rising generation of our nation better education and development; be it therefore,

Resolved, That the Senate and Assembly of the State of California, hereby join in requesting the Congress of the United States to amend the Act establishing the postal savings system in such manner as will authorize and direct the board of trustees of said postal savings system to loan the funds of said system directly to the various school districts of the nation, and that our representatives in the Senate and the House of Representatives of Congress do their utmost to further such legislation as will effect the above result; and be it further

Resolved, That copies of these resolutions be forthwith transmitted by the Clerk of the Assembly, to the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States, and a copy hereof to each member of Congress, and to each newly elected member of Congress.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cohn, Curtin, Flint, Gates, Grant, Hans, Jones, Juilliard, Kehoe, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—23.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION.

Senator Boynton moved that Assembly Concurrent Resolution No. 6 be taken up for consideration.

Motion carried.

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Relative to the printing of the report of the State Controller, provided for by Section 243 of the Political Code.

WHEREAS, The State Controller, in compliance with the provisions of Section 243 of the Political Code, has made the report therein called for to the Governor and both branches of the Legislature, but he states in said report that it is necessarily

[illegible]

[illegible]

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

[illegible]

Resolution ordered transmitted to the Assembly.

[illegible]

At [illegible] and being [illegible], Hon. A. E. Boynton, President pro tem. of the Senate in the chair.

[illegible]

The following bills etc. were introduced:

By Committee on Rules (by request): under authority of resolution adopted February 3, 1913: Senate Bill No. 1648—An Act prescribing the manner and method of procedure in acquiring water rights by appropriation in the State of California, granting the State Engineering Department duties and supervision thereof, and adding certain offices to said department.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines.

Bill read first time, and referred to Committee on Judiciary.

By Senator Finn: Senate Bill No. 1650—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known as section eight hundred and fifty seven, relating to redemption from sales of real property made pursuant to the provisions of deeds of trust given to secure the payment of indebtedness.

Bill read first time, and referred to Committee on Judiciary.

[illegible]

The consideration of the special order for the correction of the Journal of Friday, January 31, 1913, was on motion of Senator Curtin, taken up for consideration.

Senator Curtin moved that the Senate Journal be corrected as follows:

Correct page 25 of the Senate Daily Journal of January 31, 1913 as follows:

1. Strike out the word "Standish" in line 31 of said page, and insert in lieu thereof the word "Ridgeway."

2. Correct page 25 of said Journal by striking out the paragraph thereof, reading as follows: "Senator Gates raised the point of order that Senator Curtin was not observing proper rules of decorum," and insert in lieu thereof the following: "Senator Gates raised the point of order that Senator Curtin was violating the decorum of debate, in that he was not confining himself to the question before the Senate but was discussing the same question."

3. Strike out of line 16 of said page 25 the words "and admonishing Senator Curtin."

4. On page 25 of said Journal strike out the paragraph reading as follows: "Senator Gates raised the point of order that Senator Caminetti was not observing the proper rules of decorum," and insert in lieu thereof the following: "Senator Gates raised the point of order that Senator Caminetti was violating the decorum of debate, in that he was not confining himself to the question before the Senate, but was discussing the main question.

Senator Caminetti requested the Chair to permit him a hearing on the point of order."

Motion carried.

Senator Juilliard moved that the Senate Journal be corrected as follows:

On page 26 of said Journal amend by striking out the paragraph therein reading as follows: "Senator Gates raised the point of order that Senator Sanford was not observing proper rules of decorum," and insert in lieu thereof the following: "Senator Gates raised the point of order that Senator Sanford was violating the decorum of debate, in that he was not confining himself to the question before the Senate, but was discussing the main question."

Motion carried.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day did concur in Senate amendment to Assembly Joint Resolution No. 3 Relative to the establishment of a postal telegraph system.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk

INTRODUCTION AND FIRST READING OF BILLS, ETC. — OUT OF ORDER.

The following bills, etc., were introduced:

Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3*a*.

Constitutional amendment read first time, and referred to Committee on County Government.

By Senator Cassidy: Senate Bill No. 1651—An Act to regulate the use of common towels in the State of California, and providing punishment for the violation of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Owens: Senate Bill No. 1652—An Act to ratify and approve an Act entitled "An Act providing for the disposition of certain property," passed April 21, 1851, and to cure and obviate any and all defects therein to the vesting in the town of Martinez of the lands so granted and released.

Bill read first time, and referred to Committee on Judiciary.

By Senator Juilliard: Senate Bill No. 1653—An Act to amend section one thousand one hundred and thirty of the Political Code, relating to the establishment of election precincts, etc.

Bill read first time, and referred to Committee on Elections.

[illegible]

The following resolution was introduced:

By Senator Caminetti:

Resolved, That the sentiments of the Senate have learned with sincere regret of the sickness of Lieutenant Governor Albert A. Wallace and express a hope that the same restoration to health may result in his official duties as the presiding officer of the Legislature.

Resolution read and adopted.

INTRODUCTION AND FIRST READING OF BILLS AND [illegible]

The following bills etc. were introduced:

By Senator Tyrrell (by request): Senate Bill No. 1654—An Act to amend section four thousand three hundred [illegible] of the Political Code, relating to justices of the peace fees.

Bill read first time and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 1655—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure of the State of California.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1656—An Act appropriating money for [illegible] and piping the merchant at Agnews State Hospital.

Bill read first time and referred to Committee on Hospitals and Asylums.

[illegible]

At nine o'clock and fifty minutes [illegible] Thompson, the acting President declared the Senate in recess until ten o'clock and fifteen minutes a.m.

[illegible]

At ten o'clock and fifteen minutes a.m. the Senate reassembled. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS [illegible]

The following bills etc., were introduced:

By Senator Shanahan: Senate Bill No. 1657—An Act to impose, levy and collect an income tax.

Bill read first time and referred to Committee on Revenue and Taxation.

By Senator Juilliard: Senate Bill No. 1658—An Act to amend section one thousand and ninety-four of the Political Code of the State of California, relating to the registration of voters.

Bill read first time and referred to Committee on Elections.

Also: Senate Bill No. 1659—An Act to amend sections one thousand and ninety-six and one thousand and ninety-seven of the Political Code, relating to elections and the registration of voters.

Bill read first time and referred to Committee on Elections.

By Senator Cohn: Senate Bill No. 1660—An Act amending an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of

plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, by adding a section thereto, to be numbered section five, relating to the commencement of an action by a land owner against the State of California, whose land may fall within the line of any by-pass or flowage channel or drainage way or canal, and regulating the procedure in connection therewith.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Hewitt: Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State, and for the expense of the payment of such bonds and the interest thereon outside of the State.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 1663—An Act to amend section nine hundred eighty-seven of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1664—An Act to amend section two of an Act entitled "An Act to provide for consolidation of municipal corporations," approved March 11, 1909.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure, to be known as sections twelve hundred forty-eight *b*, twelve hundred forty-eight *c*, and twelve hundred forty-eight *d*, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of such referees and exceptions thereto, to the hearing of such reports and exceptions, and to judgments thereon in such proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1666—An Act to amend sections one and one *a* of an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sanford: Senate Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section one of article three thereof, and repealing article four and article six thereof, all relating to the distribution of the powers of government.

Constitutional amendment referred to Committee on Judiciary.

By Senator Butler: Senate Bill No. 1667—An Act to amend an Act entitled "An Act to provide for the incorporation of municipal corporations of the sixth class," approved March 28, 1906.

Bill read first time and referred to Committee on Municipal Corporations.

By Senator Boynton: Senate Bill No. 1668—An Act to amend section two hundred forty-five, section two hundred sixty-four and section two hundred sixty-eight of the Political Code of the State of California, relating to the number, designation, election, appointment and compensation of officers and employees of the Legislature.

Bill read first time and referred to Committee on Judiciary.

By Senator Boynton: Senate Bill No. 1669—An Act making the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the first improvement of the navigation of the Sacramento, San Joaquin, and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June thirtieth, nineteen hundred seven, and made by John Ehlers, lieutenant colonel, corps of engineers, U. H. McKenney, major, corps of engineers, and Thomas H. Jackson, corps of engineers, of the United States army, and printed with the annual report of the chief engineer of the United States army for the fiscal year ending June thirtieth, nineteen hundred seven, and making an appropriation for said work," approved March tenth, nineteen hundred nine, by removing certain conditions contained in and stipulated by said Act.

Bill read first time and referred to Committee on Commerce and Navigation.

By Senator Birdsall: Senate Bill No. 1670—An Act to reimburse the county of Nevada of the State of California, for loss of revenue occasioned by the withdrawal of railroad property from county taxation in and during the years nineteen hundred eleven and nineteen hundred twelve, under the provisions of section fourteen of article thirteen of the Constitution of the State of California, and making an appropriation therefor.

Bill read first time and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1671—An Act to reimburse the county of Placer, of the State of California, for loss of revenue occasioned by the withdrawal of railroad property from county taxation in and during the years nineteen hundred eleven and nineteen hundred twelve, under the provisions of section fourteen of article thirteen of the Constitution of the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1672—An Act to reimburse the county of Plumas, of the State of California, for loss of revenue occasioned by the withdrawal of railroad property from county taxation in and

during the years nineteen hundred eleven and nineteen hundred twelve, under the provisions of section fourteen of article thirteen of the Constitution of the State of California; and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Thompson: Senate Bill No. 1673—An Act to amend section two hundred eighty-seven of the Civil Code of the State of California, relating to the continuance of existence of corporations.

Bill read first time and referred to Committee on Corporations.

Also: Senate Bill No. 1674—An Act to amend sections two hundred ninety-six, two hundred ninety-seven, two hundred ninety-seven *a* and two hundred ninety-nine *a* of the Civil Code of the State of California, relating to the filing of original articles of incorporation and certified copies thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1675—An Act to amend section three hundred fifty-nine of the Civil Code of the State of California, relating to bonded indebtedness, how created and increased.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1676—An Act to amend section four hundred one of the Civil Code of the State of California, relating to extension of corporate existence, how made.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1677—An Act to amend section four hundred twenty-five of the Civil Code of the State of California, relating to fire, marine, and title insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1678—An Act to amend section four hundred forty of the Civil Code of the State of California, relating to mutual, life, health, and accident insurance corporations.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1679—An Act to amend section four hundred fifty-two *a* of the Civil Code of the State of California, relating to mutual benefit and life associations.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1680—An Act to amend section three hundred sixty-two of the Civil Code of the State of California, relating to the amending of articles or certificate of incorporation—filing penalty.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1681—An Act to amend section five hundred eighty-seven *a* of the Civil Code of the State of California, relating to mining corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1682—An Act to amend sections six hundred two and six hundred five of the Civil Code of the State of California, relating to religious, social and benevolent corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1683—An Act to amend section six hundred and forty-eight *a* of the Civil Code of the State of California, relating to building and loan associations.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 1084—An Act to amend sections one hundred and fifty-three and six hundred and fifty-three of the Civil Code of the State of California, relating to cooperative business associations.

Bill read first time and referred to Committee on Banking.

Also: Senate Bill No. 1085—An Act to amend section one hundred and ninety-four of the Civil Code of the State of California, relating to corporations for the formation of chambers of commerce, boards of trade, mechanics' institutes and other kindred associations.

Bill read first time, and referred to Committee on Corporations.

By Senator Jones: Senate Bill No. 1086—An Act to amend section five hundred forty-two of the Code of Civil Procedure of the State of California, relating to attachment liens.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 1087—An Act to amend section five hundred eighty-one of the Code of Civil Procedure of the State of California, relating to the dismissal of actions for failure to serve summons.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1088—An Act creating a bureau to be known and designated as the inspector of county offices of the State of California, providing for the appointment of such inspector, fixing his salary and prescribing his powers and duties.

Bill read first time and referred to Committee on [illegible] Government.

By Senator Rolfe: Senate Bill No. 1089—An Act appropriating money to provide a work preserving fund for the use of the Adjutant General, and defining its use and the liability therefor.

Bill read first time, and referred to Committee on Military Affairs.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 4, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 602, An Act providing for the organization of a fire fighting and state hospital at the city of Chico and providing for a commission to select said site, to dissolve any site now provided for the location of an insane asylum on said site and appropriating money therefor, have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended, and be referred to Committee on Finance.

RUSH, Chairman.
BRUNSON,
JUILLIARD.

Senate Bill No. 602 ordered transferred to Committee on Finance.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the foregoing on this day [illegible] Senate concurred in Assembly [illegible] Relative to requesting the United States Congress to authorize [illegible] savings system to loan its funds to [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills, etc., were introduced:

By Senator Kehoe: Senate Bill No. 1690.—An Act to amend sections twenty-two hundred and ninety-two, twenty-two hundred and ninety-three and twenty-two hundred and ninety-five of the Political Code as to the board of trustees of the State Library and term of office of said trustees, and the general powers and duties of said board and the general duties of the State Librarian.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1691.—An Act to amend section four thousand two hundred and sixty-six of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read first time, and referred to Committee on County Government.

PETITIONS—(OUT OF ORDER).

Senator Juilliard presented petitions from the Cloverdale Chamber of Commerce regarding the enactment of a law restricting the labor of women engaged in the fruit industry to eight hours in one day.

Also: From the same source, regarding the Employers' Liability Act.

Also: By the California State Grange, in relation to legislation to restrict the hours of labor of women and girls engaged in handling perishable fruits.

INTRODUCTION OF BILL.—(OUT OF ORDER).

The following bill was introduced:

By Committee on Rules (by request), under authority of resolution adopted February 3, 1913: Senate Bill No. 1692.—An Act to provide for the filling of any vacancy that may occur in any state, county or municipal elective office.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At ten o'clock and forty-five minutes a.m., on motion of Senator Gates, the President pro tem. declared the Senate at recess until eleven o'clock.

RECONVENED.

At eleven o'clock a.m. the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

RESOLUTION.

The following resolution was introduced:

By Senator Mott:

WHEREAS, One of the sufferers from the deplorable fire of last Sunday, February 2, 1913, Professor Charles E. Cox, is an employee at the desk of this Senate; and

WHEREAS, His injuries are of such a nature as to wholly incapacitate him for all employment indefinitely; and

WHEREAS, Death and suffering have been the harvest of this awful conflagration; therefore, be it

Resolved, That to the relatives of the dead, to the surviving victims, and to our faithful and esteemed clerk, Professor Charles E. Cox, this Senate expresses its

[illegible]

Resolution read and adopted.

[illegible]

The following bills are [illegible]:

By Senator Cashmere: Senate Bill No. 1693—An Act to provide for the construction of county and state-county rail highways.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of parks and highways; for the creation, supervision and control thereof by the Department of Engineering of the State of California and State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting, or other railroad lines, or buying and selling stock on equal terms as to charges and equal rights as to privileges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1695—An Act to amend section one thousand seven hundred and seventy-nine of the Political Code of the State of California, relating to the establishment of postgraduate common school courses for certain schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1696—An Act providing for the publication of a legislative bulletin during the constitutional recess.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1697—An Act to reimburse the county of Amador in the State of California for loss of revenue sustained in the year 1911 and the year 1912, under the provisions of section fourteen of article thirteen of the Constitution of the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1699—An Act providing for the reclamation by counties of canals or waterways suitable for navigation.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1700—An Act to provide for the construction of municipal rail highways.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply systems of the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1702—An Act amending the Civil Code so as to prohibit one corporation from buying, taking, acquiring or holding the shares of stock of other corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1703—An Act amending section two hundred and eighty-six of the Civil Code so as to limit the formation of corporations to one purpose.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1704—An Act amending the Civil Code so as to prohibit the issuance by a corporation of more than one kind of shares of capital stock.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1705—An Act providing for the purchase and proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission," and making an appropriation to carry out the purposes of this Act.

Bill read first time, and referred to Committee on Education.

Also: Senate Concurrent Resolution No. 17—Relative to petition of fruit growers and shippers of California.

Resolution referred to Committee on Agriculture.

By Senator Strobridge: Senate Bill No. 1706—An Act to provide for the incorporation and regulation of employers' mutual liability insurance associations.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1707—An Act to amend an Act entitled "An Act to prevent the formation and prohibit the existence of secret, oath-bound fraternities in the public schools," approved March 13, 1909.

Bill read first time, and referred to Committee on Education.

By Senator Cohn: Senate Bill No. 1708—An Act to amend an Act entitled "An Act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, by adding thereto a new section, to be known as section twelve *a*.

Bill read first time, and referred to Committee on Insurance.

By Senator Cohn (by request): Senate Bill No. 1709—An Act to add a new section to the Civil Code of the State of California, relative to the duty of telephone companies within the State of California to install necessary instruments and furnish telephone service upon demand.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1710—An Act relating to exterior advertising, as in this Act defined, declaring the prohibition of the use of property for such purpose a public use, providing for the acquisition of such use, and prohibiting exterior advertising on property as to which such use has been acquired.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1711—An Act to confer additional powers and duties upon the reclamation board; to provide for the performance of works of reclamation and drainage approved by said board; to provide for the ascertainment by said board of a district of lands to be benefited by the performance of the works specified in the report of the California Debris Commission transmitted to the Speaker of the House of Repre-

sentatives of the United States by the Secretary of War on the 27th day of June, 1911, and to provide for the ascertainment by said board of any district or districts of land lying within the watershed of the Sacramento River and its tributaries which will be benefited by the performance of any unit or units of the system of works provided in said report; to provide alternative methods for assessing the cost of such works upon the property benefited thereby and for the collection of such assessments; to provide for the organization of the districts and employees of said board; to confer additional duties upon the State Engineer; and making an appropriation to pay the expenses of such examinations and surveys as may be necessary to effect the purposes of this Act.

Bill read first time and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Committee on Rules: In regard to senate resolution of yesterday adopted February 3, 1913, senate Bill No. 1712—An Act to amend Section 1768 of the Code of Civil Procedure of the State of California, relating to suits in condemnation proceedings, and providing that the defendant may be allowed his costs and other disbursements.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 1713. An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings into portions of the State not infected, to control the spread of such diseases after introduction and authorizing the State Board of Health to make rules and regulations therefor.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1714—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to maintain, open and maintain systems of street lights on public highways; to provide for the formation, government and extension of lighting districts; the levying and collection of taxes in such districts for the assessment, collection, custody and disbursement of those taxes; and the creation of ex officio boards of supervisors," approved March 20, 1909, by amending sections eleven, fourteen and fifteen of said Act, relating to the boards of supervisors of lighting districts and their duties.

Bill read first time, and referred to Committee on County Government.

SENATOR STRELL IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Senator Strell, of the Sixteenth District, in the chair.

INTRODUCTION AND FIRST READING OF BILLS [CONTINUED].

The following bills, etc., were introduced:

By Senator Rebey: Senate Bill No. 1715—An Act to amend section two thousand and eighty-six of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Kehoe: Senate Bill No. 1716—An Act to provide a state

highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Gates: Senate Constitutional Amendment No. 68—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XXIII, providing for the recall, by the electors, of public officials.

Constitutional amendment referred to Committee on Elections.

By Senator Caminetti: Senate Constitutional Amendment No. 69—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending sections three, four, six, and seventeen of article six thereof, relating to the election and term of office of justices of the Supreme Court, District Courts of Appeal and judges of the Superior Court and relating to the salaries of judges of the Superior Court.

Constitutional amendment referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:

By Senator Boynton:

Resolved, That the Chairman of the Finance Committee of the Senate be and he is hereby appointed, in conjunction with the Chairman of the Ways and Means Committee of the Assembly, to inspect and investigate state institutions and enterprises during the constitutional recess, and inquire into and report upon the financial needs of such institutions not later than March 15, 1913, and that he be allowed his actual expenses while so engaged, the same to be payable out of the contingent expenses of the Senate.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belan, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Curtin, Flint, Gates, Grant, Hans Hewitt Jones, Juilliard, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—29.

NOES—None.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced:

By Senator Gates: Senate Joint Resolution No. 23—Relative to the establishment of a government-owned line of steamships to operate between Pacific and Atlantic ports.

Resolution referred to Committee on Federal Relations.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were introduced:

By Senator Strobridge:

Resolved, That the following named persons be stricken from the list of attaches, and their names be stricken from the pay roll of the Senate:

W. H. Wright, Assistant Secretary	$9 00
Eric Johnson, Assistant Secretary	6 00
C. E. Cox, Assistant Minute Clerk	6 00
I. F. Baker, Assistant Minute Clerk	6 00
Robt. Bonnell, Assistant at the Desk	5 00
Clifton E. Brooks, Journal Clerk	6 00
Alice Perrin, Assistant Journal Clerk	5 00
Wellington Bowser, Assistant Journal Clerk	5 00

J. H. Walker, Assistant Docket Clerk	$ 4 00
W. H. Hayes, Stenographer to the President	4 00
Mrs. H. M. Gillis, Enrolling Clerk	4 00
Mrs. M. Dixon, Assistant Engrossing Clerk	4 00
John Thompson, Page Morning Call	3 00
Wm. L. Gobrecht, Bill Clerk	4 00
[illegible]	4 00
[illegible]	4 00
[illegible]

Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—26.
NOES—None.

By the Committee on Rules:

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to employ during the period of the constitutional recess, at a compensation not exceeding the per diem fixed by law or by resolution by the Senate for similar services, such assistants as may be necessary to carry out the directions of the Senate set forth in resolutions heretofore adopted, and for that purpose he be and he is hereby given complete authority over all employees necessary in such work, and he is hereby authorized and directed to certify to the Controller each week the list of such employees and the compensation to be allowed to each for such service and the Controller is hereby directed to draw his warrant for any such amount in favor of each such employee for such sum, payable out of the unexpended portion of the $500.00 per day allowed by law for the payment of officers and employees of the Senate, and the State Treasurer is hereby directed to pay the same.

BOYNTON, Chairman.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cassidy, Curtin, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.
NOES—None.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 9—Relative to the continuance by the United States of the government line of steamers from eastern seaports to Colon, in the "canal zone," and the extension thereof to Pacific seaports, on the western coast of the United States, on the completion of the Panama Canal.

Also: Senate Joint Resolution No. 14—Relative to the free passage through the Panama Canal of American ships engaged in the coastwise commerce of the United States and opposing repeal of the Act of Congress providing therefor.

Also: Senate Joint Resolution No. 20—Relative to aid from the government of the United States for industrial education and the inauguration and establishment of a national university and department of education.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Joint Resolutions Nos. 9, 14 and 20 ordered to enrollment.

MOTION.

Senator Boynton moved that the Secretary be instructed to have five hundred additional copies of Senate Bill No. 1090 printed and two thousand additional copies of Senate Bill No. 1089.

Motion carried.

INTRODUCTION OF BILL.

The following bill was introduced:

By Senator Boynton: Senate Bill No. 1717—An Act relating to the power of boards of supervisors, and giving such boards authority to levy a special tax for the purpose of raising funds for advertising, exploiting and making known the resources of the counties, which tax hereby authorized to be levied shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and maintaining exhibits at domestic and foreign expositions.

Bill read first time, and referred to Committee on County Government.

[illegible]

At eleven o'clock and thirty minutes a.m., on motion of Senator Thompson, the President pro tem declared the Senate at recess until eleven o'clock and forty minutes a.m.

[illegible]

At eleven o'clock and forty minutes a.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem, of the Senate, in the chair.

REPORT OF STANDING COMMITTEE—(SEE 13 SENATE)

The following report of standing committee was received and read.

SENATE CHAMBER, SACRAMENTO, February 4, 1913

MR. PRESIDENT: Your Committee on Revision and Printing to which were referred Senate Bills Nos. One (1) to [illegible], inclusive, and Senate Joint Resolution No. [illegible], respectfully reports that they have examined the same and find and report to the Senate at the hour of eleven o'clock and forty-five minutes a.m., February 4, 1913.

[illegible], Chairman.

[illegible]

At eleven o'clock and forty-five minutes a.m., on motion of Senator Hans, the President pro tem declared the Senate at recess for five minutes.

[illegible]

At eleven o'clock and fifty minutes a.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem, of the Senate, in the chair.

RESOLUTION—(SEE 13 SENATE)

The following resolution was introduced:

By Committee on Contingent Expenses:

WHEREAS, The Sergeant-at-Arms of the Senate has submitted to the Senate Committee on Contingent Expenses the various payrolls and bills which he has audited and paid for the use of the Senate and the committees, has examined the accounts and found them correct; therefore be it

Resolved, That the Senate committee on contingent expenses be and it is hereby directed to draw its warrants for the various sums and said bills, out of the funds of the Sergeant-at-Arms of the Senate, and that the sums so expended be paid from the Contingent Fund of the Senate and the Treasurer is hereby directed to pay the same.

Sleeper & Stever	$[illegible]
Kane & Tevis	[illegible]
Shasta-Arcata Water Company	[illegible]
The Pacific Telephone and Telegraph Company	[illegible]
United States Express	[illegible]
John Bennett Company	[illegible]
Wall Stationery Company	[illegible]
F. R. Pelfrey	[illegible]
C. J. Sykes	19 00
Sacramento Planing Mill	[illegible]
	$[illegible]

T. W. H. SHANAHAN.
WILLIAM KENT,
Committee on Contingent Expenses.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Bryant, Butler, Cammetti, Cassidy, Cohn, Curtin, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Larkins, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—24.

NOES—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, February 4, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following resolutions, etc.:

Senate Concurrent Resolution No. 11—Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to capitol, hospitals and other public institutions.

Also: Senate Joint Resolution No. 15—Relative to U. S. Senate Amendment No. 68 to House of Representatives Bill No. 26080, providing for the reestablishment of the fourth revenue collection district of the State of California.

Also: Senate Joint Resolution No. 8—Relative to House Bill No. 13500, by Congressman John E. Raker, of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic laborers.

Also: Senate Joint Resolution No. 6—Relative to recognition by the United States of the republic of China.

Also: Senate Joint Resolution No. 7—Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

Also: Senate Bill No. 501—An Act appropriating the money in the State School Book Fund for the purpose of paying expenses of purchasing and distributing state text-books free to the school children of the State in accordance with the Constitution.

Also: Senate Concurrent Resolution No. 10—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the thirteenth day of January, 1913.

Also: Senate Bill No. 477—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy *a*.

Also: Senate Joint Resolution No. 14—Relative to the free passage through the Panama Canal of American ships engaged in the coastwise commerce of the United States and opposing repeal of the Act of Congress providing therefor.

Also: Senate Joint Resolution No. 9—Relative to the continuance by the United States of the government line of steamers from eastern seaports to Colon, in the "canal zone," and the extension thereof to Pacific seaports, on the western coast of the United States, on the completion of the Panama Canal.

Also: Senate Joint Resolution No. 20—Relative to aid from the government of the United States for industrial education and the inauguration and establishment of a national university and department of education.

And report that the same have been correctly enrolled.

And presented the same to the Governor on this 4th day of February, 1913, at eleven o'clock and thirty minutes a.m.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912—and report that the same has been correctly engrossed.

GRANT, Chairman.

RECESS.

At eleven o'clock and fifty-three minutes a.m., on motion of Senator Thompson, the President pro tem. declared the Senate at recess for two minutes.

RECONVENED.

At eleven o'clock and fifty-five minutes a.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

COMMITTEE FROM ASSEMBLY

At eleven o'clock and fifty-five minutes a.m., a committee from the Assembly [Mr. Penny, chairman] appeared at the bar of the Senate and announced that the Assembly had no further communication to transmit to the Senate, and was now prepared for adjournment for the constitutional recess.

RESOLUTION

The following resolution was introduced:

By Senator Anderson:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn for the constitutional recess, and ask if the Assembly has any further communication to transmit to the Senate.

Resolution read and adopted.

COMMITTEE APPOINTED.

In accordance with the above resolution Senators Anderson, Wright and Grout were named by the President pro tem. as the committee to notify the Assembly that the Senate was ready to adjourn for the constitutional recess.

RESOLUTION.

The following resolution was introduced:

By Senator Butler:

Resolved, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn for the constitutional recess, and ask if he has any further communication to transmit to the Senate.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE

In accordance with the above resolution Senators Butler, Platt and Cammetti were named as the committee to notify the Governor that the Senate was ready to adjourn for the constitutional recess.

REPORT OF COMMITTEE

Senators Anderson, Wright and Grout, the special committee appointed to notify the Assembly that the Senate was ready to adjourn for the constitutional recess, reported that they had performed the duties assigned them.

REPORT OF COMMITTEE

Senator Butler, as chairman of the committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn for the constitutional recess, reported that his Excellency had informed the committee that he had no further communication to make to the Senate.

APPROVAL OF JOURNALS

The Journals of Monday, January 27, 1913; Tuesday, January 28, 1913; Wednesday, January 29, 1913; Thursday, January 30, 1913; Friday, January 31, 1913; Saturday, February 1, 1913, and Monday, February 3, 1913, were corrected and approved as corrected.

MINUTES APPROVED.

The minutes of this day, Tuesday, February 4, 1913, were read and approved.

ADJOURNMENT.

Whereupon, at twelve o'clock m., in accordance with the provisions of Senate Concurrent Resolution No. 15, Hon. A. E. Boynton, President pro tem. of the Senate, declared the Senate adjourned for the constitutional recess, to reconvene at twelve o'clock m. on Monday, March 10, 1913.

IN SENATE.

SENATE CHAMBER,
Monday, March 10, 1913.

Pursuant to the provisions of Senate Concurrent Resolution No. 15, the Senate reconvened at the hour of twelve o'clock noon.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—33.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Boynton:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate has reconvened after the constitutional recess, in accordance with Senate Concurrent Resolution No. 15, and is ready to proceed with the business of the State.

Resolution read and adopted.

By Senator Benson:

Resolved, That the President of the Senate appoint a special committee of three to notify the Governor that the Senate has reconvened after the constitutional recess, in accordance with Senate Concurrent Resolution No. 15, and is now ready to receive any communication he may have to make.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE.

Pursuant to the provisions of the above resolution, the President announced the appointment of Senators Benson, Avey and Juilliard as a committee to notify the Governor that the Senate had reconvened.

RESOLUTIONS

The following resolutions were introduced:

By Senator Bolton:

WHEREAS, There is now pending before the Senate and under the consideration of the Senate, bills providing for the appointment of [illegible] and

WHEREAS, It is desirable to secure the best possible information upon the subject matter of said bills; and

WHEREAS, It is desirable to secure the services of the United States Senate [illegible] investigation; that there is a large [illegible] interest [illegible] and

WHEREAS, It is desirable to secure the services of the United States Senate [illegible] investigation; that there is a large [illegible] interest [illegible] and

Resolved, That a special committee of five Senators be appointed to investigate all phases of the so-called "water fight" in Imperial Valley, and the operations of the water in the Salton Sea, and especially to ascertain the [illegible] and [illegible] and [illegible] and

C. E. Brooks, Journal Clerk	$6 00
James Walsh, Assistant Sergeant-at-Arms	5 00
Wm. J. Hennessy, Assistant Sergeant-at-Arms	5 00
J. Summers, Assistant Sergeant-at-Arms	5 00
Mrs. M. Flurry, Assistant Postmistress	4 00
T. A. McEachen, Cloak Room Clerk	4 00
C. E. Cox, Assistant Minute Clerk	6 00
Frank B. Mayers, Clerk of Judiciary Committee	6 00

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—27.

NOES—None.

Also:

Resolved, That H. J. Gerdes be transferred from the position of Bill Filer at $4 per day to the position of Assistant Sergeant-at-Arms at $5 per day, and that J. C. Hubbard be transferred from the position of Assistant Clerk at the Desk at $5 per day to the position of Clerk of the Finance Committee at $6 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Carr, Cassidy, Curtin, Finn, Flint, Gates, Gerdes, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—25.

NOES—None.

APPOINTMENTS BY THE PRESIDENT.

The following communication was received:

To the Senate of the State of California:

I beg leave to announce that I have this day appointed O. B. Penner, C. J. Sykes and Joe Lovereich as Porters at a per diem of $3, and Harold Stevens, Travis Paine, Frank Branch and Everett Rutherford as Pages at a per diem of $2.50, and respectfully ask consent of the Senate thereto.

ALBERT J. WALLACE,
President of the Senate.

The question being on the consent of the Senate to the above appointments by the President.

The roll was called, and the appointments consented to by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—27.

NOES—None.

APPOINTMENT BY THE SECRETARY.

The following communication was received:

MR. PRESIDENT: I beg leave to report that I have this day appointed W. H. Wright Assistant Secretary and Clerk of the Committee on Revision and Printing at a per diem of $9, and respectfully ask the consent of the Senate thereto.

W. N. PARRISH,
Secretary of Senate.

The question being on the consent of the Senate to the above appointment by the Secretary.

The roll was called, and the appointment consented to by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Curtin, Finn, Flint, Gates, Gerdes, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—25.

NOES—None.

INTRODUCTION OF CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced:

By Senator Stevenson: Senate Concurrent Resolution No. 14—A resolution relative to the adjournment sine die of the fortieth session of the Legislature of the State of California and fixing the date for said adjournment.

Resolution referred to Committee on Rules.

REPORT OF SPECIAL COMMITTEE

Senators Boynton, Ayer and Lelland, the special committee appointed to notify the Governor that the Senate had organized and was ready to receive any communication he may desire to make, reported that his Excellency had advised the committee that he would communicate in writing with the Senate.

EXECUTIVE MESSAGE

The following communication was received:

Sacramento, Cal., March 10, 1913.

To the President of the Senate, Hon. A. J. Wallace, and to the members of the Senate of the State of California:

Gentlemen: The people of this County extend a most cordial welcome to your honorable body to participate in a joint convention to be held in Assembly Hall on the portals of the commonwealth capitol house, who represent the people of every section of the County.

The itinerary of the visit is as follows: A special train will leave the Southern Pacific depot, Sat. 3 o'clock, Sacramento time, in the afternoon, arriving at Stockton at 10 p.m., where you will be met by a committee and escorted to beautiful Oswald Valley, where a picnic dinner and luncheon will be served at a cozy mountain cafe.

After an hour's rest, you will take up the journey over one of the most picturesque sections, California Lumbering Area. Here, those in attendance will have their opportunity to view and to appreciate from closer quarters the

It is the wish of the people of this county that your body accompany you, and that you leave your home at home.

A. E. BOYNTON, Supervisor, District No. 4.
J. V. MURRAY, Supervisor, District No. 5.
M. H. SCOTT, Chairman, Board of Supervisors.
G. H. HECKE, Chairman, Farmers-Cattle Transportation Committee.
H. B. GARDE, President, Fair Grounds Board of Trustees.

MOTION

Senator Boynton moved that the invitation be accepted.

Motion carried.

MESSAGE FROM THE GOVERNOR

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, March 10, 1913.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have made the following appointments, and request your concurrence and approval thereto:

Minnie Delaveaga Shedden, of Fresno, a Regent of the University of California, vice Chester Rowell, deceased.

Rudolph J. Taussig, of San Francisco, a Regent of the University of California, vice John E. Budd, resigned.

Edward A. Dickson, of Los Angeles, a Regent of the University of California, vice Truxtun Beale, deceased.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

The message from the Governor was referred to the Committee on Rules.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Gates, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following resolution:

Resolved, That the Chief Clerk of the Assembly be directed to notify the Senate that the Assembly has reconvened, pursuant to resolution of adjournment taken February 4, 1913, and is ready to proceed with the business of the session, with all officers heretofore elected on January 6, 1913, present, to wit: Speaker, Hon. C. C. Young; Speaker *pro tempore*, Hon. W. A. Johnstone; Chief Clerk, L. B. Mallory; First Assistant Chief Clerk, T. G. Walker; Minute Clerk, H. A. Harper; Sergeant-at-Arms, Ed E. Reese; Chaplain, Rev. Frank K. Baker.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Lyon, the President declared the Senate at recess until two p. m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.
Hon. Albert J. Wallace, President of the Senate, in the chair.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:
By Senator Gates:

Resolved, That a committee of five be appointed by the President of the Senate to arrange and provide a calendar of committee meetings by the several standing committees of the Senate.

Resolution read and adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 10, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following message from the Governor:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, CAL., March 10, 1913.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have today made the following appointments, and request your concurrence and consent thereto:

Minnie Eshleman Sherman, of Fresno, a Regent of the University of California, vice Chester Rowell, deceased.

Rudolph J. Taussig, of San Francisco, a Regent of the University of California, vice John E. Budd, resigned.

Edward A. Dickson, of Los Angeles, a Regent of the University of California, vice Truxtun Beale, resigned.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Have had the same under consideration, and respectfully report the same back, and recommend that the Senate advise and consent to the appointments therein mentioned.

BOYNTON, Chairman.
GERDES.
LYON.

MOTION.

Senator Boynton moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of Minnie Eddleman Sherman, of Fresno, a member of the Board of Regents of the State University, vice Chester Rowell, deceased?"

The roll was called, with the following result:

Ayes—Senators Anderson, Avey, Boynton, Burnett, Chandler, Black, Brown, Bryant, Burnett, Carr, Cassidy, Cohn, Curtin, Flint, Gates, Gerdes, Gleason, Hans, Inman, Kehoe, Lyon, Mott, Owens, Rigdon, Rush, Stetson, and Wright—33.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Minnie Eddleman Sherman, of Fresno, a member of the Board of Regents of the State University, vice Chester Rowell, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of Rudolph J. Taussig, of San Francisco, a member of the Board of Regents of the State University, vice John E. Budd, resigned?"

The roll was called, with the following result:

Ayes—Senators Anderson, Avey, Boynton, Burnett, Chandler, Black, Brown, Bryant, Butler, Carr, Cassidy, Cohn, Curtin, Flint, Gates, Gerdes, Gleason, Hans, Inman, Kehoe, Lardner, Lyon, Mott, Owens, Rigdon, Stetson, Strobridge, and Wright—35.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Rudolph J. Taussig, of San Francisco, a member of the Board of Regents of the State University, vice John E. Budd, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Edward A. Dickson, of Los Angeles, a member of the Board of Regents of the State University, vice Truxtun Beale, resigned?"

The roll was called, with the following result:

Ayes—Senators Anderson, Avey, Boynton, Burnett, Chandler, Black, Brown, Bryant, Carr, Cassidy, Cohn, Curtin, Flint, Gates, Gerdes, Gleason, Hans, Inman, Kehoe, Lyon, Mott, Owens, Rigdon, Stetson, Strobridge, and Wright—33.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Edward A. Dickson, of Los Angeles, a member of the Board of Regents of the State University, vice Truxtun Beale, resigned.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of the special committee to prepare a calendar of the Senate committee meetings as follows: Senators Kehoe, Strobridge, Gates, Avey and Hans.

ADJOURNMENT.

At two o'clock and twenty-five minutes p. m., on motion of Senator Lyon, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 11, 1913.

The Senate met at ten o'clock a.m.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Belcher, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Geddes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—33.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 10, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senators Campbell and Owens were, on motion of Senator Jones, granted leave of absence for this day.

Senators Sanford, Cartwright and Caminetti were, on motion of Senator Juilliard, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this day.

Senators Thompson and Hewitt were, on motion of Senator Gates, granted leave of absence for this day.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and read:

SENATE CHAMBER, SACRAMENTO, CAL., March 11, 1913.

MR. PRESIDENT: Your committee appointed to prepare a schedule of meetings for the standing committees of the Senate, have had the matter under consideration, and respectfully report as follows:

That the times of the meetings of the standing committees of the Senate be, and the same shall be held, as follows:

Agriculture—At 2 p.m. on Monday of each week.
Banking—At 4 p.m. on Monday and Wednesday of each week.
Civil Service—At 11 a.m. on Thursday of each week.
Commerce and Navigation—At 4 p.m. on Friday of each week.
Corporations—At 7 p.m. on Tuesday, Thursday and Saturday of each week.
County Government—At 11 a.m. on Monday and Friday of each week.
Drainage, Swamp and Overflowed Lands—At 2 p.m. on Thursday of each week.
Education—At 10:30 a.m. on Tuesday, Thursday and Saturday of each week.
Elections—At 2 p.m. on Monday and Friday of each week.
Finance—At 8 p.m. on Monday, Wednesday and Friday of each week.
Fish and Game—At 3 p.m. on Monday and Wednesday of each week.
Hospitals and Asylums—At 4 p.m. on Thursday of each week.
Insurance—At 8 p.m. on Thursday of each week.
Irrigation—At 11 a.m. on Tuesday of each week.
Judiciary—At 2 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday of each week.
Labor and Capital—At 3 p.m. on Tuesday and Thursday of each week.
Military Affairs—At 11 a.m. on Wednesday of each week.
Mines and Mining—At 11 a.m. on Monday of each week.

Morning Committee ... 10:30 a.m. on Monday, Thursday and Friday of each week.
Finance and Insurance ... 9:30 a.m. on Tuesday and Saturday of each week.
Public Health and Quarantine ... At 9 a.m. on Monday, Wednesday and Friday of each week.
Public Morals ... At 9 a.m. on Tuesday, Thursday and Saturday of each week.
Municipal and Township ... At 9 a.m. on Tuesday and Saturday of each week.
Roads and Highways ... At 9 a.m. on Friday of each week.

Your committee would state we met with the members of the committee on Public Morals, Assemblymen Hall and Hawkins, Mr. Ephraim, Reno, and Assemblyman Dickson.

Your committee recommend that the above schedule of meetings be printed upon a large chart and hung next to the bulletin board on the mezzanine floor of the Senate.

Respectfully submitted,

CLYDE Allen, Chairman.

Report read and ordered on motion of Senator Allen.

ADJOURNMENT IN THE SENATE

At ten o'clock and twenty minutes a.m. Senator Cogswell of the Thirty-third District, in the chair

INTRODUCTION OF CONCURRENT RESOLUTION

The following resolution was introduced:

By Senator Boynton:

Resolved, That a special committee of three to consist of the Members of the Senate to be known as the "Committee on Introduction of Bills" shall act jointly with the Senate pursuant to the provisions of the concurrent rules, joint rule No. 2 of Article IV of the Constitution, be authorized to act thereon.

Resolution read and adopted.

PETITION

The following petition was presented:

From the Northern California Baptist Convention, urging the passage of Senate Bill No. 320 also urging the passage of the Sunday rest law.

INTRODUCTION OF CONCURRENT RESOLUTION

The following concurrent resolution was introduced:

By Senator Grant: Senate Concurrent Resolution No. 19—Relative to the appointment of a special committee to investigate the "white-slave traffic," and the question of wages paid female help.

MOTION

Senator Wright moved that Joint Rule No. 54 is referred to the Committee on Rules for interpretation regarding the introduction of joint and concurrent resolutions after the constitutional recess.

Motion carried.

CONCURRENT RESOLUTION TEMPORARILY WITHDRAWN

Senator Grant asked, and was granted, unanimous consent to temporarily withdraw Senate Concurrent Resolution No. 19.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, the amounts set opposite their names to be payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the treasurer is directed to pay the same:

Robt. Bonnell, Assistant at Desk	$5 00 per day
Joseph A. Beek, Assistant Secretary	6 00 per day
Edw. Perry, Bookkeeper, Sergeant-at-Arms	5 00 per day
Frank J. Waters, Engrossing and Enrolling Clerk	6 00 per day
Miss M. A. Hubbard, Assistant Engrossing and Enrolling Clerk	5 00 per day
Mrs. H. M. Gibbs, Postmistress	4 00 per day
L. P. Davis, Committee Clerk	4 00 per day
Miss Kittie McGinley, Committee Clerk	4 00 per day
Miss M. A. Silva, Committee Clerk	4 00 per day
C. C. McDonald, Assistant History Clerk	5 00 per day
J. R. Callahan, Assistant Sergeant-at-Arms	5 00 per day
Jas. Foppiano, Mail Clerk	4 00 per day
Wm. J. O'Brien, Gatekeeper	3 00 per day
Wm. Vacher, Assistant Sergeant-at-Arms	5 00 per day
Clarence Jenkins, Assistant Engrossing and Enrolling Clerk	5 00 per day
Chris B. Fox, Committee Clerk	4 00 per day
Ray Freeman, Committee Clerk	4 00 per day
Theo. Lenderdi, Committee Clerk	4 00 per day
I. F. Baker, Assistant Minute Clerk	6 00 per day

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, and Wright—30.

NOES—None.

Also:

Resolved, That William J. Hennessy be transferred from the position of Assistant Sergeant-at-Arms at $5 per day to the position of Bill Filer at $4 per day, and that Geo. Goldman be transferred from the position of Bill Filer at $4 per day, to the position of Assistant Sergeant-at-Arms at $5 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, and Wright—30.

NOES—None.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and fifty minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SPECIAL ORDER SET.

Senator Gates moved that the consideration of the resolution introduced on February 1, 1913, by Senator Sanford, postponed till this date, be made a special order for Tuesday, March 18, 1913, immediately after the reading of the Journal.

Motion carried.

NOTICE OF MOTION.

Senator Curtin gave notice that on Tuesday, March 18, 1913, immediately after the consideration of the special order already set, he would move to take from the table Senate Joint Resolution No. 23, the pending committee substitute and the amendment.

TRANSFER OF COMMITTEE.

Senator Grant moved that Senator Bolton be removed from the Committee on Elections and assigned to the Committee on Immigration, and that Senator Grant be removed from the Committee on Immigration and assigned to the Committee on Elections.

Motion carried.

APPOINTMENT BY THE GOVERNOR.

The following communication was received:

Mr. President: I find it to be my duty and I have the honor to inform your Honorable Body that I have appointed Hon. Edward Bolton, Secretary of State, to act with the Governor, during the absence of the Senator therein.

M. S. HARRIS, Secretary of State.

The question being on the consent of the Senate to the appointment of the Secretary.

The roll was called, and the appointment consented to by the following vote:

AYES: Senators Anderson, Avey, Bunkers, Burnett, Bryant, Bulkley, Carr, Connelly, Cogswell, Curtin, Curtis, Flint, Gerdes, Grant, Hall, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rigdon, Rose, Saunders, Schabacker, and Wright—23.

NOES: None.

RESOLUTIONS.

The following resolution was introduced:

By Senator Birdsall:

Resolved, That the Controller be and he hereby is directed to draw his warrant in favor of the Secretary of the Senate for the sum of $200 for services, the same to be payable out of the Contingent Fund of the Senate and the Treasurer is hereby directed to pay the same.

Resolution referred to Committee on Contingent Expenses.

SENATOR BANKS IN THE CHAIR.

At eleven o'clock a.m., Senator Banks of the Fourteenth District, in the chair.

CONSIDERATION OF BALLOT TITLE.

SENATE CONCURRENT RESOLUTION No. 28.

Approving certain amendments to the charter of the city of Fresno, as Municipal Charter, State of California, ratified by, and declared by the qualified electors of said city at a special municipal election held therein on the 15th day of April, 1912.

Resolved by the Senate, the Assembly and the Chief Executive and the Chief of the City of Fresno, State of California, that the adoption and ratification of certain amendments to the Charter of said City of Fresno, submitted to the qualified electors of said city on the 15th day of April, A. D. 1912.

PREAMBLE.

Be it known that

Whereas, The city of Fresno, in the County of Humboldt, State of California, has by and through duly organized boards, duly and legally constituted for such State of California, duly exercising a municipality of more than twenty-five thousand (25,000)

inhabitants, and is now, and has been ever since the second Monday in July, A D 1895, organized and existing and acting under a freeholders' charter adopted under and by virtue of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 26th day of January, 1895, and approved by the Legislature of the State of California, on the 12th day of February 1895 (Statutes of 1895, pages 355 to 405 inclusive); and

WHEREAS, A petition, signed by more than fifteen (15) per centum of the qualified electors of said city of Eureka, computed on the total number of votes cast therein for all candidates for Governor at the last preceding general election at which a Governor was elected, was on the 1st day of March, 1912, filed in the office of the city clerk of said city of Eureka petitioning the council thereof to submit certain proposed amendments to the charter of said city, which amendments are in the terms set forth in full, and which are hereinafter set forth in full, to the qualified electors of said city of Eureka, and said petition having been duly examined by the city clerk of said city and found to be in due form by the requisite number of qualified electors of said city, and being so him duly certified, was presented to said council in the manner required by law; and

WHEREAS, Upon the presentation of said petition to said council, said council did on the 8th day of March, 1912, duly pass and adopt Ordinance No. 600 of said city of Eureka, which ordinance was on said date approved by F. W. Georgeson, the mayor and chief executive of said city, and which ordinance was thereafter published for the time and in the manner required by law; and

WHEREAS, By said Ordinance No. 600 a special municipal election of said city of Eureka was duly called, to be held on the 15th day of April, 1912, and by said ordinance, it was ordered and ordained that all of said amendments set forth in said petition be submitted to the qualified electors of said city at said special election for ratification or rejection; and

WHEREAS, All of said proposed amendments to said charter were duly published pursuant to the order of said council for ten (10) times in the Eureka *Herald*, a daily newspaper of general circulation printed, published and circulated in said city of Eureka; and

WHEREAS, Each and all of said proposed amendments were duly submitted to the qualified electors of said city of Eureka at said special election held on said 15th day of April 1912 which said special election was held not less than twenty (20) days nor more than forty (40) days after the completion of the publication of such proposals for ten (10) times in said daily newspaper; and

WHEREAS, In and by said ordinance, so passed, approved and published as aforesaid, said proposed amendments, respectively, were submitted to the qualified electors of said city at said special municipal election; and

WHEREAS, On the 16th day of April, 1912, at a meeting of said council of said city of Eureka, duly convened in accordance with law and with the provisions of said charter of said city, said mayor and council of said city of Eureka did duly and regularly canvass the returns of said special municipal elections so held on the 15th day of April, 1912, and did find thereon that all of said proposed amendments to said charter, hereinafter particularly set forth, were, and each of them was duly ratified by the majority of the electors voting thereon; and

WHEREAS, Said mayor and council, after canvassing said returns, and at said meeting so held as aforesaid, after said canvass, did duly find and declare that said proposed amendments and each and all of them, had been ratified by the majority of the electors voting thereon; and

WHEREAS, Said amendments so ratified by the electors of said city of Eureka, at said special municipal election held on the 15th day of April, 1912, are now submitted to the Legislature of the State of California for approval or rejection, as a whole, without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, No other proposed amendment to said charter had been submitted to the electors of said city of Eureka within two (2) years immediately prior to said 15th day of April, 1912;

Now, therefore, the undersigned F. W. Georgeson, the mayor and chief executive of the city of Eureka and J. P. Wunderlich, city clerk and ex officio clerk of the council of said city, authenticating their signatures with the official seal of said city,

Do hereby certify, that said amendments to said charter of said city, so ratified by the majority of the electors voting thereon at said special municipal election, held on the 15th day of April 1912 as submitted to said electors and ratified by said electors are in the words and figures as follows, and are and shall if so approved by said Legislature, be in the words and figures following, to wit:

Subdivision 36 of Section 13 of Article II of the charter of the city of Eureka is hereby amended so as to read as follows:

Subdivision 36. To provide for supplying the city of Eureka and its inhabitants with light, heat, motive power, telephone, street railroads or any other public utility of any kind or character or name, and to construct or purchase, own, control, maintain and operate any and all such public utilities: *provided however*, that no such construction or purchase shall be made unless first authorized by a vote of the

[illegible] of the [illegible] [illegible] [illegible]

the original petition requiring the said submission to said qualified electors for ratification or rejection, as aforesaid, and with said Ordinance No. 600, submitting them to the qualified electors of said city at a special municipal election held in said city on the 15th day of April, 1912, and with the proceedings of the council of said city on file in the office of said clerk, subsequent to the passage of said ordinance and the filing of said petition and relating to the adoption of said amendments, and from said comparison and examination they find, and hereby certify that the foregoing contains a true, full, exact and correct copy of said charter amendments to said charter of said city of Eureka, so ratified as aforesaid.

And we further hereby certify, that the facts set forth in the preamble of this certificate preceding said amendments to said charter, are, and each of them is, true.

And for and on behalf of said city, we, being hereinbefore duly authorized, do hereby request the Legislature of the State of California to adopt and approve each of said amendments to said charter, as a whole, and to take such other and further steps and proceedings as may be necessary to perfect such approval.

In witness whereof, we have hereunto set our hands and caused our signatures, authenticated by the official seal of said city, to be hereunto attached, this 21st day of January, 1913.

F. W. GEORGESON,
[SEAL] Mayor and Chief Executive of the City of Eureka.

Attest: J. P. WUNDERLICH,
City Clerk of the City of Eureka and ex officio clerk of the Council of the City of Eureka.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each House voting for the adoption of this resolution and concurring therein), That the said amendments to the said charter of said city of Eureka, herein set forth as presented and submitted to and adopted and ratified by the qualified electors of said city of Eureka, be and the same are hereby approved as a whole for and as amendments to and as part of said charter of said city of Eureka.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 13 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, and Wright—30.

NOES—None.

Resolution ordered, engrossed, and transmitted to the Assembly.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article 13 of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 2, 3, 4, 5, 24, 35 and by adding a new section thereto, to be numbered 36, all relating to revenue and taxation.

In the absence of the author, Senate Bill No. 231 was passed on file, to retain its place.

Senate Bill No. 232—An Act to amend section six of an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 252 passed by the following vote:

Ayes—Senators Anderson, Ayer, Black, Boynton, Boyd, Brown, Bryant, Burnett, Caminetti, Cobb, Curtin, Flint, Gerdes, Gerdes, Hans, Inman, Lachlan, Kehoe, Leavitt, Lewis, Mott, Owens, Rogers, Rush, Stevenson, and Wright—25.

Noes—Senators Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 30—An Act to amend Section 1207 of the Civil Code relating to the recordation of certain instruments and certification of acknowledgment, the notice and procedure about (sic) and the effect as evidence of certified copies of the same.

In the absence of the author, Senate Bill No. 30 was passed on file to retain its place.

Senate Bill No. 38—An Act to amend Section 1177 of the Code of Civil Procedure, relating to the sale of property of an estate and to amend Section 1580 of the Code of Civil Procedure relating to the procedure for the sale of mining property belonging to an estate.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 38 passed by the following vote:

Ayes—Senators Anderson, Ayer, Black, Boynton, Boyd, Brown, Bryant, Burnett, Caminetti, Cobb, Curtin, Flint, Gerdes, Gerdes, Hans, Inman, Lachlan, Kehoe, Larkins, Leavitt, Lewis, Mott, Owens, Rogers, Rush, Stevenson, Stubblefield, Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 28—An Act to fix the number of judges of the Superior Court of the county of Shasta, State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 28 passed by the following vote:

Ayes—Senators Anderson, Ayer, Black, Boynton, Boyd, Brown, Bryant, Burnett, Caminetti, Cobb, Curtin, Flint, Gerdes, Gerdes, Hans, Inman, Lachlan, Kehoe, Larkins, Leavitt, Lewis, Mott, Owens, Rogers, Rush, Stevenson, Stubblefield, and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 72—An Act to amend Section 167 of the Penal Code of California, relating to false certificates and acknowledgments of notaries public and other officers.

In the absence of the author, Senate Bill No. 72 was passed on file to retain its place.

Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of, prescribing the penalties for the violation of any of the provisions thereof.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 154 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Carr, Cassidy, Cohn, Finn, Flint, Gates, Gerdes, Grant, Haus, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 77—An Act to amend Section 848 of the Code of Civil Procedure of the State of California, relating to the service of summons, issued out of a justice's court, outside of the county in which the action is brought.

In the absence of the author, Senate Bill No. 77 was passed on file, to retain its place.

Senate Bill No. 301—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

In the absence of the author, Senate Bill No. 301 was passed on file, to retain its place.

Senate Bill No. 108—An Act to add a new section to the Political Code, to be numbered Section 251, relating to clerks of committees and of members of the Legislature, and providing for the fixing of their compensation.

In the absence of the author, Senate Bill No. 108 was passed on file, to retain its place.

Senate Bill No. 211—An Act to amend an Act entitled "An Act providing for the management of the California Redwood Park and creating a board of five commissioners with power to manage said California Redwood Park," approved February 6, 1911, by adding a new section granting to the board of commissioners the power to acquire property by gift, bequest, donation, contribution, devise, purchase, condemnation, and otherwise.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 211 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Haus, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 383—An Act providing for the acceptance of the United States ship Portsmouth by the State of California from the government of the United States, and providing for the care and preservation of the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 383 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes,

Gates, Hare, Jones, Juilliard, Kehoe, Lawlor, Leak, Lee, Owens, Rogers, Rose, Shoemaker and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 10—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape.

On motion of Senator Butler, Senate Bill No. 10 was ordered passed on file.

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

On motion of Senator Butler, Senate Bill No. 55 was ordered passed on file.

Senate Bill No. 390—An Act to amend section 647 of an Act entitled "An Act to establish and punish the crime of pandering, to define and prohibit the same, to provide for punishment thereof, for the suppression of evidence and duties at the trial thereof," approved February 9, 1911.

Read third time.

The roll was called, and Senate Bill No. 390 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Bidwell, Burnett, Caminetti, Chandler, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Hare, Jones, Juilliard, Kehoe, Lawlor, Leak, Lee, Owens, Rogers, Rose, Shoemaker, Strobridge and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 119—An Act to amend Section 452a of the Civil Code, relating to the incorporation of mutual benefit associations.

The question being on the passage of the Bill.

The roll was called, and Senate Bill No. 119 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Bidwell, Burnett, Caminetti, Chandler, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Hare, Jones, Juilliard, Kehoe, Lawlor, Leak, Lee, Owens, Rogers, Rose, Shoemaker, Strobridge, and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 137—An Act to add a new section to the Civil Code to be numbered 1314, and relating to the nomination of guardians by persons who may afterward become insane or incompetent.

In the absence of the author, Senate Bill No. 137 was passed on file.

Senate Bill No. 138—An Act to amend Sections 1763 and 1764 of the Code of Civil Procedure in relation to the appointment of guardians of insane and incompetent persons.

In the absence of the author, Senate Bill No. 138 was passed on file, to retain its place.

Senate Bill No. 219—An Act to amend Section 1213 of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

On motion of Senator Gates, Senate Bill No. 219 was passed on file, to retain its place.

Senate Bill No. 458—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

In the absence of the author, Senate Bill No. 458 was passed on file, to retain its place.

Senate Bill No. 340—An Act to amend Section 69 of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 340 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Caldwell, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Metz, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 282—An Act to amend Section 339 of the Code of Civil Procedure, relating to the time of commencing certain actions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 282 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Caldwell, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Metz, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 409—An Act to amend Section 583 of the Code of Civil Procedure, relating to the dismissal of actions in certain cases.

In the absence of the author, Senate Bill No. 409 was passed on file, to retain its place.

Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond municipal water district.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 542 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cassidy, Caldwell, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Metz, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 550*a*, relating to the furnishing of water for family use.

Senate Bill No. 587 was ordered passed on file, to retain its place.

Senate Bill No. 655—An Act to amend an Act entitled "An Act conferring the incurring of indebtedness by state, town and municipal corporations for municipal improvements, and regulating the imposition, construction, or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1911, as subsequently amended, by amending Section 3 thereof, relating to the proceedings for the calling of an election therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 655 passed by the following vote:

Ayes—Senators Anderson, Ayer, Baker, Baston, Bennett, Boynton, Brad, Brooks, Bruner, Butler, Case, Chandler, Campbell, Cook, Curtis, Ellis, Flinn, Gates, Gardner, Grant, Hans, Hubbard, Kehoe, Lardner, Lane, Mott, Owens, Rams, Rose, Stanford, Stevenson, and Wright—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 656—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Read third time.

On motion of Senator Carr, Senate Bill No. 656 was passed by Ellis to retain its place.

Senate Bill No. 693—An Act to amend Section 870 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 11, 1911, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of the cities of the fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 693 passed by the following vote:

Ayes—Senators Anderson, Ayer, Baston, Bennett, Brad, Brooks, Bruner, Case, Cassidy, Chandler, Cook, Curtis, Ellis, Flinn, Gates, Gardner, Grant, Hans, Hubbard, Kehoe, Lardner, Lane, Mott, Owens, Rams, Rose, Stanford, Stevenson and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 155—An Act to amend Section 541 of the Political Code, relating to the duties of the Superintendent of State Printing.

Read third time.

On motion of Senator Flinn, Senate Bill No. 155 was passed by Ellis to retain its place.

Senate Bill No. 215—An Act to amend Section 1 of and to add new sections four, five and six to an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 27, 1911, relating to the reporting of occupational diseases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Carr, Cassidy, Cogswell, Colm, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wyllie—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 296—An Act to amend Section 2981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

On motion of Senator Avey, Senate Bill No. 296 was passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 68. An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter.

During second reading of the bill, the following amendment was offered by the committee:

On pages 1 and 2, of the printed bill, strike out all of Section 2.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Gates, the acting President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SENATOR SHANAHAN IN THE CHAIR.

At two o'clock and thirty-one minutes p.m., Senator Shanahan, of the Second District, in the chair.

UNANIMOUS CONSENT GIVEN.

Senator Grant asked and was granted unanimous consent to suspend the operation of the resolution adopted this day, requiring all proposed bills to be submitted to the Committee on Introduction of Bills.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:

By Senator Grant:

Resolved, That Senator Grant be permitted to introduce a concurrent resolution authorizing the appointment of a commission on white slavery and its relation to low wages or any other cause or effect.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ard, Avey, Boynton, Brown, Bush, Burnett, Butler, Carr, Chandler, Cogswell, Curtis, Dunn, Flaherty, Gerdes, Gerrard, Hans, Inman, Kehoe, Lackenbach, Leavitt, Mott, Owens, Rogers, Rush, Shoemaker, Stephens, Strobridge, Thompson and Wyllie—27.

NOES—None.

Senate Concurrent Resolution No. 19—Relative to the appointment of a commission of five Senators and five Assemblymen to make a thorough investigation of the white slave traffic, with relation to the alleged low wages paid female help and any other inducements or resultant causes.

Resolution referred to the Committee on Public Morals.

REPORT OF STANDING COMMITTEE—LOST OR STRAY.

The following report of standing committee was received:

SENATE CHAMBER, SACRAMENTO, MARCH 11, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following resolution by Senator Rehm:

WHEREAS, There are now pending before the Senate and under consideration before Committees of the Senate, bills pertaining to the employment of women and minors and entitled "[illegible] bill, an act to [illegible] the State of California"; and

WHEREAS, It is developed in other sessions of the United States Senate, through official investigations, that there is a close relationship between low wages paid females in the employment of women and minors and [illegible]

such investigation not to exceed $1,000, which sum is hereby appropriated out of the Contingent Fund of the Senate and the Controller is directed to draw his warrant therefor and the Treasurer is directed to pay the same.

And that, as amended, said resolution be adopted.

BOYNTON, Chairman.
GERDES.
LYON.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and forty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MOTION.

Senator Anderson moved that Senator Behan's resolution be referred to Committee on Public Morals.

SENATOR GERDES IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Senator Gerdes, of the Twenty-first District, in the chair.

The question being on the motion of Senator Anderson.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Grant, Larkins and Shanahan.

The roll was called, and the motion lost by the following vote:

AYES—Senators Anderson, Avey, Brown, Butler, Carr, Cogswell, Conn, Gates, Grant, Jones, Kehoe, Mott, and Shanahan—13.

NOES—Senators Behan, Birdsall, Benson, Breed, Bryant, Cassidy, Curtin, Finn, Flint, Gerdes, Hans, Juilliard, Larkins, Lyon, Owens, Regan, Strobridge, and Wright—18.

The question being on the adoption of the report and resolution, as amended.

The roll was called, and the report and resolution, as amended, adopted by the following vote:

AYES—Senators Benson, Birdsall, Boynton, Breed, Bryant, Cassidy, Colm, Curtin, Finn, Flint, Gates, Gerdes, Hans, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Strobridge, and Wright—21.

NOES—Senators Anderson, Avey, Brown, Butler, Carr, Cogswell, Grant, Jones, Kehoe, and Shanahan—10.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Senator Boynton, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER.

Wednesday, March 12, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Colm, Curtin, Finn,

Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lapham, Leak, Mar, Owens, Rigdon, Roseberry, Shoemaker, Stanford, Strobridge, and Thompson—31.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dean Sayles.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 11, 1913, the further reading was dispensed with, on motion of Senator Rigdon.

ANNOUNCEMENT OF THE PRESIDENT.

The President announced that an invitation had been received to visit Elk Grove on Saturday, March 15, 1913, commencing at 9:30 a. m., and he had called to take all Senators who wish to make the trip.

APPOINTMENT OF JOINT STANDING COMMITTEE.

The President announced the appointment of the Committee on Introduction of Bills, as provided by resolution adopted March 11, 1913, as follows: Senators Boynton, Thompson and Campbell.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of the special committee to investigate the "social evil" or "white slave traffic," and in relation to the wages of female employees in California, as provided by resolution adopted March 11, 1913, as follows: Senators Gates, Kehoe, Juilliard, Butler and Grant.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 6, relative to the investment and use by counties, cities and counties, cities and other political subdivisions of the State of California, of public moneys, establishing depositories, requiring and other matters which are proper, pertinent or germane within the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WOLFSEN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 347—An Act to provide for the appropriation for improvements for all sums of money collected from the county of Sacramento for use in the care and treatment of cases of contagious diseases, and to repeal [illegible].

Also: Assembly Bill No. 377—An Act to amend section [illegible] and twenty-four of an Act entitled "An Act to provide for the organization, maintenance and government of storm water districts, [illegible] the protection of property [illegible] therein from damage from storm water and from the waters [illegible] stream, watercourse, canyon or wash, or for the purpose of [illegible] storm, flood, or snow water for beneficial and useful purposes, [illegible] the necessary works of protection and conservation of such waters [illegible] by said district, and for the levying of taxes and assessments [illegible] of constructing, repairing and maintaining such improvements," approved March 16, 1909.

Also: Assembly Bill No. 328—An Act to amend section three hundred seventy-six of the Act entitled "An Act to provide for the organization, government and government of municipal corporations," approved March 12, 1883.

Also. Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands and lands within its jurisdiction on the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Also: Assembly Bill No. 283—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Also: Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Also: Assembly Bill No. 76—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 3 referred to Committee on Agriculture.

Assembly Bill No. 597 read first time, and referred to Committee on Corporations.

Assembly Bill No. 377 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bills Nos. 328 and 563 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 649 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bills Nos. 283, 310 and 76 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, March 11, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller be, and he hereby is, directed to draw his warrant in favor of the Secretary of the Senate for the sum of $300 for postage, the same to be payable out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GERDES, Chairman.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Belan, Benson, Birdsall, Breed, Brown, Bryant, Butler, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, and Strobridge—28.

NOES—None.

[illegible]

SENATE CHAMBER, SACRAMENTO, March 11, 1913.

MR. PRESIDENT: Your Committee on [illegible], to which was referred Senate Bill No. 1031, An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 871, relating to [illegible], have had the same under consideration, and respectfully report the same back and recommend that it do pass.

GATES, Chairman.

Senate Bill No. 1031 ordered on file for second reading.

[illegible]

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 5, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Section 2, [illegible] thereof, and by adding a new section thereto, to be numbered [illegible], all relating to revenue and taxation.

In the absence of the author, Senate Bill No. 231 was passed on file to retain its place.

Senate Bill No. 36—An Act to amend section 1190 of the Civil Code relating to the recordation of certain instruments and certificates of acknowledgment, the notice such recordation shall impart and the effect as evidence of certified copies of the same.

In the absence of the author, Senate Bill No. 36 was passed on file to retain its place.

Senate Bill No. 72—An Act to amend Section 167 of the Penal Code of California, relating to false certificates and acknowledgments of notaries public and other officers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 passed by the following vote:

AYES—Senators Anderson, Ard, Bills, Bigbee, Boyd, Brown, Bryant, Burke, Caldwell, Carr, Cassidy, Cogswell, Cutten, Gates, Gerdes, Gerlach, Hans, Jones, Leonard, Kehoe, Lawlor, Lyon, Mott, Owens, Rigdon, Rush, Stevenson, and Strobridge—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 77—An Act to amend Section 848 of the Code of Civil Procedure of the State of California, relating to the service of summons, issued out of a justice's court, outside of the county in which the action is brought.

On motion of Senator Campbell, Senate Bill No. 77 was passed on file, to retain its place.

Senate Bill No. 301—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

In the absence of the author, Senate Bill No. 301 was passed on file, to retain its place.

Senate Bill No. 108—An Act to add a new section to the Political

Code, to be numbered Section 251, relating to clerks of committees and of members of the Legislature, and providing for the fixing of their compensation.

In the absence of the author, Senate Bill No. 108 was passed on file, to retain its place.

Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape.

On motion of Senator Butler, Senate Bill No. 55 was passed on file to retain its place.

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

On motion of Senator Butler, Senate Bill No. 10 was passed on file, to retain its place.

Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered 1314, and relating to the nomination of guardians by persons who may afterward become insane or incompetent.

In the absence of the author, Senate Bill No. 137 was passed on file, to retain its place.

Senate Bill No. 138—An Act to amend Sections 1763 and 1764 of the Code of Civil Procedure, in relation to the appointment of guardians of insane and incompetent persons.

In the absence of the author, Senate Bill No. 138 was passed on file, to retain its place.

Senate Bill No. 219—An Act to amend Section 1213 of the Civil Code, relating to the recording of instruments and copies of the record of such instrument.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gates moved to refer to Senator Kehoe as a special committee of one, to amend as follows:

On page 1, line 11, strike out the word "the."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 219, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report of special committee, and amendment, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 358—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

In the absence of the author, Senate Bill No. 358 was passed on file, to retain its place.

Senate Bill No. 409—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 409 passed by the following vote:

AYES—Senators Anderson, Avey, Belcher, Benson, Birdsall, Boyd, Bronson, Bryant, Butler, Campbell, Carr, Cassidy, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans,

[illegible] Kline, Cotton Lock, and Moore, Angel Rock, Shannon, and Pendergast, 30.

Nays—None.

It was read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 197—An Act to amend the third title of the Penal Code of California by adding a new section thereto, to be numbered [illegible], relating to the furnishing of water for family use.

On motion of Senator Hare, Senate Bill No. 197 was passed to the [illegible] to engross.

Senate Bill No. 198—An Act to validate [illegible] bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Read third time.

[illegible] to amend the Senate Bill No. 198 in Senate Chamber as a special committee of one, to amend as follows:

Amendment No. 1.

On page 1, line 1 [illegible] after the words "[illegible]" and [illegible]

Amendment No. 2.

On page 1, line [illegible] after the words "[illegible]" [illegible]

Amendment No. 3.

On page 1, line 1 [illegible] after the word "[illegible]" and [illegible]

Amendment No. 4.

On page 2, lines 27 and 28, strike out the words "[illegible]" and [illegible]

Motion carried.

[illegible] AMENDMENTS OF SAID

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

Mr. President: Your special committee of one to whom was referred Senate Bill No. 198, has instructed me to report favorably thereon when the same has been amended as my committee.

[illegible] Committee.

Report of special committee, and amendments adopted.

Bill ordered to print and to engrossment.

Senate Bill No. 199—An Act to amend section five hundred [illegible] of the Political Code, relating to the duties of the Superintendent of State Printing.

On the motion of the author, Senate Bill No. 199 was passed on file to print on plate.

Senate Bill No. 200—An Act to amend section two thousand [illegible] hundred eighty-one of the Political Code relating to the secretary of the State Board of Health and the duties of the secretary thereof.

On motion of Senator Avey, Senate Bill No. 200 was passed on file to print on plate.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and planting of trees in and [illegible] in case of the loss or destruction of public [illegible]" approved June 16, 1906, as amended by an Act approved March 6, 1909 as amended by

an Act approved February 3, 1911, so as to repeal section eighteen thereof relating to the time within which actions may be commenced.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 68 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, and Strobridge—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, compensation set opposite their names to be payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

John F. Michaels, Stenographer	$5 00 per day
Miss Gertrude Burnett, Committee Clerk	4 00 per day
John McEwen, Committee Clerk	4 00 per day
Miss Nina McCullough, Committee Clerk	4 00 per day
Geo. W. Ficks, Committee Clerk	4 00 per day
Mrs. Mary Friedlander, Committee Clerk	4 00 per day
Max Cohn, Committee Clerk	4 00 per day
Walter D. Hamil, Committee Clerk	4 00 per day
John Gregory, Gatekeeper	3 00 per day
B. Corn, Gatekeeper	3 00 per day

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, and Strobridge—30.

NOES—None.

LEAVES OF ABSENCE.

Senators Cartwright, Caminetti, Sanford, Hewitt, Tyrrell and Wright were, on motion of Senator Juilliard, granted leave of absence for this day.

ADJOURNMENT.

At ten o'clock and thirty-five minutes a.m., on motion of Senator Gates, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, March 13, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates,

Senator Jones, Reed, Ashurst, Bailey, Lodge, Lea, Sutherland, Burton, Root, Sheppard, Williams, and Wetmore—16.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. E. Hunt Kaylor.

READING OF JOURNAL.

During the reading of the Journal of Wednesday, March 15, 1911, the further reading was dispensed with, on motion of Senator Root.

PAYMENT TO PRINTER DISCHARGED.

The President announced that he had received a telegram from Senator Tyrrell, resigning his membership on the Finance Committee, and that Senator Root had been named to fill the vacancy.

LEAVE OF ABSENCE.

Senators Crawford, Cartwright, Bankhead, Tyrrell and Heyburn were, on motion of Senator Sutherland, granted leave of absence for the day.

PRIVILEGE OF FLOOR OF SENATE CHAMBER.

On motion of Senator Crawford, the privilege of the floor of the Senate Chamber for the day, was unanimously extended to Hon. Wade H. Ellis, of Ohio, Treasurer of the Senate Library.

On motion of Senator Sutherland, the privilege of the floor of the Senate Chamber for the day, was unanimously extended to ex-Senator James C. Nave, formerly of Senate Library.

COMMUNICATIONS.

The following communications were received:

PETITIONS, ETC., FILED IN THE SENATE.

Rev. A. J. Walker, Pendell, and members of the Holy Name:

Petitioners: I hereby report for disapproval [illegible] on the [illegible] Committee [illegible] and the withdrawing of the name of the [illegible] Committee.

[illegible] the privilege of the floor of the Senate Chamber for the day, was unanimously extended to [illegible] Treasurer of the Senate Library.

On motion of Senator Judkins, the privilege of the floor of the Senate Chamber for the day, was unanimously extended to ex-Senator James C. Nave, formerly of Senate Library.

COMMUNICATIONS.

The following communications were received:

PETITIONS, ETC., FILED IN THE SENATE.

Rev. A. J. Walker, Pendell, and members of the Holy Name:

Petitioners: I hereby report for disapproval [illegible] on the [illegible] Committee [illegible] and the withdrawing of the name of the [illegible] Committee.

cost thousands of dollars more than the investigation sought through this committee, and which I am informed in the office of the Attorney General will be restricted in its authority. Under such circumstances, I cannot satisfy myself to be attending on a committee which not only has refused to carry out the purpose for which it was appointed, but has actually tried to prevent that purpose being accomplished.

Very respectfully,

D. J. BEBAN, State Senator, 18th District.

Also:

SACRAMENTO, CAL., February 27, 1913.

Walter N. Parrish, Esq., Secretary of Senate, Sacramento, Cal.

MY DEAR SIR: I hand you herewith "Joint resolution relating to Federal protection of migratory game birds," received this day from the Secretary of State of the state of Vermont.

Very truly yours,

FRANK C. JORDAN, Secretary of State.

JOINT RESOLUTION RELATING TO FEDERAL PROTECTION OF MIGRATORY GAME BIRDS.

Resolved by the Senate and House of Representatives, That we in response to a request received from our sister state of Oregon, do herewith urge the passage of a bill by the Congress of the United States giving Federal protection to our migratory game birds and instruct the Secretary of State to transmit copies of this resolution to the Senate and House of Representatives of the United States, to the several members of said bodies representing this state, and to the secretaries of state of all other states.

FRANK E. HOWE,
President of the Senate.
CHARLES A. PLUMLEY,
Speaker of the House of Representatives.

Approved February 11, 1913. ALLEN M. FLETCHER, Governor.

STATE OF VERMONT, OFFICE OF THE SECRETARY OF STATE.

I hereby certify that the foregoing is a true copy of "A joint resolution relating to Federal protection of migratory game birds," approved February 11, 1913, as appears by the files and records of this office.

Witness my signature and the seal of this office, at Montpelier, this twentieth day of February, one thousand nine hundred and thirteen.

[STATE SEAL] GUY W. BAILEY, Secretary of State.

Also:

STATE OF ARIZONA, FIRST LEGISLATURE, SENATE SENATE,
February 19, 1913.

The President of the Senate of the Legislature of the State of California, Sacramento, Cal.

DEAR SIR: Transmitted herewith you will find copy of Senate Joint Memorial No. 5 of the Legislature of the State of Arizona anent the construction of a bridge across the Colorado River at Yuma, Arizona, which was passed by the Senate of Arizona on the 13th inst. without a dissenting vote and by the House of Representatives on the 17th inst. with but one dissenting vote.

As the construction and maintenance of the aforesaid bridge across the Colorado River at Yuma is a matter in which the people of Arizona are almost a unit, the co-operation of the people of the State of California is most respectfully solicited and to that end you are requested to present the memorial to the honorable body over which you preside.

Respectfully,

C. P. CRONIN, Secretary Arizona State Senate.

Copy of the memorial has this day been forwarded to the Secretary of your House of Representatives.

MEMORIAL.

To the Senate and House of Representatives of the Legislature of the State of California:

Your memorialists, the first Legislature of the State of Arizona in session convened, respectfully represent:

WHEREAS, An urgent necessity exists for means in addition to railroad transportation, whereby traffic can be carried on across the Colorado River, between the states of Arizona and California, not only connecting localities within the two states, but also bridging an annoying and detrimental gap in one of the few feasible all-around-the-year routes between the Pacific Coast and the rest of the United States; and

WHEREAS, The State of Arizona exhibiting its good faith and its desire to promote this advantage, not merely to its own people and the people of the State of California, but to the people of the whole country, particularly at this time when the citizens of

shall be prohibited," approved December 18, 1912, as appears by the files and records of this office.

Witness my Signature and the seal of this office at Montpelier, this tenth day of January, one thousand nine hundred thirteen.

GUY W. BAILEY, Secretary of State.

[STATE SEAL]

MOTION.

Senator Boynton moved that the communications from the states of Vermont and Arizona be ordered printed in the Journal, the first referred to Committee on Fish and Game, and the other two to Committee on Federal Relations.

Motion carried.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 482—An Act to amend sections three and five of an Act entitled "An Act authorizing the granting of indebtedness by cities, towns, and municipal corporations for municipal improvements, and providing the acquisition, construction, or completion thereof," approved February 25, 1901.

Also: Assembly Bill No. 88—An Act to amend section one of an Act entitled "An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed upon the construction of the state, county, city and county, or incorporated city or town government in this State," approved March 23, 1901, relating to the employment of citizens of the United States.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 4—Relative to national forests situated within the State of California and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 109—An Act to provide for the payment by the State or counties or cities or cities and counties of the premium or charges on official bonds when given by surety companies that have deposited securities with the State Treasurer and regulating the deposit, management and disposition of such bonds.

Also: Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Also: Assembly Bill No. 329—An Act to amend sections seven hundred fifty-seven and eight hundred fifty-seven of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 110—An Act to amend section seven of the Civil Code, relating to holidays.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Also: Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand one hundred and six, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk

Assembly Bill No. 402 read first time and referred to Committee on Municipal Corporations.

Assembly Bill No. 98 read first time, and referred to Committee on Laws and Courts.

Assembly Joint Resolution No. 3 referred to Committee on Federal Relations.

Assembly Bills Nos. 399 and 427 read first time and referred to Committee on Judiciary.

Assembly Bill No. 429 read first time and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 119, 304 and 441 read first time and referred to Committee on Ordinary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1 [illegible] has had the same under consideration, and has instructed me to report the same back with the recommendation that it do pass as amended.

[illegible]

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1 [illegible] has had the same under consideration, and has instructed me to report the same back with the recommendation that it do pass as amended.

[illegible]

Senate Bills Nos. [illegible] ordered re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 13, 1911.

MR. PRESIDENT: Your Committee on Mercantile Establishments, to which was referred Senate Bill No. [illegible] has had the same under consideration, and has instructed me to report the same back with the recommendation that it do pass as amended.

[illegible]

Senate Bill No. 379 ordered re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 13, 1911.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. [illegible] has had the same under consideration, and has instructed me to report the same back with the recommendation that it do pass as amended.

[illegible]

Senate Bill No. [illegible] ordered re-referred to Committee on Finance.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That Lillian Campbell be, and she is hereby appointed to the position of Stenographer at $5.00 per day, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount and the Treasurer is hereby directed to pay the same.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

APPOINTMENT BY SERGEANT-AT-ARMS.

The following communication was read:

MR. PRESIDENT: I beg leave to report that on March 11, 1913, I appointed Edward Perry Bookkeeper to the Sergeant-at-Arms, at 5 per diem of five dollars, and respectfully request the consent of the Senate thereto.

JOSEPH L. COUGHLIN, Sergeant-at-Arms.

The question being on the consent of the Senate to the appointment by the Sergeant-at-arms.

The roll was called, and the appointment consented to by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Campbell, Carr, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five, and by adding a new section thereto, to be numbered thirty-six, all relating to revenue and taxation.

On motion of Senator Thompson, Senate Bill No. 231 was passed on file, to retain its place.

Senate Bill No. 36—An Act to amend section twelve hundred seven of the Civil Code, relating to the recordation of certain instruments and certificates of acknowledgment, the notice such recordation shall impart, and the effect as evidence of certified copies of the same.

On motion of Senator Thompson, Senate Bill No. 36 was passed on file, to retain its place.

Senate Bill No. 77—An Act to amend section eight hundred and forty-eight of the Code of Civil Procedure of the State of California, relating to the service of summons issued out of a justice's court, outside of the county in which the action is brought.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 77 passed by the following vote:

YEAS—Senators Ashcroft, Avis, Baker, Brown, Bulger, Cook, Dorsey, Dudley, Edwards, Gage, Gentry, Hopewell, Kerr, Lewis, Mills, Pope, Sims, Stanley, Stone, Thomas, Thompson, Tillman, Tompkins, Vest, Walker, Wallace, Williams, Yeargain and Wright—32.

NAYS—None.

Title was read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 101—An Act to amend section five thousand one hundred seventy-two of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 101 was passed to file, to retain its place.

Senate Bill No. 106—An Act to add a new section to the Political Code, to be numbered section two hundred fifty-one, relating to terms of committees and of members of the Legislature, and providing for the filling of their compensation.

In the absence of the author, Senate Bill No. 106 was passed on file, to retain its place.

Senate Bill No. 45—An Act to amend section two hundred sixty-four of the Penal Code, relating to the punishment for the crime of rape.

Senate Bill No. 46—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

SPECIAL ORDER SET.

Senator Butler moved that Senate Bills Nos. 45 and 46 be made a special order for Tuesday, March 14th, immediately after the unfinished business of the special order heretofore set for that day.

Motion carried.

CONSIDERATION OF ASSEMBLY BILLS — RECESS.

Senate Bill No. 122—An Act to add a new section to the Civil Code, to be numbered thirteen hundred and fourteen, and relating to the termination of guardianship by persons who may afterwards become insane or incompetent.

In the absence of the author, Senate Bill No. 122 was passed on file, to retain its place.

Senate Bill No. 128—An Act to amend section seventeen hundred and seventy-three and seventeen hundred and sixty-four of the Code of Civil Procedure in relation to the appointment of guardians of insane and incompetent persons.

In the absence of the author, Senate Bill No. 128 was passed on file, to retain its place.

Senate Bill No. 138—An Act to amend section nine hundred twenty-eight and nine hundred twenty-one of the Penal Code, relating to grand juries, their powers and duties.

Read third time.

On motion of Senator Thompson, Senate Bill No. 138 was passed to file, to retain its place.

Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered five hundred and fifty *a*, relating to the furnishing of water for family use.

On motion of Senator Hans, Senate Bill No. 587 was passed on file, to retain its place.

Senate Bill No. 155—An Act to amend section five hundred thirty-one of the Political Code, relating to the duties of the Superintendent of State Printing.

On motion of Senator Finn, Senate Bill No. 155 was passed on file, to retain its place.

Senate Bill No. 296—An Act to amend section two thousand nine hundred eighty-one of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 296 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF BILLS.

Senate Bill No. 1031—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 521, relating to claim and delivery of personal property.

Bill read second time, ordered engrossed, and on file for third reading.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter—and request that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

The question being, "Shall the Senate recede from the Senate amendments to Assembly Bill No. 68?"

The roll was called, and the Senate refused to recede by the following vote:

AYES—None.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—31.

APPOINTMENT OF CONFERENCE COMMITTEE.

The President announced the appointment of Senators Jones, Nixon and Cutten as a conference committee on part with a similar committee from the Assembly on Senate amendments to Assembly Bill No. 69.

ADJOURNMENT—(NOT TO PASS).

The following resolution was introduced:
By Senator Cassidy:

Resolved, That the Secretary of the Senate be and he hereby is authorized to purchase for the use of the members of the Senate and the clerks of the said Senate of Standing Committees, 1921 (Blue Pamphlet, February 1921, The Assembly Committees and Personnel, 1921, and the Constitution as contained in three pamphlets for the present of the year and the Secretary is directed to pay the said invoices in a sum not to exceed the appropriation for the contingent expenses of the Senate.

Resolution referred to Committee on Contingent Expenses.

REPORT OF STANDING COMMITTEE—(NOT TO PASS).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 23, 1921.

MR. PRESIDENT: Your Committee on Disposition of Bills to whom was referred the request of Senator Stetson for permission to withdraw the corresponding bill therefrom, have had the same under consideration and report the same back, and recommend that the request be granted.

MITCHELL, Chairman,
STETSON,
CLARK.

The question being on the adoption of the report of the committee. The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Breed, Bulcher, Cassidy, Crowl, Dennett, Duncan, Finn, Gerdes, Gerlach, Hart, Hewitt, Holohan, Jones, Lewis, Lukens, Lyon, Mitchell, Nixon, Rush, Shearer, Stanford, Stetson, Strobridge, Thompson, and Wright—25.
NOES—None.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced:

By Senator Strobridge: Senate Joint Resolution No. 24—Relative to the preservation of the natural condition of Lake Tahoe and of which asking for judicial decree the conflicting claims to the use of the flood waters thereof.

Resolution referred to Committee on Federal Relations.

APPOINTMENT ON SPECIAL COMMITTEE.

The President announced that he had named Senator Campbell as a member of the special committee to investigate the social evil or white slave traffic, and its relationship to the wages of women in California vice Senator Rolph, resigned.

ADJOURNMENT.

At eleven o'clock and ten minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, March 14, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—33.

Quorum present.

PRAYER.

Prayer by the Rev. William Rader.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 13, 1913, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Campbell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. J. P. Pryor, mayor of Pacific Grove.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and ten minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 14, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Also: Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Also: Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Also: Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532*a*.

Also: Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro irrigation district.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1094 and 692 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 48 read first time and referred to Committee on County Government.

Assembly Bill No. 999 was read first time and referred to Committee on Judiciary.

Assembly Bill No. 867 was read first time and referred to Committee on Insurance.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and filed:

ON ENGROSSED AND ENROLLED BILLS

SENATE CHAMBER, SACRAMENTO, March 14, 1911.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills examined the following:

Senate Constitutional Amendment No. 12—Amending section eighteen (18) [illegible] of the city of Eureka, in Humboldt County, Board of Commissioners, [illegible] [illegible] [illegible]

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONTINGENT EXPENSES

SENATE CHAMBER, SACRAMENTO, March 13, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Secretary of the Senate be and he hereby is authorized to purchase for the use of the members of the Senate and the clerks at the desk, fifty copies of "Pending Legislation, 1913" (San Francisco Library, 1913). The Recorder Printing and Publishing Co., and the Controller is authorized to draw his warrant for the payment of the same and the Treasurer is directed to see that said warrant is paid out of the appropriation for the contingent expenses of the Senate.

Have had the same under consideration and respectfully report the same back and recommend that it be adopted.

GERDES, Chairman.
KLIHOE
SHANAHAN.

MOTION.

Senator Campbell moved that further consideration of the report and resolution be postponed for one day.

Motion carried.

REQUEST FOR INTRODUCTION OF JOINT RESOLUTION.

Senator Boynton requested permission to introduce a Senate joint resolution relative to the protection of the citrus fruit industry of the State of California.

Request referred to the Committee on Introduction of Bills.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At ten o'clock and thirty minutes a. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

QUESTION OF PERSONAL PRIVILEGE.

Senator Beban addressed the Senate on a question of personal privilege, as follows:

MR. PRESIDENT AND MEMBERS OF THE SENATE: I desire to rise to a question of personal privilege, because it has been charged that my part was in introducing the resolution for an investigation of women's wages and white slavery was to block the "red light" bill.

I have received a letter from Laura Bride Powers, who is a member of several prominent women's clubs and who lives in my district, which shows that I planned to introduce this resolution long before the beginning of this session, and before the introduction of the "red light" bill.

It is my belief that the "red light" bill is very drastic, and that we should look into it very carefully before we vote, but I have not yet declared myself either for or against the "red light" bill and my resolution did not in any way seek to injure the bill. I ask that the following letter from Mrs. Powers be printed in the Journal:

1242 TAYLOR STREET, SAN FRANCISCO.
Wednesday, March 12, 1913.

Hon. D. J. Beban, Sacramento, Cal.

MY DEAR SENATOR: In one of the papers I noted, a day or two ago, an unfair allusion to your resolution calling for an investigation into the wages of women.

I recall, and you will recall, a meeting of the Thirty-second Assembly District Club, during the campaign, where this very problem was up for discussion, as a public issue. On that occasion you pledged yourself publicly to do everything that you could do to help solve the problem, to support a minimum wage commission bill, or any legislation that would minimize the exploitation of women, thereby shutting off at least one avenue of supply for white slavers.

In view of that public declaration voluntarily made, I write this in a spirit of fair play, to protest against the assertion that your resolution has an ulterior and unholy motive.

Permit me to add that I heartily endorse your attitude, and stand ready any time to attest to your public pronouncement made months ago.

Much success to you.

Very truly yours,

LAURA BRIDE POWERS.

P. S.—You are at liberty to use this in any manner you wish.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

Sacramento, March 18, 1921.

[illegible]

[illegible], Chairman.
[illegible]
[illegible]

The question being on the adoption of the report,
The roll was called, and the report adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

INTRODUCTION OF JOINT RESOLUTIONS.

The following joint resolution was introduced:
By Senator [illegible]:
Senate Joint Resolution No. [illegible]—Relative to the protection of the citrus fruit industry of the State of California and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.
Resolution referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES—[illegible]

The following report of standing committee was received and read:

[illegible]

Senate Chamber, Sacramento, March 18, 1921.

Mr. President: Your Committee on Education, to whom was referred Senate Bill No. [illegible] [illegible]

Also, Senate Bill No. [illegible] [illegible]

[illegible]

[illegible], Chairman.

Also,

Senate Chamber, Sacramento, March 18, 1921.

Mr. President: Your Committee on Education, to whom was referred Senate Bill No. [illegible]—An act appropriating money [illegible] San Jose State Normal School.

Also, Senate Bill No. [illegible]—An act appropriating money for the purchase of [illegible] San Jose State Normal School.

Also, Senate Bill No. [illegible]—An act appropriating money for the construction of [illegible] San Jose State Normal School.

Also, Senate Bill No. [illegible]—An act appropriating money for the construction of [illegible] San Jose State Normal School.

Also, Senate Bill No. [illegible]—An act appropriating money for [illegible] San Jose State Normal School.

Also, Senate Bill No. [illegible]—An act appropriating money for repairing the old [illegible] buildings at San Jose State Normal School.

Also: Senate Bill No. 1228—An Act appropriating money for repairing the old training school building at San Jose State Normal School

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Finance.

AVEY, Chairman.

Senate Bills Nos. 1274 and 1029 ordered on file for second reading.

Senate Bills Nos. 4, 61, 200, 1225, 1226, 1227 and 1228 ordered re-referred to Committee on Finance.

LEAVES OF ABSENCE.

Senators Cartwright, Caminetti, Sanford, Hewitt, Finn, Hans, and Tyrrell were, on motion of Senator Juilliard, granted leave of absence for this day.

CONSIDERATION OF DAILY FILE.

Senate Bill No. 231—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article 13 of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 2, 3, 4, 5, 24, 35, and by adding a new section thereto, to be numbered 36, all relating to revenue and taxation.

WITHDRAWAL OF BILL.

Senator Thompson asked and was granted unanimous consent to withdraw Senate Bill No. 231.

Senate Bill No. 231 ordered withdrawn, and stricken from file.

CONSIDERATION OF DAILY FILE—(RESUMED).

Senate Bill No. 36—An Act to amend Section 1207 of the Civil Code, relating to the recordation of certain instruments and certificates of acknowledgment, the notice such recordation shall impart, and the effect as evidence of certified copies of the same.

On motion of Senator Thompson, Senate Bill No. 36 was passed on file, to retain its place.

Senate Bill No. 301—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 301 was passed on file, to retain its place.

Senate Bill No. 108—An Act to add a new section to the Political Code, to be numbered Section 251, relating to clerks of committees and of members of the Legislature, and providing for the fixing of their compensation.

In the absence of the author, Senate Bill No. 108 was passed on file, to retain its place.

Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered 1314, relating to the nomination of guardians by persons who may afterward become insane or incompetent.

In the absence of the author, Senate Bill No. 137 was passed on file, to retain its place.

Senate Bill No. 326—An Act to amend Sections 2761 and 2768 of the Civil Code, relating to the appointment of guardians of insane and incompetent persons.

In the absence of the author, Senate Bill No. 326 was passed on first to senate bills.

Senate Bill No. 218—An Act to amend Section 1224 of the Civil Code, relating to the recording of instruments and copies of the record of such instrument.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 218 passed by the following vote:

Ayes (Senators Anderson, Berg, Behr, Brown, Richard, Burgess, Brad Burns, Byron, Campbell, Chet Chandler, Collier, Dills, Diane Dunlap, Grant Gilbert, Hughes, Jackson, Lion, Mail, Mervyn Moore, Rich, Silverstein, Stockwell, Thompson, and Wright—20

Noes—None

This read and approved.

(All ordered transmitted to the Assembly).

Senate Bill No. 230—An Act to amend Sections 595 and 596 of the Penal Code, relating to armed gangs. Three percent vote duties.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 326 passed by the following vote:

Ayes (Senators Anderson, Berg, Behr, Brown, Richard, Burgess, Brad Burns, Byron, Campbell, Chet Chandler, Collier, Dills, Diane Dunlap, Grant Gilbert, Richard Hughes, Jackson, Lion, Mail, Mervyn Moore, Rich, Silverstein, Stockwell, Thompson, and Wright—20

Noes—None

This read and approved.

(All ordered transmitted to the Assembly).

Senate Bill No. 345—An Act to amend the Civil Code of the State of California to adding a new section thereto, to be numbered 1356, relating to the furnishing of water for family use.

At the request of the author, Senate Bill No. 345 was passed to the to senate bills for.

Senate Bill No. 398—An Act to validate municipal bonds and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 398 passed by the following vote:

Ayes (Senators Anderson, Berg, Behr, Brown, Richard, Burgess, Brad Burns, Byron, Campbell, Chet Chandler, Collier, Dills, Diane Dunlap, Grant Gilbert, Richard Hughes, Jackson, Lion, Mail, Mervyn Moore, Rich, Silverstein, Stockwell, Thompson, and Wright—20

Noes—None

This read and approved.

(All ordered transmitted to the Assembly).

Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

In the absence of the author, Senate Bill No. 155 was passed on file, to retain its place.

Senate Bill No. 1031—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 521, relating to claim and delivery of personal property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1031 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Dest, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF BILLS.

Senate Bill No. 379—An Act to amend Sections 858 and 861 of "An Act to provide for the organization, incorporation and government of municipal corporations."

During second reading of the bill, the following amendments were offered by the committee.

AMENDMENT No. 1.

In line 2 of title, strike out the word "sections," and insert in lieu thereof the word "section."

Amendment adopted.

AMENDMENT No. 2.

In lines 2 and 3 of title, strike out the words "and eight hundred and sixty-one."

Amendment adopted.

AMENDMENT No. 3.

In line 3 of title, after the word "of," insert the following: "An Act entitled".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, strike out the word "such," and insert in lieu thereof the word "any."

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 10, strike out the word "meetings," and insert in lieu thereof the word "meeting."

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 1, after the word "of," insert the following: "An Act entitled".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 12, strike out the word "meetings," and insert in lieu thereof the word "meeting."

Amendment adopted.

ASSEMBLY BILL NO. 8.

[illegible]

Assembly adjourned.

Bill read second time, and ordered to [illegible] and third reading.

LEAVE OF ABSENCE.

Senators Black, Bird, Jones, Dodd, and Hinkle were, on [illegible] respective motions, granted leave of absence for [illegible].

ADJOURNMENT.

At [illegible] the Senate adjourned [illegible].

IN SENATE.

SENATE CHAMBER,
Sacramento, March 15, 1911.

The Senate met at the [illegible].

Lieutenant Governor Oliver J. Wallace, President of the Senate, in the chair.

The roll was called and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Bulkley, Burnett, Carpenter, Cartwright, Caminetti, Chandler, Curtin, Flint, Finn, Gates, Gerdes, Hatch, Holohan, Leavell, Lewis, Lukens, Rains, Reardon, Robbins, Shearer, Stetson, Strobridge, Thompson, Walker, Wallace, Wolfe, Wright—40.

Quorum present.

PRAYER.

Prayer by the Rev. [illegible].

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 14, 1911, the further reading was dispensed with, on motion of Senator Lewis.

LEAVE OF ABSENCE.

Senators Caminetti, Cartwright, Gerdes, Hatch, Lewis and Thompson were, on motion of Senator Anderson, granted leave of absence for the day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were [illegible] and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1911.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible], to add an [illegible] Political Code, relating to the publication of statutes for the State of [illegible], [illegible] and order printing.

Also, Assembly Bill No. [illegible], to add [illegible] relating to the [illegible] and [illegible] of [illegible] and order printing.

J. R. MALLOTT, Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond Municipal Water District.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 19—A resolution relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Also: Assembly Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 746—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Also: Assembly Bill No. 374—An Act to amend section one of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and amended April 14, 1911.

Also: Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Also: Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Messrs. Smith, Weldon and Ryan as a committee on conference to meet with a like committee from your honorable body to consider Senate amendments to Assembly Bill No. 68.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 214 and 199 read first time, and referred to Committee on Judiciary.

Senate Bill No. 542 ordered to enrollment.

Assembly Concurrent Resolution No. 19 referred to Committee on Rules.

Assembly Concurrent Resolution No. 12 referred to Committee on Municipal Corporations.

Assembly Bill No. 746 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 374 read first time, and referred to Committee on Labor and Capital.

Assembly Bills Nos. 184 and 1685 read first time, and referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was introduced:
By Senator Brumbaugh:

Resolved, That a joint session be and it is hereby convened in the hall of the House of Representatives on Wednesday, March 12, 1913, at 10 o'clock a. m., for the purpose of electing a United States Senator to succeed Boies Penrose, whose term of office will expire on the 3rd day of March, 1915; and

That the Secretary of the Senate be and he is hereby directed to notify the House of Representatives of the adoption of this resolution and to invite that body to meet with the Senate in joint session at the time and for the purpose aforesaid.

The question being on the adoption of the resolution,

The roll was called, and the resolution adopted by the following vote:

YEAS—Senators Ard, Baker, Brecht, Brown, Brown, Brown, Clark, Crawford, Crow, Cutler, Flinn, Flitt, Grim, Hall, Hare, Lesher, Logue, Marshall, Vaux, and Wilson—20.

NAYS—None.

SPECIAL ORDER ADOPTED

Senator Baker moved that the further consideration of the report of Committee on Continued Business on the resolution providing for the purchase of fifty copies of "Pending Legislation, 1913" be made a special order for Monday, March 17, 1913, immediately after the reading of the Journal.

Motion carried.

COMMISSIONERS OF CIVIL WAR

Senate Bill No. 86—An Act to amend section twelve hundred seven of the Civil Code, relating to the recording of certain conveyances and certificates of acknowledgment, the notice such recordation shall impart, and the effect as evidence of certified copies of the same.

On motion of Senator Thompson, Senate Bill No. 86 was passed on file, to retain its place.

Senate Bill No. 305—An Act to amend section two thousand one hundred seventy-two of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 305 was passed on file, to retain its place.

Senate Bill No. 306—An Act to add a new section to the Political Code, to be numbered section two hundred fifty-one, relating to duties of committees and all members of the Legislature with providing for the filing of their compensation.

On the absence of the author, Senate Bill No. 306 was passed on file, to retain its place.

Senate Bill No. 307—An Act to add a new section to the Civil Code, to be numbered section three hundred and fourteen, relating to the appointment of guardians by persons who may afterward become insane or incompetent.

On the absence of the author, Senate Bill No. 307 was passed on file, to retain its place.

Senate Bill No. 308—An Act to amend Sections 1769 and 1778 of the Code of Civil Procedure, in relation to the appointment of guardians of insane and incompetent persons.

On the absence of the author Senate Bill No. 308 was passed on file, to retain its place.

Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered five hundred and fifty *a*, relating to the furnishing of water for family use.

In the absence of the author, Senate Bill No. 587 was passed on file to retain its place.

Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

On motion of Senator Finn, Senate Bill No. 155 was passed on file, to retain its place.

SECOND READING OF BILLS.

Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design or in smelting and reduction works.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 143—An Act to amend Section 321 of the Penal Code of the State of California, relating to lottery tickets.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1274—An Act to amend Section 1560 of the Political Code of the State of California, relating to the holding of teachers' institute.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1029—An Act to amend Section 1676 of the Political Code, relating to the investment of state school funds.

Bill read second time, ordered engrossed and on file for third reading.

ADJOURNMENT.

At ten o'clock and thirty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, March 17, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

[illegible]

During the reading of the Journal of Saturday, March 15, 1913, the further reading was dispensed with, on motion of Senator [illegible].

[illegible]

The following report of standing committee was received and read:

[illegible]

[illegible], March 17, 1913.

Mr. President: Your Committee on [illegible] have considered the following:

Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code of the State of California relating to [illegible].

Also: Senate Bill No. [illegible]—An act supplying the [illegible] to [illegible] and [illegible] and [illegible] thereof.

Also: Senate Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to the [illegible] of [illegible].

Also: Senate Bill No. [illegible]—An act to repeal section [illegible] of the Political Code of the State of California, relating to the [illegible].

And report that the same have been [illegible].

[illegible]

[illegible]

Senator Cole asked permission to introduce a [illegible] resolution relative to the [illegible] and the suffering occasioned by the ravages of tuberculosis in the various forms in the United States.

Request referred to Committee on Introduction of Bills.

[illegible]

The following resolutions were introduced:

By Senator [illegible]:

Resolved, That [illegible] be employed from the [illegible] at [illegible] per day, on the [illegible] of [illegible] [illegible], at [illegible] per day.

The question being on the adoption of the resolution,

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, [illegible], Boynton, Burnett, Campbell, Chandler, Chapman, Cole, Cutten, [illegible], Gerdes, Gerlach, Hatch, Holohan, Inman, Johnson, Leavitt, Lewis, Lukens, Mott, Nelson, Owen, Rominger, Stetson, Strobridge, Thompson, Tyrrell, and Wright—[illegible].

Noes—None.

Absent.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, respectively, and [illegible] under existing [illegible] and the Controller is hereby directed to draw his warrants for said respective amounts and the Treasurer is directed to pay the same:

Miss Jessica Alexander, Assistant Engrossing and Enrolling Clerk	$5 00 per day
Miss Alice Blaine, Assistant Secretary [illegible]	[illegible] per day
Mr. Angus [illegible]	[illegible] per day

The question being on the adoption of the resolution,

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Burnett, Campbell, Chandler, Chapman, Cole, Cutten, [illegible], Gerdes, Gerlach, Hatch, Holohan, Inman, Johnson, Leavitt, Lewis, Lukens, Mott, Nelson, Owen, Rominger, Stetson, Strobridge, Thompson, Tyrrell, and Wright—[illegible].

Noes—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 18—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Also: Assembly Concurrent Resolution No. 19—A resolution relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Finance.

BOYNTON, Chairman.

Senate Concurrent Resolution No. 18 and Assembly Concurrent Resolution No. 19 ordered re-referred to Committee on Finance.

REQUEST FOR INTRODUCTION OF CONCURRENT RESOLUTION.

Senator Wright asked permission to introduce a concurrent resolution approving certain amendments to the charter of the city of San Diego.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF SPECIAL ORDER.

Senator Cassidy moved that the report of the Committee on Contingent Expenses, made a special order for this day, be taken up and read.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, March 13, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized to purchase for the use of the members of the Senate and the clerks at the desk, fifty copies of "Pending Legislation, 1913" (San Francisco, February, 1913. The Recorder Printing and Publishing Co.), and the Controller is authorized to draw his warrant for the payment of the same and the Treasurer is directed to see that said warrant is paid out of the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GERDES, Chairman.
KUHOE.
SHANAHAN.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Beban, Benson, Boynton, Campbell, Cassidy, Cohn, Finn, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Shanahan, Thompson, and Tyrrell—19.

NOES—Senators Anderson, Birdsall, Butler, Carr, Cogswell, Grant, and Strobridge—7.

CONSIDERATION OF DAILY FILE.

Senate Bill No. 36—An Act to amend section twelve hundred seven of the Civil Code, relating to the recordation of certain instruments

and resolution of acknowledgment. On voice vote favorable recommend, and the effect as exclusive of enacting clause of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 91 passed by the following vote:

Ayes (Senator) Andrews, Baker, Brown, Bunnell, Burgess, Ernst, Fuller, Gammell, Gay, Gurney, Hammill, Hart, Hinton, Kent, Lee, Lewis, Lucas, Mann, Mellon, Miller, Morton, Nelson, Nicholas, Parker, Pierce, Pratt, Reed, Rogers, Sanford, Shannon, Smith, Stevens, Stockton, Tydings, Vollmer, Wagner, Walsh, Watkins, Weaver, Wheeler, Williams, Wilson, Woodward, Young and Wright—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 101—An Act to amend section two thousand one hundred seventy-two of the Political Code, relating to the injunction of insane persons upon commitment, and repealing all Acts in part of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 101 was passed on file and ordered to lose of third reading day.

Senate Bill No. 139—An Act to add a new section to the Political Code, to be numbered section two hundred fifty-one, relating to clerks of committees and of members of the Legislature, and providing for the fixing of their compensation.

On motion of Senator Cassidy, Senate Bill No. 139 was passed on file, to advance on place.

Senate Bill No. 157—An Act to add a new section to the Civil Code, to be numbered thirteen hundred and fourteen, and relating to the termination of guardians by persons who may afterward become insane or incompetent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 157 passed by the following vote:

Ayes (Senator) Anderson, Ayer, Brown, Burgess, Bunnell, Burgess, Fuller, Gammell, Gay, Gurney, Hammill, Hart, Hinton, Kent, Lee, Lewis, Lucas, Mann, Mellon, Miller, Morton, Nelson, Nicholas, Parker, Pierce, Pratt, Reed, Rogers, Sanford, Shannon, Smith, Stevens, Stockton, Tydings, Vollmer, Wagner, Walsh, Watkins, Weaver, Wheeler, Williams, Wilson, Woodward, Young and Wright—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 158—An Act to amend section seventeen hundred and sixty-three and seventeen hundred and sixty-four of the Code of Civil Procedure in relation to the appointment of guardians of insane and incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 158 passed by the following vote:

Ayes (Senator) Anderson, Ayer, Baker, Brown, Bunnell, Burgess, Fuller, Gammell, Gay, Gurney, Hammill, Hart, Hinton, Kent, Lee, Lewis, Lucas, Mann, Mellon, Miller, Morton, Nelson, Nicholas, Parker, Pierce, Pratt, Reed, Rogers, Sanford, Shannon, Smith, Stevens, Stockton, Tydings, Vollmer, Wagner, Walsh, Watkins, Weaver, Wheeler, Williams, Wilson, Woodward, Young and Wright—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered five hundred and fifty *a*, relating to the furnishing of water for family use.

On motion of Senator Hans, Senate Bill No. 587 was passed on file, to retain its place.

Senate Bill No. 155—An Act to amend section five hundred thirty-one of the Political Code relating to the duties of the Superintendent of State Printing.

On motion of Senator Finn, Senate Bill No. 155 was passed on file, to retain its place.

Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design or in smelting and reduction works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 568 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cutten, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 143—An Act to amend section three hundred twenty-one of the Penal Code of the State of California, relating to lottery tickets.

Bill read third time.

On motion of Senator Owen, Senate Bill No. 143 was passed on file, to retain its place.

Senate Bill No. 1274—An Act to amend section fifteen hundred sixty of the Political Code of the State of California, relating to the holding of teachers' institute.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1274 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and thirty-five minutes a. m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF DAILY FILE—[RESUMED].

Senate Bill No. 1029—An Act to amend section six hundred and seventy-six of the Political Code, relating to the investment of state school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1222 passed by the following vote:

AYES—Senators Anderson, Arnn, Bates, Bedwell, Bentley, Bond, Brown, Burns, Campbell, Chandler, Chew, Clayton, Combs, Dills, Dolwig, Fenton, Grunsky, Hollingsworth, Kehoe, Lagomarsino, Lanterman, Lincoln, Mahan, Marler, Miller, Nejedly, Petris, Regan, Richardson, Shoemaker, Simpson, Tunner, Weber, and Wright—36.

NOES—None.

Bill read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY

On motion of Senator Chew the following message from the Assembly was taking up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1956.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1000, that the Assembly concurs in the Senate amendments to Assembly Bill No. 1000, that the bill be ordered enrolled, and that the Assembly has refused to concur in the Senate amendments to Assembly Bill No. 1001, and requests a conference thereon.

Also, Assembly Bill No. 1004—An act to amend Section 1214 of the Penal Code, relating to crimes.

Also, Assembly Bill No. 1005—An act to amend Section 1214 of the Penal Code, relating to jury of twelve attending and viewing premises.

Also, Assembly Bill No. 1006—An act to amend section nine hundred ninety-six of the Code of Civil Procedure of the State of California, relating to the powers of Superior Courts at chambers.

Also, Assembly Bill No. 1007—An act to amend section eight hundred and seventy-four of that certain Act entitled "An Act to provide for the organization, government and compensation of municipal corporations," approved March 13, 1903.

Also, Assembly Bill No. 1008—An act to repeal section eight hundred thirty-six of the Act entitled "An Act to provide for the organization, government and compensation of municipal corporations," approved March 13, 1903.

Respectfully,
H. B. SHERIFFIUS, Chief Clerk of Assembly.
By Velma G. Watkins, Assistant Clerk.

Assembly Bill No. 1269 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 601 read first time and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1291 read first time and referred to Committee on Judiciary.

Assembly Bills Nos. 149 and 167 read first time, and referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE—(To be read).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 12, 1956.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the Senate of Senator Wright for permission to introduce a Senate constitutional amendment proposing an amendment to the charter of the city of San Diego, has

Also: The request of Senator Chew for permission to introduce a Senate joint resolution relative to the investigation by the United States Government as to the safety and use of tidelands and as to alleged leaks thereto.

Have had the same under consideration, and recommend that the requests be granted.

DAVIDSON, Chairman.
TOOMEY.
CAMPBELL.

The question being on the adoption of the report of the committee.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Arnn, Bates, Bedwell, Bentley, Bond, Brown, Burns, Campbell, Chandler, Chew, Clayton, Combs, Dills, Dolwig, Fenton, Grunsky, Hollingsworth, Kehoe, Lagomarsino, Lanterman, Lincoln, Mahan, Marler, Miller, Nejedly, Petris, Regan, Richardson, Shoemaker, Simpson, Tunner, Weber, and Wright—36.

NOES—None.

SENATOR AVEY IN THE CHAIR

At ten o'clock and forty minutes a.m., Senator Avey, of the Thirtieth District, in the chair.

INTRODUCTION OF JOINT AND CONCURRENT RESOLUTIONS

The following joint and concurrent resolutions were introduced:

By Senator Cohn: Senate Joint Resolution No. 26—Relative to the loss of life and the suffering occasioned by the ravages of tuberculosis in its various forms in the United States.

Resolution referred to Committee on Federal Relations.

By Senator Wright: Senate Concurrent Resolution No. 20—Relative to the approving of three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose, on the 27th day of February, 1913.

Resolution referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 321—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications, have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Finance.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 454—An Act to amend Section 601 of the Penal Code, relating to the malicious use of explosives and providing penalties therefor.

Also Senate Bill No. 539—An Act to amend Section 1223 of the Penal Code of the State of California, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

Have had the same under consideration and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1602—An Act to amend Section 900 of the Code of Civil Procedure, relating to liens and recorded judgments, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Senate Bills Nos. 321, 454, 539 and 1602 ordered on file for second reading.

Senate Bill No. 451 ordered re-referred to Committee on Finance.

LEAVE OF ABSENCE.

Senators Hewitt and Jones were on motion of Senator Thompson granted leave of absence for this day.

ADJOURNMENT.

At ten o'clock and forty-five minutes a.m., on motion of Senator Flint the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Tuesday, March 15, 1911.

The Senate met pursuant to adjournment.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called and the following answered to their names:

Senators Anthony, Avey, Belshe, Benson, Bonnet, Burnett, Caminetti, Chandler, Cogswell, Curtin, Dennett, Flint, Gates, Gerdes, Gerlach, Hare, Harris, Hatch, Holohan, Inman, Jones, Leavitt, Lewis, Lissner, Lukens, Mahan, Martin, Nelson, Owens, Peterson, Rebstock, Rush, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. E. Eyal Taylor.

READING OF THE JOURNAL.

Reading the reading of the Journal of Monday, March 27, 1911, on further reading was dispensed with, on motion of Senator Black.

PRIVILEGE OF FLOOR OF SENATE CHAMBER.

On request of Senator Hewitt, the privilege of the floor of the Senate Chamber for this day was unanimously extended to P. M. Fisher, of Oakland.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived, for the consideration of the resolution introduced February 1, to inquire into and with the attendance offered by Senator Wright, the President placed the matter before the Senate.

STENOGRAPHIC REPORTERS.

Senator Wright asked and was granted permission to withdraw the pending resolution.

STENOGRAPHIC REPORTS.

Senator Benson offered the following resolution for the consideration:

WHEREAS, A brief statement was furnished to the last session of Congress of the United States showing the approximate cost to the state of [illegible] and

Resolved by the Senate of the State of California, That we favor the adoption of such a resolution by the Congress of the United States.

AMENDMENT TO SUBSTITUTE.

Senator Sanford offered the following amendment to the pending substitute:

Add at the end thereof the words, "; that said constitutional amendment shall take effect not sooner than 1921."

Amendment lost.

The question being on the adoption of the substitute by Senator Boynton.

The roll was called, and the substitute lost by the following vote:

AYES—Senators Beban, Cartwright, Cassidy, and Wright—4.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—34.

MOTION TO REFER.

Senator Wright moved to refer the resolution to Committee on Finance.

The question being on the motion of Senator Wright

The roll was called, and the motion lost by the following vote:

AYES—Senators Hans, Jones, Rush, Strobridge, and Wright—5.

NOES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Thompson, and Tyrrell—31.

MOTION TO REFER.

Senator Thompson moved to refer the resolution to Committee on Federal Relations.

The question being on the motion of Senator Thompson.

The roll was called, and the motion lost by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Bryant, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Jones, Mott, Strobridge, Thompson, and Wright—18.

NOES—Senators Anderson, Beban, Benson, Butler, Campbell, Cartwright, Cohn, Curtin, Grant, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Rush, Sanford, Shanahan, and Tyrrell—19.

MOTION TO REFER.

Senator Wright moved to refer the resolution to Committee on Judiciary.

POINT OF ORDER.

Senator Sanford raised the point of order that the subject-matter of the resolution, having reference to a Federal matter, could not be referred to any committee other than Federal Relations.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

QUESTION BY QUESTION.

The question being on the motion of Senator Wright.

The roll was called, and the resolution ordered engrossed as amended on Judiciary by the following vote:

YEAS--Senator Aird, Bedell, Bloomer, Bottorff, Bowman, Brown, Bruner, Chamberlain, Clark, Conard, Crain, Daniels, Davis, Doyle, Fullerton, Gaines, Gilkerson, Grassley, Happe, Harbor, Hester, Hultman, Kelley, Kenyon, Knudson, Lamborn, Lawrence, Lipsky, Mann, Manning, Mardesen, Mathias, McCollister, McKinney, Miller, Nicholas, Nolin, Norman, Palmer, Redfern, Riley, Schaben, Schaefer, Schroeder, Scott, Shaff, Shaw, Shoemaker, Stromer, Swanson, Tedesco, Thomas, Tinsman, Tripp, Van Eaton, Van Gilst, Van Sickle, Vaughn, Wenstrand, Willey, Wilson, Wright--54

NAYS--None

Absent or not voting--Senators Bartlett, Kennedy, Miller, Mosher, Nolin, Rich, Schaben, Schroeder, Scott, Shaff, Shaw, Shoemaker, Stromer, Swanson, Tedesco, Thomas, Tinsman, Tripp, Van Eaton, Van Gilst, Van Sickle, Vaughn, Wenstrand, Willey, Wilson, Wright--54

Absent--

Senator Bartlett moved that Committee on Judiciary be instructed to report the resolution out the rear legislative door.

Motion lost.

MOTION TO RECONSIDER.

Senator Curtis moved to reconsider the vote by which the resolution of Senator Bartlett was referred to Committee on Judiciary.

POINT OF ORDER.

Senator Wright raised the point of order that Senator Curtis, not having voted on the prevailing side, could not offer a motion to reconsider.

RULINGS BY CHAIR OF POINT.

The President announced his decision and sustained the point of order was well taken.

RECONSIDERATION OF ROLL CALL.

Senator Curtis moved that Senate Joint Resolution No. 11 the pending committee substitute and the roll call thereon, be taken from the table.

Motion carried.

MOTION.

Senator Wright moved that Senate Joint Resolution No. 11 with the pending substitute be re-referred to Committee on Federal Relations.

Senator Bedell moved to amend to re-refer to Committee on Judiciary.

Amendment accepted.

POINT OF ORDER.

Senator Bartlett raised the point of order that the resolution, having been considered by a committee could not be re-referred.

RULINGS ON POINT OF ORDER.

The President announced his decision and sustained the point of order was well taken.

RESOLUTION RECOMMITTED.

The question being on the motion of Senator Wright, as amended.

The roll was called, and the resolution re-referred to Committee on Judiciary by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Finn, Flint, Gates, Gerdes, Hans, Jones, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Strobridge, Thompson, and Wright—23.

NOES—Senators Anderson, Belcher, Benson, Caminetti, Campbell, Cartwright, Cassidy, Cohn, Curtin, Grant, Juilliard, Stafford, Shanahan, and Tyrrell—14.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SPECIAL ORDER RESET.

Senator Wright moved that the consideration of Senate Bills Nos. 55 and 10 be made a special order for Wednesday, March 19th, immediately after the reading of the journal.

Motion carried.

PETITIONS.

Senator Larkins presented a petition from the Negro Federated Council and others protesting against the passage of Assembly Bill No. 467 and Senate Bill No. 468.

Also, from Visalia and Tulare County Pomona Granges, Patrons of Husbandry, protesting against the passage of Senate Bills Nos. 24, 466, 1134, 1383 and 905, and urging the passage of Senate Bills Nos. 377, 417 and 1102.

Senator Shanahan presented petitions from the board of supervisors of Shasta County and from W. D. Tillotson of Redding and 298 others protesting against the enactment of Senate Bill No. 713, relating to dredge mining.

Senator Grant presented petitions favoring the enactment of Senate Bill No. 320, known as the "red light" injunction bill, from Gustaf A. Anderson of Los Angeles and others.

Also, from Mrs. C. B. Ackerman of Healdsburg and vicinity, and others.

Also, from J. S. Walton of Estrella, and others.

Also, from W. P. Grainger of Shandon, and others.

Also, from W. F. Cunningham and 100 others of San Leandro, Cal.

Also, from A. E. Knollen of Leland Stanford Junior University, and others.

Also, from Mrs. T. Cardosa of Palo Alto, and others.

Also, from Emma E. Wagner of Santa Cruz, and others.

Also, from R. F. Crawford of Santa Rosa, and others.

Also, from Ellen P. Wilson of Santa Rosa, and seventy-four others.

Also, from Emma L. Mendenhall of Pleasanton, and others.

Also, from Ida G. Bird of Suisun, and others.

Also, from C. B. Rodgers of Hayward, and others.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1246—An act to amend Section 1500 of the Civil Code of the State of California relating to marriages and fees of [illegible].

Also: Assembly Bill No. 1247—An act to amend Section 1500 of the Civil Code, relating to the performance of civil marriage by municipal officers.

Also: Assembly Bill No. 1248—An act to add a new section to the Penal Code of the State of California, to be numbered 672a, relating to evidence in criminal actions, and making the record of testimony on the part of prosecuting witnesses in criminal cases [illegible] in that case become a deposition.

Also: Assembly Bill No. 1249—An act to amend Section 1183 of the Code of Civil Procedure of the State of California, relating to the disposition of the estate of deceased persons in county where it is situated.

J. M. WALLACE, Chief Clerk of Assembly.
By Thomas C. Wilson, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1250—An act to add a new section to the Penal Code of the State of California, to be numbered Section 1499, relating to [illegible] to [illegible] the last [illegible] against [illegible] to [illegible] to [illegible] to

on Assembly Bill No. 68, to fill the vacancy caused by the absence of Assemblyman Weldon, who is absent on leave of the Assembly.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 510 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 255 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 274 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 634 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bills No. 696 and 1231 read first time, and referred to Committee on Judiciary.

Assembly Bills No. 1508 and 1232 read first time, and referred to Committee on Corporations.

Senate Joint Resolutions Nos. 1, 12 and 2 ordered to enrollment.

Senate Bills No. 383 and 119 ordered to enrollment.

SENATOR TYRRELL IN THE CHAIR.

At twelve o'clock and twenty-five minutes p. m., Senator Tyrrell, of the Sixteenth District, in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 165—An Act authorizing the appointment of two delegates from this State as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Also: Senate Bill No. 902—An Act to make an appropriation to pay the salaries and the mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

Also: Senate Bill No. 903—An Act making an appropriation for the pay of officers and clerks of the Senate for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 626—An Act appropriating money to pay the expense of preparing an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year 1913—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 165, 902, 903 and 626 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 398—An Act appropriating twenty-five thousand dollars to aid in the construction of a bridge across the Colorado River.

[illegible] Senate Bill No. 888, was not to consider the file and take such [illegible] and [illegible] to report to the Senate [illegible] and [illegible] thereon.

Also and the same under consideration, and respectfully report the same back and recommend that they be [illegible] to Committee on Finance.

[illegible], Chairman.

Also:

[illegible] Legislative Committee, March 11, 1955.

Mr. President: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1000, has had the same under consideration, and respectfully report that it be [illegible] to the Senate and be [illegible] to Committee on Finance.

[illegible], Chairman.

Senate Bills Nos. 999 and 1001 referred to Committee on Finance.

Senate Bill No. 998 ordered to second reading.

By unanimous consent:

Senate Chamber, Sacramento, March 10, 1955.

Mr. President: Your Committee on Education, to which was referred Senate Bill No. 1000, has had the same under consideration, and respectfully report that it be [illegible] to the Senate and be [illegible] to Committee on Finance.

[illegible], Chairman.

Also:

Senate Chamber, Sacramento, March 10, 1955.

Mr. President: Your Committee on Education, to which was referred Senate Bill No. 1000, has had the same under consideration, and respectfully report that it be [illegible] to the Senate and be [illegible] to Committee on Finance.

[illegible], Chairman.

Senate Bills Nos. 999, 1000 and 1001 ordered to first reading.

By unanimous consent:

Senate Chamber, Sacramento, March 10, 1955.

Mr. President: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 998—An act to amend Section 950 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations" and having found the same correctly engrossed.

Also: Senate Bill No. 1000—An act to designate and declare acts of assemblage by fraternal societies legal gatherings and to amend [illegible] and [illegible] thereof, and [illegible] the same to the Governor on this 10th day of March, 1955 at the hour and having affixed his

[illegible], Chairman.

By unanimous consent:

Senate Chamber, Sacramento, March 10, 1955.

Mr. President: Your Committee on [illegible] and Claims, to which was referred Senate Bill No. 1000, has had the same under consideration, and respectfully report that it be [illegible] to the Senate and be [illegible] to Committee on Finance.

Also: Senate Bill No. 1001—An act to amend [illegible] and repeal [illegible] of the Public Utilities Code, relating to the [illegible] of [illegible] and [illegible] thereof, and [illegible] the same to the Governor on this 10th day of March, 1955 at the hour and having affixed his

[illegible], Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 305—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628g, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalones beyond the confines of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Senate Bills Nos. 173, 395 and 305 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Senate Bill No. 297 ordered on file for second reading.

RESOLUTION.

The following resolution was introduced:

By Senator Gates:

Resolved, That the thanks of the Senate of the State of California be and the same are hereby tendered to the citizens of Woodland and Yolo County, for their courtesy and bounteous hospitality, on Sunday, March 16th, enabling the Legislature to obtain a view and an acquaintance with the manifold wealth, beauty and opportunities of the typical California county of Yolo.

Resolution read and adopted.

REQUEST FOR INTRODUCTION OF BILL.

Senator Gerdes requested permission to introduce a Senate bill: An Act to establish a humane commission in the State of California.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY READING FILE—THIRD READING OF BILLS.

Senate Bill No. 379—An Act to amend sections eight hundred fifty-eight and eight hundred sixty-one of "An Act to provide for the organization, incorporation and government of municipal corporations."

On motion of Senator Anderson, Senate Bill No. 379 was passed on file, to retain its place.

Senate Bill No. 143—An Act to amend Section 321 of the Penal Code of the State of California, relating to lottery tickets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 143 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Butler, Campbell, Carr, Cartwright, Cogswell, Flint, Gates, Grant, Hans, Jones, Leonard, Kehoe, Lyon, Mott, Owens, Sanford, Shanahan, Thompson, and Tyrrell—23.

NOES—Senators Beban, Bennett, Bryant, Cassidy, Cohn, Finn, Gerdes, Larkins, Regan, Strobridge, and Wright—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 238—An Act to add a new section to the Military Code, to be numbered section two hundred fifty-one, relating to courts of committee and of members of the Legislature, and providing for the fixing of their compensation.

In the absence of the author, Senate Bill No. 238 was passed to the bottom of the file.

Senate Bill No. 167—An Act to amend the Civil Code of the State of California by adding a new section, thereto, to be numbered five hundred and fifty-a, relating to the furnishing of wood for family use.

On motion of Senator Hugh Burns, Senate Bill No. 167 was re-referred to Committee on Municipal Corporations, to which the joint rule.

Senate Bill No. 140—An Act to amend section five hundred thirty-one of the Political Code, relating to the duties of the Superintendent of State Printing.

Bill read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE ON PAY.

Senator Fleer moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

Strike out of section 1, page 2, line 17, the words "not less without" and insert in lieu thereof the following: "no less than in Alpine County and in Calaveras, Inyo, Mono, Plumas, Sierra and Trinity counties and in Kern, San Mateo, Sonoma, Santa Cruz, Ventura and Yuba counties and in Humboldt"

SENATE OF CALIFORNIA, COMMITTEE ON PAY.

SACRAMENTO, March 13, 1951.

Mr. President: I am unable personally to be present this evening but I favor the bill with amendments to secure consistent equity for state employees as per instructions.

THOMPSON, Chairman.

Report of committee and amendment adopted.

Senate Bill No. 140 ordered to print and re-engrossed.

SENATE ADJOURNS TO MEET.

On motion of Senator Fleer, the Senate was directed to send a reply to the message from the House.

Senate Bill No. 405—An Act to amend section 4111 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 405 was passed to the bottom of the file.

SENATE ADJOURNS TO MEET.

Senate Bill No. 344—An Act to amend section 997 of the Penal Code, relating to the taking and preservation of evidence, and providing penalties therefor.

Bill read second time, ordered engrossed and to the file for third reading.

Senate Bill No. 328—An Act to amend section 1335 of the Penal Code of the State of California, relating to the manner of producing before a Superior Court grand jury or examining a witness who is a prisoner in a state prison or county jail.

Bill read second time, ordered engrossed and to the file for third reading.

Senate Bill No. 1602—An Act to amend section nine hundred of the Code of Civil Procedure, relating to liens and recorded judgments.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill strike out the words "not recorded" and insert in lieu thereof the words "judgment debtor."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, of the printed bill, strike out the words "and recorded" and insert in lieu thereof the words "for record."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 20, of the printed bill, after the word "judgment" change the period to a comma and add the following: "all such abstracts shall be properly recorded in a book kept for such purpose."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 321—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

During second reading of the bill, the following amendments were offered by Senator Larkins:

On page 2, lines 23 and 24, strike out the words "or in any action or proceeding of contest of will, wherein an attending nurse of the patient has testified." Also, strike out the comma in line 22, page 2, after the word "testify," and insert a semicolon instead, and insert in lieu of said words in said lines 23 and 24 the following: "nor shall any nurse attending such patient be examined without such consent, in such action, as to any information acquired concerning the condition of such patient, while attending such patient in the capacity of nurse."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 794, An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such board of supervisors to macadamize or pave or gutter such highway or boulevard and providing the manner in which the cost and expense thereof shall be paid—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 794 ordered on file for second reading.

ADJOURNMENT.

At one o'clock and five minutes p. m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Wednesday, March 26, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators [illegible]

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. [illegible]

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 25, 1913, the further reading was dispensed with, on motion of Senator [illegible].

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. [illegible]—An Act to amend section two hundred sixty-four of the Penal Code, relating to the punishment for the crime of rape.

Bill read third time.

MOTION.

Senator [illegible] moved that the further consideration of Senate Bill No. [illegible] be postponed for one [illegible].

Motion carried.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible]—An Act to amend section [illegible] hundred [illegible] of the Political Code of the State of California, relating to [illegible].

Also, Assembly Bill No. [illegible]—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered "Section [illegible]," relating to [illegible].

Also, Assembly Bill No. [illegible]—An Act to amend Section [illegible] of the Penal Code of the State of California, relating to [illegible].

Also, Assembly Bill No. [illegible]—An Act to provide for the [illegible], inspecting and [illegible] of [illegible], and providing a penalty for the violation of the provisions of this Act.

Also, Assembly Bill No. [illegible]—An Act to amend section two hundred sixty-[illegible] of the Penal Code, relating to the punishment of [illegible].

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. [illegible]—[illegible]

propose to the people of the State of California [illegible] to the Constitution of the State of California by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 990. "An Act to amend section seven hundred and sixty-five of an Act entitled 'An Act to provide for the organization, incorporation and government of municipal corporations,' approved March 13, 1883."

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 16—Relative to the endorsement of Newlands regulation bill as introduced in the sixty-first Congress, third session, and as amended April 30, 1912.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 625 read first time, and referred to Committee on Irrigation.

Assembly Bills Nos. 545 and 958 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 512 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 523 read first time, and referred to Committee on Elections.

Assembly Constitutional Amendment No. 62 referred to Committee on Judiciary.

Assembly Bill No. 990 read first time, and referred to Committee on Municipal Corporations.

Assembly Joint Resolution No. 16 referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 539—An Act to amend section thirteen hundred and thirty-three of the Penal Code of the State of California, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

Also: Senate Bill No. 454—An Act to amend section six hundred one of the Penal Code, relating to the punishment of explosives and providing penalties therefor.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 137—An Act making an appropriation for the purpose of constructing the California State Reformatory for first offenders.

Also: Senate Bill No. 681—An Act to create a "State Bureau of Criminal Identification and Investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers, providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, director, clerks and stenographer; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Assembly Bill No. 2776—An act relating to the Vista Water Agency; to provide for additional powers and functions; to authorize the Vista Water Agency to provide for additional powers and functions; to authorize the Vista Water Agency to provide for additional powers and functions; to authorize the Vista Water Agency

irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

MOTT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MOTT, Chairman.

Senate Bills Nos. 547, 1495 and 834 ordered on file for second reading

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 927—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 367f, concerning the operation or driving of an automobile, motor cycle or other motor vehicle by a person who is crippled by loss of one or both hands, or deaf, dumb or blind and prescribing a penalty for the violation of said section—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Roads and Highways.

GATES, Chairman.

Senate Bill No. 927 ordered re-referred to Committee on Roads and Highways

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1170—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments and recommend that it do pass as amended, and be re-referred to Committee on Finance.

LYON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1070—An Act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed upon them under the provisions of Section 402c of the Penal Code of the State of California and under Section 12 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and amended by adding thereto said Section 12 in the Act amendatory of last mentioned Act, approved February 20, 1901, employers using or permitting the use of such scaffolding or staging shall comply with its provisions and be subject in case of a violation thereof to the same penalties as prescribed in said Section 402 of the Penal Code; and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics in accordance with his duties under the provisions of the aforesaid Act, approved March 3, 1883, and the Act amendatory thereof, approved February 20, 1901.

Also: Senate Bill No. 1550—An Act regulating the hours of employment of females in all departments, institutions, establishments and employments of any kind whatever under the management, control or supervision of, or receiving aid from, the State, or any county, city and county, city, district, or public corporation of any kind; and providing penalties for the violation thereof.

Also: Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Also: Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

[illegible]

Mr. Chairman: The Committee on Labor and Welfare to which was referred Senate Bill No. [illegible] has had the same under consideration, and reports the same back with the recommendation that it do pass.

[illegible], Chairman.

Mr. [illegible]

Senate Standing Committee Room 12, 1953.

Mr. Chairman: Your Committee on Labor and Welfare to which was referred Senate Bill No. [illegible] has had the same under consideration, and reports the same back with the recommendation that it do not pass.

[illegible], Chairman.

Mr. [illegible]

Senate Standing Committee Room 12, 1953.

Mr. Chairman: Your Committee on Labor and Welfare to which was referred Senate Bill No. [illegible] has had the same under consideration, and reports the same back with the recommendation that it do not pass.

[illegible], Chairman.

Senate Bills Nos. [illegible] were read the second time and ordered on the [illegible] calendar.

Senate Bills Nos. [illegible] ordered re-referred to Committee on Finance.

[illegible]

Senate Chamber, Wednesday, March 18, 1953.

Mr. Chairman: Your Committee on Privileges to which was referred the petition of [illegible] has had the same under consideration, and reports the same back with the recommendation that it do not pass.

[illegible], Chairman.

The question being on the adoption of the report of the committee.

The roll was called, and the report adopted by the following vote:

[illegible]

[illegible]

The following bill was introduced:

[illegible]

Bill read first time and referred to Committee on [illegible].

PETITION.

Senator Cohn presented a petition from 480 women workers in the canning and fruit industry in the city of Sacramento protesting against the eight hour law, as applied to women workers.

EXECUTIVE SESSION ORDERED.

At ten o'clock and thirty minutes a.m., Senator Wright moved that the Senate go into executive session.

Motion carried.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

Senator Butler moved that Senate Bill No. 10 be taken up for consideration.

Motion carried.

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

Bill read third time.

OPEN SESSION RESUMED.

At twelve o'clock and twenty minutes p.m., the Senate arose from executive session.

SPECIAL ORDER SET.

Senator Butler moved that the further consideration of Senate Bills Nos. 10 and 55 be made a special order for Thursday, March 20, immediately after the reading of the Journal

Motion carried.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the appointment of Senators Butler, Carr and Wright as the special committee to amend Senate Bill No. 10

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 379—An Act to amend sections eight hundred fifty-eight and eight hundred sixty-one of "An Act to provide for the organization, incorporation and government of municipal corporations"

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 379 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Bryant, Cammetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans Judkins, Larkins, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1264—An act to add a new section to the Political Code, to be numbered section two hundred fifty-one, relating to terms of committees and of members of the Legislature, and providing for the fixing of their compensation.

On motion of Senator Cantwell, Senate Bill No. 1264 was passed to file to await its place.

Senate Bill No. 1265—An act to amend section two thousand seven hundred seventy-two, of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all acts or parts of acts inconsistent herewith.

On motion of Senator Thompson, Senate Bill No. 1265, was passed to file to await its place.

Senate Bill No. 1214—An act to amend Section 447 of the Penal Code, relating to the malicious use of explosives and providing penalties therefor.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1214 passed by the following vote:

Ayes—Senator Jastro, and Senators Bidwell, Boggs, Breed, Cantwell, Caminetti, Carpenter, Chamberlain, Cleveland, Cronin, Dennett, Finn, Fitts, Gerdes, Gibson, Hans, Hatfield, Hewitt, Inman, Kehoe, Lewis, Lukens, Mayo, Metson, Nickel, Rominger, Seawell, Shearer, Stanton, Stevens, Swing, Thompson, Tyrrell and Wright—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1265—An act to amend section thirteen hundred and thirty-three of the Penal Code of the state of California, relating to the manner of producing before a Superior Court grand jury or magistrate a witness who is a convict in a state prison or county jail.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1265 passed to the Assembly by the following vote:

Ayes—Senator Jastro, and Senators Bidwell, Boggs, Breed, Cantwell, Caminetti, Carpenter, Chamberlain, Cleveland, Cronin, Dennett, Finn, Fitts, Gerdes, Gibson, Hans, Hatfield, Hewitt, Inman, Kehoe, Lewis, Lukens, Mayo, Metson, Nickel, Rominger, Seawell, Shearer, Stanton, Stevens, Swing, Thompson, Tyrrell and Wright—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSENT CALENDAR OF BILLS

Senate Bill No. 1241—An act authorizing the appointment of two Advisers from California as members of a commission which is to investigate European systems of water control and export finance, and making an appropriation therefor.

Before second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, line 7, after the word "commissioner", strike out the period and insert a comma and add the following: "and no such Adviser is hereby authorized to

draw his warrant for the same in favor of the commission hereunder appointed and the state treasurer is directed to pay the same."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 8, strike out all of Section 3.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 902—An Act to make an appropriation to pay the salaries and the mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

During second reading of the bill, the following amendments were offered by the committee:

On page 1, line 8, after the word "the" and before the word "current," insert the word "usual."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 903—An Act making an appropriation for the pay of officers and clerks of the Senate for the fortieth session of the Legislature of the State of California during the sixty fourth fiscal year.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 8, after the word "the" and before the word "current," insert the word "usual."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year 1913.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred ninety-seven and section two thousand six hundred ninety-eight, relating to the abandonment of highways.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 502—An Act to amend section sixteen hundred seventy four of the Political Code of the State of California, relating to union school districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1104—An Act to amend section sixteen hundred eighty five of the Political Code, relating to causes for the suspension or expulsion of school children.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 504—An Act to amend section seventeen hundred forty of the Political Code of the State of California, relating to meetings of high school boards.

During [illegible] reading of the bill, the following amendment was offered by the committee:

[illegible]

Amendment adopted.

Bill was ordered [illegible] to third reading.

Senate Bill No. 200—An Act to amend section [illegible] relating to [illegible] and to repeal [illegible]

During second reading of the bill, the following amendment was offered by the committee:

[illegible]

Amendment adopted.

Bill was passed [illegible] to third reading.

Senate Bill No. 333—An Act to [illegible] relating to the protection of game.

Bill was passed [illegible] to third reading.

Senate Bill No. 344—An Act to [illegible] relating to the [illegible] and to repeal [illegible]

Senate Bill No. 355—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as section [illegible] relating to shipping or transporting animals out of the State, and prescribing a penalty for departing for shipment or transportation, or shipping or transporting any animal beyond the confines of the State.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1.

On page 2, line 5, after the word "animal" insert the following: "any [illegible]"

Amendment adopted.

Amendment No. 2.

On page 2, line 7, after the word "animal" insert the following: "any [illegible]"

Amendment adopted.

Bill was ordered [illegible] to third reading.

Senate Bill No. 377—An Act to [illegible] relating to [illegible] to provide that the appointment of a board of [illegible] and duties and powers and [illegible] relating to the [illegible] Act.

[illegible]

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On line 2, page 1, after the word "optometry", insert "or to display a sign or in any other way advertise or hold himself out as an optician or optometrist".

Amendment adopted.

AMENDMENT No. 2.

On line 18, page 3, strike out the word "five," and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT No. 3.

On line 20, page 4, strike out the words and figures "an receipt of $50.00 for each license."

Amendment adopted.

AMENDMENT No. 4.

On line 20, page 5, strike out the words "two times," and insert in lieu thereof the words "at least twice."

Amendment adopted.

AMENDMENT No. 5.

On line 24, page 5, after the words "San Francisco," insert "commencing with the second Monday in March of each year,".

Amendment adopted.

AMENDMENT No. 6.

On line 24, page 5, after the words "Los Angeles," insert "commencing with the second Monday in September of each year."

Amendment adopted.

AMENDMENT No. 7.

On line 26, page 5, strike out the comma after the word "abnormal".

Amendment adopted.

AMENDMENT No. 8.

On page 5, beginning [illegible] line 30, strike out the words "may be deemed necessary by the said board to determine the [illegible] qualifications to practice optometry", and insert in lieu thereof the following: "relating to the subjects and practice of optometry, such subjects to be enumerated in publications by the board."

Amendment adopted.

AMENDMENT No. 9.

On page 5, line 32, after the word "optometry," insert the following: "in case of failure the applicant must be examined in [illegible] subjects in which he failed."

Amendment adopted.

AMENDMENT No. 10.

On page 6, lines 27 and 28, strike out the words and figures "and pay therefor the sum of $50 in addition to his regular registration fee."

Amendment adopted.

AMENDMENT No. 11.

On line 12, page 7, [illegible] after the word "optometry," insert the following: "Trial frames and test lenses within the meaning of this Act shall be any frame or lense used in testing the eyes which is not sold and for use to customers."

Amendment adopted.

AMENDMENT No. 12.

On line 17, page 7, strike out the word "this" and insert in lieu thereof the word "any."

Amendment adopted.

Amendment No. 1.

Add a new section to be known as Section [illegible] to read as follows:

Amendment adopted.

Amendment No. 2

Add a new section to be known as Section [illegible] to read as follows:

Amendment adopted.

Bill read second time, and ordered to third reading.

Senate Bill No. [illegible], [illegible] read as follows:

Bill read second time, and ordered to third reading.

[illegible]

The following report of standing committee was received and read:

[illegible]

Mr. Chairman: Your committee on [illegible] to whom was referred Senate Bill No. [illegible] has had the same under consideration, and recommends same do pass [illegible] and recommend that it be passed.

[illegible], Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: Your Committee on Public Morals to whom was referred Senate Bill No. 320—An Act [illegible] constitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same and the owner, lessee or agent of the building, or place where said nuisance is maintained, from maintaining, conducting or permitting said nuisance, have had the same under consideration, and respectfully report the same back, with amendments and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bills Nos. 142 and 320 ordered on file for second reading.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p. m., on motion of Senator Thompson, the hour of recess was extended for fifteen minutes.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 326—An Act to repeal sections seven hundred sixty-eight, seven hundred seventy-one, eight hundred sixty-six, and eight hundred sixty-nine of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 556—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as Section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 326 and 556 read first time, and referred to Committee on Municipal Corporations.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Senator Hewitt:

WHEREAS, The Senate bills hereinafter set forth deal with subjects clearly within the cognizance of the Railroad Commission, and which the Railroad Commission has full power and authority to deal with under the Constitution and authority vested in it by the Public Utilities Act; and

WHEREAS, There is now pending before the Legislature such a multiplicity of measures that it will be impossible to give to all careful consideration; therefore,

For the purpose of, to a large degree, relieving the Senate from the pressing business of the session and for the further purpose of giving a better opportunity for investigation, the subject matter embraced within the following bills is hereby referred to the State Railroad Commission for such action as said commission may deem conducive to the general welfare, and the Secretary of the Senate is hereby instructed to forward to said commission copies of the following Senate bills: Senate Bill No. 982, relating to centre headlights; Senate Bill No. 1163, relating to sanitary conditions in passenger coaches; Senate Bill No. 1256, relating to carrying and weighing coal; Senate Bill No. 1475, relating to the carrying of injured persons in baggage cars; Senate Bill No. 214, relating to the passage of railroad crossings; Senate Bill No. 83, relating to fencing and cattle guards along railroad tracks; and Senate Bill No. 847, relating to the proper manning of railroad trains.

Resolution read and adopted.

By Senator Strobridge:

Resolved, That Elizabeth S. Taylor be and she is hereby appointed to the position of Committee Clerk, at four dollars ($4.00) per day, payable weekly, and the

Committee to inform the House of Representatives that the Senate is now ready to meet them in joint session.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

Ayes—Senators Anderson, Bates, Bidwell, Brunton, Grant, Kinney, Millard, Post, Ramsey, Sargent, Thal, Tyson, Van Sickel, Wilson, Wood, Worthington, Young, Zumbro, Chairman—19.

Noes—None.

So

Senator Van Sickle moved as an amendment that the Senate do not take a recess, but that the Senate do now proceed to the election of United States Senator, as provided by the Senate Journal of Jan.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

Ayes—Senators Anderson, Bates, Bidwell, Brunton, Grant, Kinney, Millard, Post, Ramsey, Sargent, Thal, Tyson, Van Sickel, Wilson, Wood, Worthington, Young, Zumbro, Chairman—19.

Noes—None.

ADJOURNMENT.

At one o'clock and forty-five minutes p.m., on motion of Senator Worthington, the President pro tem declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 22, 1911.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Bates, Bidwell, Brunton, Grant, Kinney, Millard, Post, Ramsey, Sargent, Thal, Tyson, Van Sickel, Wilson, Wood, Worthington, Young, Zumbro, Chairman—19.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. Paul Taylor.

READING OF THE JOURNAL.

During the reading of the journal of Wednesday, March 15, 1911, the further reading was dispensed with, on motion of Senator Post.

REPORT OF SPECIAL COMMITTEE.

The special committee posted to consider amendments to Senate Bill No. 17 submitted a report, without recommendation.

ADJOURNED UNTIL TUESDAY.

At ten o'clock and thirty minutes a.m., Senator Thal moved that the Senate go into executive session.

The question being on the motion of Senator Thal,

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Benson, Grant and Larkins.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Birdsall, Bledsoe, Breed, Caldwell, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gerdes, Hewitt, Jones, Lyon, Metz, Regan, Sharkey, Strobridge, Thompson, Tyrrell, and Wright—22.

NOES—Senators Belan, Benson, Brown, Butler, Chenoweth, Gates, Grant, Juilliard, Kehoe, Larkin, Rush, and Sanford—12.

ACTION EXPUNGED FROM RECORD.

Senator Wright moved that all reference to action on Senate Bills Nos. 55 and 10, subsequent to third reading of each bill, be expunged from the Journal, and that the special committee of three on amendments to Senate Bill No. 10 be discharged.

Motion carried.

MOTION.

Senator Larkins moved that Senate Bill No. 10 be taken up for consideration.

Motion carried.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Larkins moved to refer Senate Bill No. 10 to Senator Juilliard, as a special committee of one, to amend as follows:

Strike out line 6, Section 1, page 1, of said bill, and insert in lieu thereof the following: "Where the female is under the age of eighteen years and over the age of sixteen years and the female is under the age of eighteen years and over the age of sixteen years and of previous chaste character."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. PRESIDENT: Your special committee of one, to report back with proposed Senate Bill No. 10, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

The question being on the adoption of the report of the special committee of one.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock m., Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

SENATOR LYON IN THE CHAIR.

At twelve o'clock and [illegible] minutes p.m. Senator Lyon of the Twenty-ninth District, in the chair.

PRESIDENT WALLACE IN THE CHAIR.

At twelve o'clock and [illegible] minutes p.m. Lieutenant-Governor Albert J. Wallace, President of the Senate, in the chair.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended for thirty minutes.

[illegible]

At one o'clock p.m., the Senate [illegible]

[illegible]

[illegible] the President [illegible] the Senate [illegible] o'clock p.m.

[illegible]

At [illegible] o'clock p.m., the Senate [illegible]

Lieutenant Governor [illegible], President of the Senate, in the chair.

[illegible]

Senator Thompson moved that the consideration of the special order be continued till the hour of [illegible] o'clock p.m.

Motion carried.

[illegible]

The following report of standing committee was received and read:

[illegible]

[illegible]

Mr. President: Your Committee on Engrossment and Enrollment [illegible]

[illegible]

And report that the same have been correctly engrossed.

[illegible], Chairman.

[illegible]

Senator [illegible] asked and was granted unanimous consent [illegible]

[illegible]

The following messages from the Assembly were taken up and read:

[illegible]

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible]

[illegible]

Also: Assembly Bill No. 343—An Act [illegible] navigable waters therein to establish [illegible] navigable waters and to prevent the exclusion or obstruction thereof.

Also: Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irri[illegible]

Also: Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools [illegible]

Also: Assembly Bill No. 444—An Act to amend Section 1576a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Also: Assembly Bill No. 442—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the date of the election of school trustees.

Also: Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of [illegible]

Also: Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

Also: Assembly Bill No. 555—An Act ratifying and confirming the proceedings [illegible] and the National Soldiers' Home [illegible] and board of trustees and the purchase by said company of the lands and buildings of its state normal school at Los Angeles.

Also: Assembly Bill No. 1314—An Act authorizing and empowering any city [illegible] or any town, or any municipal corporation, in the State of California, to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Also: Assembly Bill No. 754—An Act to amend section fourteen of an Act entitled "An Act to [illegible] and the manner and means [illegible] approved March 20, 1911.

Also: Assembly Bill No. 1109—An Act to [illegible] of an Act entitled "An Act to [illegible] approved March 3, 1883, and to add a new section thereto to be [illegible] relating to the duties [illegible]

Also: Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

Also: Assembly Bill No. 961—An Act to [illegible] and to provide a penalty [illegible]

Also: Assembly Bill No. 704—An Act to add a new section to the Political Code of the State of California [illegible] relating to the [illegible]

Also: Senate Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Also: Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

Also: Senate Bill No. 690—An Act to amend section eight hundred and seventy-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the [illegible] of boards of trustees of cities of the sixth class.

Also: Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal [illegible] thereof," which became a law [illegible] approval February 25, 1901, as subsequently amended, by amending section two thereof, relating to the proceeding for the calling of an election therefor.

Also: Assembly Bill No. 580—An Act to amend Section [illegible] of the Penal Code of the State of California, relating to [illegible] and hatchery streams.

Also: Assembly Bill No. 1584—An Act to provide for the recovery of damages by a husband, wife, child, parent, [illegible] any person from any person or persons, according or taking [illegible] taking or taking of money or other thing of value in any game of chance conducted by the laws of this State.

[illegible]

[illegible]

[illegible]

Assembly Bills Nos. 1209 and 1267 read first time and referred to Committee on Finance.

Assembly Bill No. 847 read first time and referred to Committee on Developments, Planning and Unemployment Trends.

Assembly Bill No. 849 read first time and referred to Committee on Municipal Corporations.

Assembly Bill No. 1309 read first time, and referred to Committee on Agriculture.

Assembly Bills Nos. 444, 566, 644, 645, 726 and 816 read first time and referred to Committee on Education.

Assembly Bill No. 1718 read first time and referred to Committee on Municipal Corporations.

Assembly Bills No. 734 read first time and referred to Committee on Insurance.

Assembly Bill No. 1399 read first time and referred to Committee on Labor and Capital.

Assembly Bills Nos. 1005 and 1071 read first time and referred to Committee on Elections.

Assembly Bill No. 994 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 87 read first time and referred to Committee on Municipal Corporations.

Assembly Bill No. 1048 read first time, and referred to Committee on Labor and Capital.

Senate Bills Nos. 600 and 668 referred to Enrollment.

Assembly Bill No. 1060 read first time and referred to Committee on Fish and Game.

Assembly Bill No. 1167 read first time and referred to Committee on Public Morals.

Assembly Bill No. 978 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1856 read first time and referred to Committee on Labor and Capital.

Assembly Joint Resolutions Nos. 21, 26 and 30 referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1290—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and fixing an appropriation to pay the cost and expenses of the same—have had the same under consideration, and respectfully report the same back, with the recommendation that it do pass and be re-referred to Committee on Finance.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 298—An Act to provide for the appointment of policemen to serve upon the premises, cars or boats of railroads and steamship companies, prescribing their qualifications for appointment, and powers of such policemen and a penalty for the violation of their authority—have had the same under consideration, and respectfully report the same back, with the recommendation that it be re-referred to Committee on Labor and Capital.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

Also: Senate Bill No. 1687—An Act to amend Section 581*a* of the Code of Civil Procedure of the State of California, relating to the dismissal of actions for failure to serve summons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages.

Have had the same under consideration, and respectfully report the same back, with amendments and recommend that they do pass as amended.

Also: Senate Concurrent Resolution No. 16—Relative to the appointment of a committee of the Legislature, to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in the [illegible] school and municipal buildings, grounds and public works throughout this State.

Have had the same under consideration, and respectfully report the same back, and recommend that it be amended as amended.

GATES, Chairman.

Senate Bill No. 1290 ordered re-referred to Committee on Finance.

Senate Bill No. 298 ordered re-referred to Committee on Labor and Capital.

Senate Bills Nos. 286, 1687, 474 and 534 ordered on file for second reading.

Senate Concurrent Resolution No. 16 ordered on file.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 62—An Act to provide for the erection of a memorial monument to George Washington [illegible] and providing for an appropriation to carry this Act into effect.

Also: Senate Bill No. 511—An Act [illegible] the sum of [illegible] two thousand

[illegible]

Assembly Bill No. 1000, An act to appropriate [illegible]

Senate Bill No. 1001, An act [illegible]

Assembly Bill No. 1002, An act [illegible]

Senate Bill No. 1003, An act [illegible]

Assembly Bill No. 1004, An act [illegible]

Senate Bill No. 1005, An act [illegible]

Assembly Bill No. 1006, An act [illegible]

Senate Bill No.

WHEREAS, A system of [illegible] (only about 2 per cent of the total United States road mileage) will give adequate interstate mail, freight and [illegible] connecting [illegible] adjoining states and through them with all other states of the Union; and

WHEREAS, To favor, foster and further the development of national highways in the length and breadth of these United States of America will secure the benefits, social, moral, commercial, industrial, material, educational and personal in the progress and uplift of the American people which follow in the train of easy and free intercommunication and [illegible] the great centers of population and distribution, and the great productive areas of the nation; and

WHEREAS, Such a system of national highways will encourage and accentuate the building of good roads everywhere by states, counties, cities, townships and towns as the collecting and distributing [illegible], now, therefore, be it

Resolved by the Senate of the State of California, That we urge upon the Congress of the United States the necessity of the early [illegible] and maintenance of a system of national highways; and be it further

Resolved, That the Secretary of the Senate of the State of California is hereby instructed to forthwith transmit copies of these preambles and resolutions to all the members of the United States Senate and House of Representatives from this State of California, and the clerks of these respective bodies at Washington, D. C.

Resolution ordered referred to Committee on Roads and Highways.

REQUEST FOR INTRODUCTION OF BILLS

Senator Tyrrell requested permission to introduce a Senate bill: An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor" approved March 19, 1907, and amended March 6, 1909.

Senator Anderson requested permission to introduce a Senate bill: An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose" approved March 6, 1889.

Requests referred to Committee on Introduction of Bills.

SECOND READING OF BILLS

Senator Boynton moved that the Senate take up the consideration of the second-reading file.

Motion carried.

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of [illegible] hospitals or [illegible] asylums and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 683—An Act to amend section two hundred seventy-one of the Penal Code, relating to the abandonment of children under the age of fourteen years and fixing a penalty therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1175—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money thereto.

Bill read second time, ordered engrossed and on the Ex-third reading

Senate Bill No. 1183—An Act to amend the Penal Code by adding thereto a new section, to be numbered two hundred seventy-four a, relating to the selling, giving away, substituting or disposing of children.

During second reading of the bill, the following amendments were adopted by the committee:

Amendment No. 1.

Amendment adopted.

Bill read second time, ordered to print, engrossed and third reading

Senate Bill No. 1187—An Act to amend Section 4000 of the Political Code of the State of California, relative to horses used and provender kept for same.

During second reading of the bill, the following amendment was offered by the committee:

Amendment No. 1.

Amendment adopted.

Bill read second time, ordered to print, engrossed and third reading

Senate Bill No. 1215—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

During second reading of the bill, the following amendments were offered by the committee:

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading

Senate Bill No. 874—An Act providing for the regulation of motor transportation companies between points and within defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such motor transportation business subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Bill read second time, ordered engrossed and on the Ex-third reading

Senate Bill No. 1070—An Act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed upon them under the provisions of Section 402c of the Penal Code of the State of California and under Section 12 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and amended by adding thereto said Section 12 in the Act amendatory of last mentioned Act, approved February 20, 1901, employers using or permitting the use of such scaffolding or staging shall comply with its provisions and be subject in case of a violation thereof to the same penalties as prescribed in said Section 402 of the Penal Code; and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics in accordance with his duties under the provisions of the aforesaid Act, approved March 3, 1883, and the Act amendatory thereof, approved February 20, 1901.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title of the Act to read as follows:

"An Act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed by law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support such employers shall be subject to the provisions of this Act fixing penalties for a violation hereof to be the same as provided in Section 402c of the Penal Code, and providing for the enforcement of this Act by the commissioner of the bureau of labor statistics."

Amendment adopted.

AMENDMENT No. 2.

On page 2, at the end of line 12, add the following: "Any and all parts of such scaffolding or staging shall be of sufficient strength to support, bear, or withstand, with safety, any weight of persons, tools, appliances or materials that may be placed thereupon or that are to be supported thereby while such scaffolding or staging is being used for any of the purposes thereof."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 25, strike out all of line 25 commencing with the word "all," and all of lines 26 to 32, inclusive, and insert in lieu thereof the following: "When planks are used for the platforms of floors of such scaffolding or staging, they shall be not less than fourteen inches in width, and not less than one and one half inches in thickness and shall be of sound free from knots or flaws impairing the strength of such planks. Not more than two men shall be allowed or placed to work between two hangers or falls upon such scaffolding or staging."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 2 strike out all of said line after the word "section," and insert in lieu thereof a period (.).

Amendment adopted.

AMENDMENT No. 5.

On page 3, at the end of line 4, add a period (.) and strike out all of lines 5 to 12, inclusive.

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 1559—An Act regulating the hours of employment of females in all departments, institutions, establishments and employments of any kind whatever under the management, control or super-

vision of, or restricting and fixing the place or use thereof, city and county, district, or public corporation of any kind, and providing penalties for the violation thereof.

During second reading of the bill the following amendment was offered by the committee:

On page 1, line 4, at present bill, strike out the word "to" where it occurs the last time.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 132—An Act to amend Section 714 of the Political Code of the State of California, relating to the employment by the Superintendent of the Orphans' Home and Branch of gardening, laborers, parents and other help, and fixing the compensation of such employes.

During second reading of the bill the following amendment was offered by the committee:

On page 1, of amend bill, under section 1, at the end of line 10 and insert at that period the following: "The last mentioned employee shall serve as caretaker of the said Orphans' Home and Branch and who may not live very much about the said home unless necessary for said purpose."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 470a, relating to the complaint to petition for divorce.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 1, strike out all lines 12 to 16, inclusive.

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 144—An Act regulating the solicitation and conviction in and at certain cities for or upon persons who engage in and are living with a person for the purpose thereof.

During second reading of the bill the following amendment was offered by the committee:

On page 2, line 8, change the word "and" so as to read "then" at line 9 insert the word "unless" the word "otherwise".

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 1198—An Act to amend an Act entitled "An Act directing the Commissioners of the Division of Labor Statistics to collect certain statistics, and prescribe rules to prescribe reports and relating to the duty of certain officers to furnish such statistics, to compliance with the provisions of this Act" approved March 18, 1903.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1211—An Act to regulate the issue of vouchers to electric light, power, telephone and telegraph, plants and trolley street cars.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers for indicating low water, or otherwise preventing explosions.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered three hundred ninety seven (397), relating to the sale or disposal of intoxicating liquors between certain hours.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 320—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out all of the bill after the words "An Act" and insert in lieu thereof the following: "declaring all buildings and places resorted to or used for acts of lewdness, assignation or prostitution to be nuisances, and that all such acts used for such purposes and persons for the maintenance and prevention of such nuisances by injunction and otherwise."

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 11 and 12, strike out the words "and shall be enjoined and abated," and insert in lieu thereof the following: "which may be enjoined, abated and prevented."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 2, after the comma following the word "California," insert the word "must."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 4, after the word "may," insert a comma.

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 5, strike out the word "said," and insert in lieu thereof the following: "and prevent such."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 7, strike out the word "said," and insert in lieu thereof the word "such."

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 9, strike out the word "said," and insert in lieu thereof the word "such."

Amendment adopted.

Amendment No. 1.

Amendment No. 2.

Amendment No. 3.

Amendment No. 4.

Amendment No. 5.

Amendment No. 6.

Amendment No. 7.

Amendment No. 8.

Amendment No. 9.

Amendment No. 10.

the building or place and files a bond with sureties, to be approved by the clerk, conditioned that he will immediately abate any such nuisance that may exist at such building or place and prevent the same from being established or kept thereat within a period of one."

Amendment adopted.

AMENDMENT No. 17

On page 4, strike out all of lines 11 to 15, inclusive, and insert in lieu thereof the following: "Sec. 10. Whenever the owner of a building or place upon which the act or acts constituting the contempt shall have been committed, or of any interest therein, has been guilty of a contempt of court and been convicted as in proceedings under this Act, such fine shall be a lien upon such building and place to the extent of the interest of such person therein enforcible and executed by execution issued by the order of the court."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 108—An Act to add a new section to the Political Code, to be numbered section two hundred fifty-one, relating to clerks of committees and of members of the Legislature, and providing for the fixing of their compensation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 108 refused passage by the following vote:

AYES—Senators Avey, Baker, Caminetti, Cobb, Grace, Hewitt, Juilliard, Kehoe, Larkins, Owens, Sanford, and Strobridge—12.

NOES—Senators Anderson, Belshaw, Benson, Boynton, Breed, Caminetti, Carr, Finn, Gates, Gerdes, Hans, Jones, Regan, Stetson, Thompson, Tyrrell, and Wright—17.

NOTICE OF MOTION TO RECONSIDER.

Senator Caminetti gave notice that on next legislative day he would move to reconsider the vote by which Senate Bill No. 108 was refused passage.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 301—An Act to amend section two thousand one hundred seventy-two of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson Senate Bill No. 301 was passed on file, to retain its place.

Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year 1913.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 626 passed by the following vote:

AYES—Senators Anderson, Avey, Baker, Belshaw, Benson, Boynton, Breed, Carr, Caminetti, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grace, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Regan, Rush, Sanford, Stetson, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 284—An Act to add two new sections to the Political Code of the State of California, to be known and designated as sections one thousand six hundred ninety-eight and section two thousand six hundred ninety-eight, relating to the establishment of highways.

Read third time.

The question of Senator Dunn, Senate Bill No. 284 was passed on the to retain its place.

Senate Bill No. 1144—An Act to amend section 1666 of the Political Code, relating to notice for the examination or registration of school children.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1144 passed by the following vote:

Ayes—Anderson, Anderson, Benson, Birdsall, Boyd, Brown, Burnett, Caminetti, Campbell, Chandler, Cogswell, Cutten, Dunn, Edwards, Flint, Gerdes, Hare, Harris, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Leavitt, Lewis, Lukens, Mahoney, Rominger, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell and Wolfen—37.

Noes—None.

Absent—Avey, Finn and Wright—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1115—An Act to amend Section 1201 of the Penal Code, relating to the protection of game.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1115 passed by the following vote:

Ayes—Anderson, Anderson, Benson, Brown, Burnett, Caminetti, Campbell, Chandler, Cogswell, Cutten, Dunn, Edwards, Flint, Gerdes, Hare, Harris, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Leavitt, Lewis, Lukens, Mahoney, Rominger, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell and Wolfen—37.

Noes—None.

Absent—Avey, Birdsall, Boyd, Finn and Wright—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 998—An Act to amend Section 1084 of the Political Code of the State of California, authorizing the board of supervisors of the several counties of this State to declare precincts, wherever they may deem it for the purpose of holding and providing for the use of the same.

Read third time.

On motion of Senator Birdsall, Senate Bill No. 998 was passed on the to retain its place.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to article one thereof two sections, to be numbered section seven and section eight, relating to indebtedness.

On motion of Senator Flint, Senate Constitutional Amendment No. 19 was passed on the to retain its place.

[illegible]

The hour of three o'clock p.m. having arrived, the Senate resumed consideration of Senate Bill No. 10.

The question being on the adoption of the report of Senator Caminetti as a committee of one

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Birdsall, Bryant, Campbell, Cassidy, Cobb, Finn, Flint, Juilliard, Larkins, Regan, Strobridge, Tyrrell, and Wright—13.

NOES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Carr, Cogswell, Curtin, Gates, Geddes, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Rush, Sanford, Shanahan, and Thompson—24.

MOTION TO POSTPONE.

Senator Curtin moved that further consideration of Senate Bill No. 10 be temporarily postponed.

Motion carried.

LEAVES OF ABSENCE.

Senator Caminetti was, on motion of Senator Curtin, granted leave of absence for this day.

Senator Curtin was, on his own motion, granted leave of absence for March 21st and 22d.

CONSIDERATION OF SPECIAL ORDER—RESUMED.

Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By striking out the period following the word "years," in line 4, and adding a comma, and the following: "except where the offense is under Subdivision 1 of Section 261 of the Penal Code and the victim is over the age of seven years and under the age of eighteen years, in which case the punishment shall be by imprisonment in the county jail for not more than one year or in the state prison for not more than fifty years, and in such case the jury shall determine by their verdict whether the punishment shall be by imprisonment in the county jail or in the state prison."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 55, with instructions to amend, respectfully reports the same back amended as per instructions.

THOMPSON, Committee.

The question being on the adoption of the report of the special committee of one.

The roll was called, and the report adopted by the following vote:

AYES—Senators Bates, Benson, Birdsall, Boynton, Breed, Bryant, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Hans, Jones, Juilliard, Lyon, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.

NOES—Senators Anderson, Avey, Butler, Gates, Geddes, Gerdes, Hewitt, Kehoe, Larkins, and Mott—10.

Bill ordered to print and re-engrossment.

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 10 passed by the following vote:

AYES—[illegible] Ashley, Bone, Brown, Bryant, Burnett, Burton, Clark, Dyer, Fitzgerald, Gaylord, Gilmore, Gray, Hall, Hamilton, Hardy, Hayes, Hoffman, Holden, Jones, Kelly, Lewis, Lindley, Lowe, Mayo, Nelson, Nolan, Norton, Pierce, Rader, Rucker, Sanders, Shaw, Shelton, Simmons, Smith, Stanley, Stone, Thompson, Tillman, Tucker, Wagner, Walker, Wallace, Wilson, Wood, Woodward, Worthington, Young, Mr. President—41.

NAYS—None.

The bill was passed.

Bill ordered transmitted to the Assembly.

ADJOURNMENT

At four o'clock and thirty-five minutes p.m., on motion of Senator Gordon, the President declared the Senate adjourned.

IN RESUME

SENATE CHAMBER,
Friday, March 31, 1915

The Senate met at 10 o'clock a.m.

Lieutenant-Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ashe, Baker, Brown, Bryant, Burnett, Burton, Boyd, Bunny, Burke, Caldwell, Campbell, Carr, Cartwright, Cassidy, Chipman, Clark, Dyer, Flint, Flint, Gaede, Gaston, Gaylord, Gilmore, Gray, Hall, Hamilton, Hardy, Hayes, Hoffman, Holden, Jones, Kelly, Lewis, Lindley, Lowe, Mayo, Nelson, Nolan, Reed, Rucker, Saunders, Shelton, Simmons, Smith, Stanley, Stone, Thompson, Tillman, Tucker, Wagner, Walker, Wallace, Wilson, Wood, Woodward, Worthington, Young, Mr. President—50.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. B. Tom Taylor.

READING OF THE JOURNAL

During the reading of the Journal of Thursday, March 30, 1915, the further reading was dispensed with, on motion of Senator Rucker.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Cartwright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to E. A. Williams, of Fresno.

On request of Senator Brown, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. G. E. Daniels, of Oakland.

On request of Senator Rucker, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Messrs. Ben Blow, Owen Duffy, C. E. Tyndall, D. A. Dooling and F. M. Silva, of Napa.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has this day adopted Assembly Concurrent Resolution No. [illegible] relative to

certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the 26th day of December, 1912.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 353—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same and the owner, lessee or agent of the building or place where said nuisance is conducted from maintaining, conducting or permitting said nuisance.

Also: Assembly Bill No. 694—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their said labor."

Also: Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 13—Approving certain amendments to the charter of the city and county of San Francisco, State of California, voted for, and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the 15th day of April, 1912.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 1 referred to Committee on Municipal Corporations.

Assembly Bill No. 353 read first time and referred to Committee on Public Morals.

Assembly Bill No. 694 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1374 read first time, and referred to Committee on Finance.

Senate Concurrent Resolution No. 13 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 21, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 20—An Act to amend Section 97 of the Code of Civil Procedure of the State of California, relating to the sessions of Superior Court judges and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation, have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

BREED, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1565—An Act to add a new section to the Political Code of the State of California, to be numbered section 1097a, relating to the duties of county surveyors and deputies.

Also: Senate Bill No. 1256—An Act to amend Section 1240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Also: Senate Bill No. 487—An Act to amend Section 1241 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 21, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a bond therefor, providing books of records and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the charging of fees providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

LYON, Chairman.

Senate Bill No. 1413 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 21, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 502—An Act to amend section one thousand six hundred and seventy-four of the Political Code of the State of California, relating to union school districts.

Also: Senate Bill No. 321—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

Also: Senate Bill No. 1672—An Act to amend section nine hundred of the Code of Civil Procedure, relating to liens and recorded judgments.

Also: Senate Bill No. 155—An Act to amend section five hundred thirty-one of the Political Code, relating to the duties of the Superintendent of State Printing.

Also: Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven c, relating to the sale or disposal of intoxicating liquors between certain hours.

Also: Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Also: Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain others to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

Also: Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Also: Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers, or indicating low water, or otherwise preventing explosions.

Also: Senate Bill No. 1172—An Act to amend Section 2 of an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, as amended by Act approved May 1, 1911.

Also: Senate Bill No. 683—An Act to amend Section 274c of the Penal Code, relating to the abandonment or exhibition of children under the age of fourteen years, and fixing a penalty therefor.

Also: Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Also: Senate Bill No. 687—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of females by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

And report that the same have been correctly engrossed.

GRANT, Chairman.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Avey requested permission to introduce a Senate bill: An Act to provide for the reimbursement of counties in this State which sustained net loss of revenue during the years 1911 and 1912 by the withdrawal of railroad property from county taxation under the provisions of Section 14, Article XIII of the Constitution of this State

in addition to the reimbursement provided for by the terms of the Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain any loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

Senator Cassidy requested permission to introduce a House bill; an Act making the appropriation asked for, Chapter 202, Statutes of 1911, "For printing, binding, ruling and all other work performed and materials furnished by the State Printing Office in or upon the compiling and publication of Blue Book, Supreme Court opinion, Code of Civil Procedure, and Statutes."

Request refused by Committee on Introduction of Bills.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4.

Senate Bill No. 205—An Act to amend Section 3722 of the Political Code, relating to the disposition of license payment upon cancellation, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 205 was passed to file and ordered to foot of the file awaiting its.

Senate Bill No. 1002—An Act to amend section nine hundred of the Code of Civil Procedure, relating to liens and recorded judgments.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1002 passed by the following vote:

Ayes—Senators Anderson, Ash, Black, Boynton, Brown, Bryant, Burnett, Caminetti, Carr, Chandler, Cogswell, Cutler, Finn, Flint, Gates, Gerdes, Hall, Hans, Holland, Inman, Leavitt, Lee, Lewis, Luce, Mott, Owens, Rigdon, Roseberry, Saylor, Shearer, Stetson, Stockton, Thompson, and Tyrrell—34.

Noes—None.

Bill read and approved.

Bill ordered transmitted to the Assembly.

ORDERED FOR 10A. SESSION OF THIS DAY.

At two o'clock and fifty minutes p.m. [illegible] President pro tem. of the Senate in the chair.

SENATE BILL NO. 135—ACT TO AMEND.

Senate Bill No. 135—An Act to amend section five hundred thirty-one of the Political Code relating to the duties of the Superintendent of State Printing.

Read third time on previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 135 passed by the following vote:

Ayes—Senators Anderson, Ash, Black, Boynton, Brown, Bryant, Burnett, Caminetti, Carr, Chandler, Cogswell, Cutler, Finn, Flint, Gates, Gerdes, Hall, Hans, Holland, Inman, Leavitt, Lee, Lewis, Luce, Mott, Owens, Rigdon, Roseberry, Saylor, Shearer, Stetson, Stockton, Thompson, and Tyrrell—34.

Noes—Senators Anderson, Boynton, Brown, Finn, Gates, Hans, Saylor, Thompson, and Wright—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 321—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

Read third time.

On motion of Senator Larkins, Senate Bill No. 321 was passed on file, to retain its place.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred ninety-seven and section two thousand six hundred ninety-eight, relating to the abandonment of highways.

On motion of Senator Breed, Senate Bill No. 394 was passed on file.

Senate Bill No. 395—An Act to amend section four thousand and eighty-five and one half of the Political Code of the State of California, authorizing the board of supervisors of the several counties of this State to declare unnavigable streams highways for the purpose of fishing, and providing for the use of the same.

Read third time on previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 395 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Benson, Breed, Bronston, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Gesford, Hans Jesse, Leavell, Lewis, Lukens, Mott, Owens, Regan, Sanford, Sharkey, Thompson, Tyrrell and Wright—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to article ten two new sections, to be numbered section seven and section eight, relating to indeterminate sentence.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was ordered passed on file.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Read third time.

On motion of Senator Anderson, Senate Bill No. 834 was passed on file, to retain its place.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics and present them in general reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

On motion of Senator Gerdes, Senate Bill No. 1169 was passed on file.

Senate Bill No. 471—An act to regulate the hours of employees of electric light, power, telephone and telegraph wires and feeders [and cars].

In the absence of the author, Senate Bill No. 471 was passed on [to] to retain its place.

Senate Bill No. 502—An Act regulating headlights on all locomotives and providing a penalty for violation of the provisions of this Act.

In the absence of the author Senate Bill No. 502 was passed on [to] to retain its place.

Senate Bill No. 504—An Act to compel users of steam boilers to install and maintain safety appliances on boilers for indicating low water, to abolish dangerous explosions.

In the absence of the author Senate Bill No. 504 was passed on [to] to retain its place.

SENATE BILLS ON SECOND READING

Senate Bill No. 246—An Act to amend section eight hundred fifty-seven of the Civil Code, relating to express trusts.

Bill read second time ordered engrossed and on its [for third reading.

Senate Bill No. 247—An Act to amend section five hundred eighty-one of the Code of Civil Procedure of the State of California, relating to the dismissal of actions for failure to bring to trial.

Bill read second time ordered engrossed and on the [for third reading.

SENATE BILLS ON THIRD READING

As shown [third] on the General Calendar of the Assembly Journal for the day

SENATE BILLS ON SECOND READING—Continued.

Senate Bill No. 474—An Act to amend section 474 of the Code of Civil Procedure of the State of California.

During second reading of the bill the following amendments were offered by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill strike out the word "[to]" and insert in lieu thereof the word "[]"

Amendment adopted.

Amendment No. 2.

On page 1, line 11, of the printed bill after the word "court," insert the following: "and before the entry of judgment in the case"

Amendment adopted.

Bill read second time, and ordered to [for] engrossment and third reading.

Senate Bill No. 514—An Act to amend Section [] of the [] Code of California, relative to [].

During second reading of the bill the following amendment was offered by the committee:

On page 1, line [], of the printed bill, after the word "[name]," insert the words "[] and the following: "and the clerk of the [] court shall [] upon [] and the [] of the [] shall [] the [] and [] [] of such [], and the [] and [] of the parties [] by [] thereof."

Amendment adopted.

Bill read second time, and ordered to [for] engrossment and third reading.

Senate Bill No. 174—An Act to amend Section 1622 of the Political Code of the State of California, relating to expenditure of state and county school money.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1523—An Act to amend Section 1756 of the Political Code of the State of California, relating to the maintenance of high schools.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1628—An Act to amend Section 1665 of the Political Code of the State of California, relating to including California history in the course of study.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1629—An Act to amend Section 1750 of the Political Code of the State of California, relating to the course of study in high school.

Bill read second time, ordered engrossed and on file for third reading.

RECONSIDERATION OF VOTE.

In accordance with his notice given on the previous day, Senator Caminetti moved that the vote whereby Senate Bill No. 108—An Act to add a new section to the Political Code, to be numbered Section 251, relating to clerks of committees and of members of the Legislature, and providing for the fixing of their compensation—was refused passage, be reconsidered.

The question being on the motion to reconsider

The roll was called, and the vote by which Senate Bill No. 108 was refused passage was reconsidered by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Colin Flint, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lerkins, Metz, Owens, Sanford, Shanahan, and Thompson—29.

NOES—None.

Senate Bill No. 108 ordered on file.

MOTIONS.

Senator Caminetti moved that Senate Bill No. 108 be re-referred to Committee on Judiciary.

Motion carried.

Senator Owens moved that Senate Bill No. 142 be taken up for consideration.

Motion carried.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven (), relating to the sale or disposal of intoxicating liquors between certain hours.

Read third time.

On motion of Senator Tyrrell Senate Bill No. 142 was ordered referred to Committee on Judiciary for a report as to its effect on existing statutes.

REPORT OF COMMITTEE ON ENGROSSED BILLS

The following report of standing committee was received and read:

SENATE CHAMBER, AUSTIN, March 21, 1929

Mr. President: Your Committee on Enrolled Bills to whom was referred [illegible] respectfully reports that we have examined the same and find it correctly enrolled.

[illegible]

Mr. President: Your Committee on Enrolled Bills to whom was referred [illegible] respectfully reports that we have examined the same and find it correctly enrolled.

[illegible]

Mr. President: Your Committee on Enrolled Bills to whom was referred [illegible] respectfully reports that we have examined the same and find it correctly enrolled.

[illegible]

Mr. President: Your Committee on Enrolled Bills to whom was referred [illegible] respectfully reports that we have examined the same and find it correctly enrolled.

[illegible]

The question being on the adoption of the report of the committee. The roll was called, and the report adopted by the following vote:

Ayes—[illegible]

Nays—None

[illegible]

The following bills were introduced:

By Senator Anderson: Senate Bill No. 1111—An Act to amend Section 24 of an Act entitled "An Act providing for the laying out, constructing, maintaining, improvement and vacation of main highways in any county; providing for the county board and duties of county boards and the employment of engineers to act for such board and improvements; providing for a highway commission to have charge of such work and improvements and authorizing cities and towns to improve the portion of such highways within their corporate limits and to issue and sell bonds therefor" approved March 29, 1917, and amended March 2, 1929.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Terrell: Senate Bill No. 1112—An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening,

extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Avey: Senate Bill No. 1721—An Act to provide for the reimbursement of counties in this State which sustained net loss of revenue during the years 1911 and 1912 by the withdrawal of railroad property from county taxation under the provisions of Section 14, Article XIII of the Constitution of this State in addition to the reimbursement provided for by the terms of an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Cassidy: Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "For printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from section four of this Act) ten thousand dollars," available for the distribution of said Blue Book.

Bill read first time, and referred to Committee on Finance.

LEAVES OF ABSENCE.

Senators Breed, Gerdes and Regan were, on their respective motions, granted leave of absence for Saturday, March 22d.

USE OF SENATE CHAMBER GRANTED.

Senator Gates asked and was granted unanimous consent for the use of the Senate Chamber by the Committees on Judiciary for a joint hearing on sundry bills relative to justices of the peace, on Friday, March 28th, at seven-thirty o'clock p.m.

Also, by the Senate Committee on Judiciary, for a hearing on cemetery bills on Tuesday, April 1st, at seven-thirty o'clock p.m.

Senator Benson asked and was granted unanimous consent for the use of the Senate Chamber by the Committee on Drainage, Swamp and Overflowed Lands, for a public hearing on pending bills on Thursday, March 27th.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 21, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 1013—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the fifty-fifth and fifty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for payment of the pay of the officers in said companies, and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of

[illegible]

[illegible]

[illegible]

IN SENATE.

SENATE CHAMBER,
Saturday, March 22, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Chesbro, Cobb, Finn, Flint, Gates, Grant, Heath, Hewitt, Jones, Juilliard, Kehoe, Lardner, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 21, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Sanford was, on motion of Senator Juilliard, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1078—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Also: Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

Also: Assembly Bill No. 1049—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State or [illegible] for the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled An Act to regulate contracts on behalf of the State [illegible] and buildings, approved March 28, 1876," approved March 22, 1909.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend section [illegible] relative to supervision, regulation and conduct of the affairs of irrigation, reclamation or drainage districts.

Also: Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to Section 23a of Article 4 of the Constitution of the State of California relative to the limitation of expense for officers and employees of the Legislature.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1933.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1280—An act to amend Section 1403 of the Political Code, relating to the powers and duties of certain school boards.

Also: Assembly Bill No. 1281—An act to amend Section 3004 of the Political Code of the State of California, relating to notice for compensation purposes.

Also: Assembly Bill No. 1282—An act to amend Section 3101 of the Political Code of the State of California, relating to the apportionment of school funds to city school districts.

Also: Assembly Bill No. 1283—An act to amend Section 3371 of the Political Code of the State of California, relating to the formation of city school districts and the change of boundaries thereof.

Also: Assembly Bill No. 1284—An act to amend Section 3704 of the Political Code of the State of California, regulating the appointment of school census marshals.

Also: Assembly Bill No. 1285—An act to amend Section 3864 of the Code of Civil Procedure, relating to the costs of judgment.

Also: Assembly Bill No. 1286—An act to amend Section 407 of the Political Code, relating to fees to be collected by the Secretary of State.

Also: Assembly Bill No. 1288—An act providing for local Units to participate in the cost of construction of school plant improvements under the law of this State, by the acquisition and assignment of property taken, damaged or appropriated and used for said local units; fixing standards for computation for values of any or other necessary factors thereof to provide just and equitable relationship with any and provisions for the assignment of the lien of any such payments to the State of the of school districts and to the liquidation of the said liens; fixing standards or procedure, and providing for the enforcement of such liens; and providing an effective method of enforcing payment of such assessments.

Also: Senate Bill No. 1289—An act to validate proposed bonds and to provide for the levy and collection of taxes to pay the principal and interest on said bonds.

CHAS. BEARDSLEY, Chief Clerk of Assembly.
By Thomas E. Watkins, Assistant Clerk.

Assembly Bill No. 1278 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 79 read first time and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 113 and 1160 read first time, and referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 42 referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Constitutional Amendment No. 28 referred to Committee on Judiciary.

Assembly Bills Nos. 1096, 442, 443, and 801 read first time, and referred to Committee on Education.

Assembly Bills Nos. 19, 1067, 1141 and 1303 read first time, and referred to Committee on Judiciary.

Senate Bill No. 189 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

AT SACRAMENTO.

SENATE CHAMBER, SACRAMENTO, March 23, 1933.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 206—An Act to amend Section 1054 of the Political Code of the State of California, relating to the duties of the Secretary of the Supreme Court.

Also: Senate Bill No. 207—An Act to amend Section 750 of the Political Code of the State of California, relating to the sessions of branch courts of the Supreme Court.

Have had the same under consideration, and respectfully report the same back, with the recommendation that they be referred to Committee on Finance.

GATES, Chairman.

Senate Bills Nos. 206 and 207 ordered re-referred to Committee on Finance.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Finn for permission to introduce a bill entitled An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons, have had the same under consideration, and recommend that the request be granted.

BOYNTON, Chairman.
THOMPSON.
CAMPBELL.

The question being on the adoption of the report of the committee.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Campbell moved a call of the Senate.

Motion carried.

Time, ten o'clock and fifteen minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, and Thompson.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and twenty minutes a.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Campbell.

The roll of absentees was called, and the report of the committee adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cartwright, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, and Thompson—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced:

By Senator Finn: Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Bill read first time and referred to Committee on Prisons and Reformatories.

REPORTS OF STANDING COMMITTEES—(RESUMED).

[illegible]

SACRAMENTO, March 21, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 611—An Act making an appropriation for the construction and [illegible] and Shasta [illegible] Creek.

Also, Senate Bill No. 1010—An Act [illegible] for the repair and maintenance

of the Twenty-ninth Regiment of Engineers, and to provide for the construction of buildings, armory, and appurtenances for the National Guard of the State of New York, and for the use of the Naval Militia and Signal Corps of the State of New York; and making an appropriation therefor.

Also, Senate Bill No. 1686—An act to amend the Constitution, in relation to the powers of the Workmen's Compensation Board.

Also, Senate Bill No. 1687—An act to amend the Constitution, in relation to the powers of the Workmen's Compensation Board.

Also, Senate Bill No. 1688—An act to amend the Constitution, in relation to the powers of the Workmen's Compensation Board.

Also, Senate Bill No.

WHEREAS, In the course of our national existence the total expenditures of the national government on public buildings, rivers, harbors, reclamation, forestry, public lands and Panama Canal have been several thousand millions of dollars; and

WHEREAS, There are about 2,300,000 miles of roads in the United States of which more than 2,000,000 miles are unimproved; and

WHEREAS, More than 90 per cent of the traffic on these roads is confined to less than 20 per cent of their length; and

WHEREAS, A system of not more than fifty thousand miles of national highways (only about 2 per cent of the total United States road mileage) will give adequate interstate main, trunk and link lines connecting each state with its adjoining states and through them with all the other states of the Union; and

WHEREAS, To favor, foster and further the development of national highways in the length and breadth of these United States of America will secure the benefits, social, moral, commercial, industrial, material, educational and personal in the progress and uplift of the American people which follow in the train of easy and free intercommunication and transit between the great centers of population and distribution, and the great productive areas of the nation; and

WHEREAS, Such a system of national highways will encourage and accentuate the building of good roads everywhere by states, counties, cities, townships and towns as the collecting and distributing medium of these national highways; now, therefore, be it

Resolved by the Senate of the State of California, That we urge upon the Congress of the United States the necessity of the early designation, construction and maintenance of a system of national highways; and be it further

Resolved, That the Secretary of the Senate of the State of California is hereby instructed to forthwith transmit copies of these preambles and resolutions to all the members of the United States Senate and House of Representatives from this State of California, and the clerks of these respective bodies at Washington, D. C.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

BIRDSALL, Chairman.

Report and resolution read and adopted.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 752—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 752 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1017—An Act to amend sections twelve and sixteen of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question," etc.—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BUTLER, Chairman.

Senate Bill No. 1017 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Joint Resolution No. 1—Relative to the continuation by the United States of surveys for the construction of storage reservoirs for the impounding of flood waters in the Sierra Nevada Mountains, in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

Also: Senate Joint Resolution No. 2—Relative to national forests situated within the State of California, and requesting the War Department of the United States to station and maintain federal troops in such national forests during certain months.

Also: Senate Joint Resolution No. 12—Relative to action by Congress in directing an investigation, through the Department of Agriculture, of measures for protection of fruit from frost damage.

Also: Senate Bill No. 388—An Act providing for the acceptance of the United States ship Portsmouth by the State of California from the government of the United States, and providing for the care and preservation of the same.

[illegible]

Also:

Senate Chamber, Sacramento, May 23, 1933

Mr. President: Your Committee on Engrossed and Enrolled Bills respectfully reports:

Senate Bill No. 1000—An act to amend Section 1000 of the Political Code of the State of California, relating to the county of Santa Clara.

Also, Senate Bill No. 1001—An act to amend Section 1001 of the Political Code of the State of California, relating to salaries of Justices of the Supreme Court.

Also, Senate Bill No. 1002—An act to amend Section 1002 of the Political Code of the State of California, relating to the compensation of Clerk of the Supreme Court.

Also, Senate Bill No. 1003—An act to amend Section 1003 of the Political Code of the State of California, relating to compensation of court and court attaches.

Also, Senate Bill No. 1004—An act to amend Section 1004 of the Political Code of the State of California, relating to the compensation of Clerk of the District Court of Appeal, Division of the State of California, holding at the City and County of San Francisco.

Also, Senate Bill No. 1005—An act to amend Section 1005 of the Civil Code, relating to community property.

Also, Senate Bill No. 1006—An act to amend Section 1006 of the Civil Code, relating to community property.

Also, Senate Bill No. 1007—An act to amend Section 1007 of the Civil Code, relating to community property.

Also, Senate Bill No.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 392—An Act to amend Section 280b of the Code of Civil Procedure, relating to licenses to practice law.

Also: Senate Bill No. 1232—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 4½, of Article VI thereof, relating to appeals.

Also: Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Senate Bill No. 417 re-referred to Committee on Labor and Capital.

Senate Bills Nos. 392 and 1232 ordered on file for second reading.

Senate Constitutional Amendment No. 12 ordered on file.

Assembly Bill No. 310 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

Senator Hewitt requested permission to introduce a Senate bill: An Act to provide for the acquisition, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power and lighting works, gas works, and other public utilities within such municipality, and for the assessment of the cost and expenses therof upon the property benefited thereby, and for the issuance and effect of improvement bonds to represent such assessments and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 321—An Act to amend Section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

Read third time on a previous day.

On motion of Senator Kehoe, Senate Bill No. 321 was ordered re-referred to Committee on Judiciary, to retain its place on file.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

In the absence of the author, Senate Bill No. 394 was passed on file, to retain its place.

Senate Bill No. 502—An Act to amend Section 1674 of the Political Code of the State of California, relating to union school districts.

Read third time.

MOTION TO PASS AT ANOTHER STAGE OF THE

Senator Avey moved to refer to Senate Bill, as a special committee of one, to amend as follows:

By striking out of page 3, line 16, the word "full" and inserting in lieu thereof the word "Mail."

Motion carried.

REPORT OF SENATE COMMITTEE ON ENR.

SENATE CHAMBER, SACRAMENTO, March 21, 1911.

MR. PRESIDENT: Your enrolling committee has examined Senate Bill No. 350, and finds it correctly enrolled, and recommends that it be passed as now enrolled.

SENATE COMMITTEE.

Report of committee read and adopted.

Bill ordered to print and re-engrossed.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentence.

On motion of Senator Campbell, Senate Constitutional Amendment No. 38 was re-referred to Committee on Judiciary, to remain in place on file.

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals and lying-in asylums, and institutions, boarding homes and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

Read third time.

On motion of Senator Flint, Senate Bill No. 682 was passed to file, to retain its place.

RECESS.

Senator Wright moved that the question of passage under Section 22½ of the Political Code be referred to a special committee composed of Senators Gates, Selvage and Campbell.

Motion carried.

THIRD READING OF BILLS—CONTINUED.

Senate Bill No. 668—An Act to amend Section 271 of the Penal Code, relating to the abandonment of children under the age of fourteen years and fixing a penalty therefor.

On motion of Senator Flint, Senate Bill No. 668 was passed to file, to retain its place.

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

In the absence of the author, Senate Bill No. 1172 was passed to file, to retain its place.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the

provisions of the Public Utilities Act and the Railroad Commission of the State of California.

On motion of Senator Anderson, Senate Bill No. 834 was passed on file, to retain its place.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905.

In the absence of the author, Senate Bill No. 1169 was passed on file, to retain its place.

Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

In the absence of the author, Senate Bill No. 673 was passed on file, to retain its place.

Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

On motion of Senator Lyon, Senate Bill No. 982 was passed on file, to retain its place.

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers, for indicating low water, or otherwise preventing explosions.

On motion of Senator Lyon, Senate Bill No. 984 was passed on file, to retain its place.

Senate Bill No. 301—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 301 was pass on file.

Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3*a*.

On motion of Senator Finn, Senate Constitutional Amendment No. 66 was passed on file, to retain its place.

Senate Concurrent Resolution No. 16—Relative to the appointment of a committee of the Legislature to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters, to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in

the foregoing description, maps and monuments of all corner posts, angles and witness monuments found and established thereon.

During the reading of the amendments, the following amendments were offered by the committee:

Amendment No. 1

On page 2, line 28, of the printed bill, after the word "time" insert the word "hereof."

Amendment adopted.

Amendment No. 2

On page 3, lines 38 and 39, of the printed bill, strike out the words "the said"

Amendment adopted.

Amendment No. 3

On page 4, line 20, of the printed bill, strike out the words "monuments and posts as shall" and insert the word "that."

Amendment adopted.

REPORT OF STATE BOARD OF EQUALIZATION.

Message from Board of Equalization, as to certain corrections of roll, was read, as follows:

To the Senate and Assembly of the State of California:

Pursuant to the provisions of section 3 of the Revenue and Taxation Code, the State Board of Equalization hereby reports to your honorable bodies that it has made the following corrections in the assessment roll of the State for the year 1910:

[illegible]

Respectfully submitted,

[illegible], Chairman.

Sacramento, March 23, 1911.

Mr. Chairman: I have caused examination of roll to be made, and believe Board of Equalization's report correct. I, therefore, move that the report be received and the corrections as reported recorded in the minutes of the Senate.

[illegible], Secretary.

Report of committee read and adopted.

Resolution ordered to print and re-engrossment.

SECOND READING OF BILLS.

Senate Bill No. 1000—An act to add a new section to the Political Code of the State of California, to be numbered section three hundred twenty-a, relating to the duties of county surveyors, and declaring

Bill read second time, ordered engrossed and to the third reading.

ASSEMBLY MESSAGE BY MR. WRIGHT.

At eleven o'clock and five minutes a.m. Assistant Wright, of the Forty-ninth District, in the chair.

SECOND READING OF BILLS—CONTINUED.

Senate Bill No. 1003—An act to amend section 4487 of the Political Code of the State of California, relating to the compensation of certain and township officers of counties of the eleventh class.

Bill read second time, ordered engrossed and to the third reading.

Senate Bill No. 487—An act to amend section forty-two hundred sixty-one of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1001—An Act to add a new section to the Political Code, to be numbered four thousand two hundred thirty-five *a*, relating to and fixing the compensation of grand jurors in counties of the sixth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto, to be designated and known as Section 4056*b*, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, approved April 18, 1911.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 335—An Act to amend section four thousand two hundred and seventy-five of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 488—An Act to amend section four thousand two hundred seventy-nine of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 489—An Act to amend section four thousand two hundred seventy-three of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1124—An Act to amend section four thousand two hundred and fifty-three of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation of officers of counties of the sixth class and their assistants, deputies and clerks.

During second reading of the bill, the following amendment was offered by the committee:

Amend by inserting between lines 10 and 11, on page 3, the following: "One matron, to attend female prisoners, at a salary of ninety dollars ($90) per month; one engineer or fireman, to attend to the heating apparatus of the county jail, at a salary of ninety dollars ($90) per month."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 364—An Act to amend section four thousand two hundred and thirty-six of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 3, line 12, after the word "goal" add a new paragraph as follows:

"In counties of this class the sheriffs shall receive no per diem for taking prisoners to and from state institutions, and shall be allowed their actual expenses only; nor shall the sheriffs be allowed to retain for their own use any fees for service of any process issued out of any court in the counties of which they are sheriffs, but such fees shall, when collected be turned in to the county treasurers of

such purpose) had all moneys hereinbefore allowed or payable of such moneys for the services of any such person or persons based upon or calculated with regard to any salary, allowance or pension which by the statute hereinbefore recited shall be paid by the province on the permanent or other civil establishment of Canada, or any moneys provided by law shall cease to be payable by reason of such person or persons ceasing to hold his or their respective offices or employments, the certificate of the auditor of the province shall be sufficient authority to such party or the representative of all moneys or pensions by or from such provincial government."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 22, after the word "means" insert the following: "one good riding chair, one small service of silver plate not exceeding five hundred dollars and utensils, one bedstead, one chest, one trunk, one table, one chair, one picture of not increased cost, twenty dollars per annum."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 34, after the word "means" strike out the following: "one riding chair, one small service of silver plate not exceeding five hundred dollars and utensils."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 20, after the word "Yukon" where ever it occurs in the paragraph.

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 9, strike out the words "the Governor" and insert in lieu thereof the following: "his honour the Lieutenant-Governor."

Amendment adopted.

AMENDMENT No. 6.

On page 4, line 9 and 10, strike out the words "the Governor's own personal" and insert in lieu thereof the words "your honour's."

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 20, after the words "the person," add a new paragraph as follows:

"The salary of the resident Commissioner appointed shall be in full compensation for all services rendered and the said Commissioner appointed as aforesaid, in receiving in the name of the territorial government the said for the performance of the official duties as aforesaid, shall be paid from the public treasury and on the signature of said county, and with reasonable travelling expenses on the commissioner or commissioners of said court on circuit, to be paid out of the territorial revenue, with such additional allowance as may be fixed by the governor in council."

Amendment adopted.

AMENDMENT No. 8.

On page 5, line 26, after the word "Gaoler," strike out all the remainder of the paragraph, and insert in lieu thereof the following: "deputy sheriffs, who shall receive a salary of one thousand dollars per annum, and bailiffs, who shall receive a salary of one thousand dollars per annum."

Amendment adopted.

AMENDMENT No. 9.

On page 5, line 34, after the words "per annum," strike out the words "the deputy sheriffs, who shall receive a salary of one thousand dollars per annum," and insert in lieu thereof the following: "high sheriff, who shall receive a salary of one thousand dollars per annum."

Amendment adopted.

AMENDMENT No. 10.

On page 5, line 37, after the word "thousand," strike out the word "and," and insert in lieu thereof the word "two."

Amendment adopted.

AMENDMENT No. 11.

On page 6, line 1, strike out the word "twenty," and insert in lieu thereof the word "hundred."

Amendment adopted.

AMENDMENT No. 12.

On page 6, line 13, after the words "per annum," add a paragraph as follows:

"In counties of this class the secretary of the county board of education shall not be paid or allowed to receive any compensation whatever for his services as secretary of such board, nor for any services rendered in connection therewith; *and provided, further*, that in counties of this class the county school superintendent shall receive his actual and necessary traveling expenses for visiting and examining the various schools in his county; *provided*, that this amount shall not exceed five dollars per district per annum."

Amendment adopted.

AMENDMENT No. 13.

On page 6, strike out lines 31 to 37, inclusive; also, on page 7, line 1, and the words "of party deputies" in line 2, and insert in lieu thereof the following: "one thousand eight hundred dollars per annum; one principal field deputy, who shall receive a salary of one thousand eight hundred dollars per annum; one assistant field deputy in the assessor's office, who shall receive a salary of one thousand two hundred dollars per annum; one assistant office deputy, who shall receive a salary of one thousand and eighty dollars per annum; three draftsmen, who shall receive salaries of nine hundred dollars each per annum; two deputies, chiefs of parties."

Amendment adopted.

AMENDMENT No. 14.

On page 7, line 25, strike out the word "two," and insert in lieu thereof the word "three."

Amendment adopted.

AMENDMENT No. 15.

On page 7, line 26, strike out the following: "*provided*, that in townships having a population of sixteen thousand or more in counties of this class there shall be two justices of the peace instead of one, as heretofore, each of whom shall receive compensation as herein provided;"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1174. An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

In the absence of the author Senate Bill No. 1173 was passed on file, to retain its place.

Senate Bill No. 914—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

During second reading of the bill, the following amendments were offered by the committee:

On page 1, line 7, strike out the word "instructed," and insert in lieu thereof the word "empowered."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1419—An act regulating certain employment agencies providing for a license for the operation thereof and a fee therefor; providing forms of receipts and contracts to be used and forbidding any charge for registering or filing applications for help or employment; prohibiting the division of fees; providing for the refunding of fees and repayment to the state of unpaid license fees; providing for bond, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act.

Having second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1

On page 1, line 20, of the printed bill, after the word "agency" insert the following: "Exclude employment agency"

Amendment adopted.

Amendment No. 2

On page 8 of the printed bill, strike out lines 19, 20, 21, and the first two words of line 22.

Amendment adopted.

Bill read second time, text ordered to print, engrossed and read third time.

Senate Bill No. 1501—An act to repeal Section 1216 of the Political Code of the State of California and to amend Sections 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245,

administration of the department. The brigadier general shall be chief of the department and shall be designated by the title of the adjutant general. The brigadier general of the adjutant general's department shall be appointed by and hold office at the pleasure of the governor, or until his successor is appointed and qualifies; *provided*, that the qualifications for appointment to the grade of brigadier general in the adjutant general's department shall be the same as is prescribed in Section 1934 of this code for a general officer. The officer with the grade of colonel in the adjutant general's department shall be on duty in the adjutant general's office, and his qualifications for appointment shall be the same as is prescribed in this code for appointment to the grade of brigadier general in the adjutant general's department. All officers in the adjutant general's department shall be appointed by the governor and shall hold office at his pleasure or until their successors are appointed and have qualified, taking into consideration the recommendation of the adjutant general *provided*, that the officers of the adjutant general's department that are to be assigned to brigades shall be appointed as provided for other staff officers in Section 1957 of this code. All officers appointed to the grade of major in the adjutant general's department shall have served not less than two years as commissioned officers in the national guard of California. All officers in the adjutant general's department other than the brigadier general and colonel shall be designated by the title of adjutant general. There shall be employed in the adjutant general's office the following clerical force: One chief clerk, three clerks and one stenographer and clerk. There shall also be employed in the adjutant general's office one military storekeeper, and one assistant military storekeeper and porter."

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 11, strike out the words "be known as the adjutant general. He shall".

Amendment adopted.

AMENDMENT No. 6.

On page 11, following Section 14, insert the following:

"SEC. 14a. Section 1953 of the Political Code of the State of California is hereby amended to read as follows:

"1953. Commissioned officers must be citizens of the United States, of the age of eighteen years and upwards. No person who has been in the military or naval service of the United States of this state, or of any other state in the United States, and who had not been honorably discharged therefrom, shall be commissioned in the national guard of California. No person shall be commissioned unless he shall possess the additional requirements herein prescribed for the particular office to which he is to be commissioned. All medical officers shall be regularly graduated, licensed, and practicing physicians or surgeons, except in cases where their profession in California, or shall have been surgeons of the United States army or navy. All judge advocates of the national guard of California shall be members of the bar of the supreme court of the State of California. All engineer officers, except enlisted officers of the naval militia of California, must be qualified to design, as well as to direct, engineering works. Graduation from a school of engineering of recognized reputation, or the performance of the duties of a professor of engineering in a technical school of high grade shall be sufficient qualifications for appointment as an engineer officer in the national guard of California. All chaplains shall be regularly ordained priests or ministers of the gospel of some denomination."

Amendment adopted.

AMENDMENT No. 7.

On page 15, line 28, after the word "artillery," insert the word "and".

Amendment adopted.

AMENDMENT No. 8.

On page 15, line 28, strike out the word "and" at the end of the line.

Amendment adopted.

AMENDMENT No. 9.

On page 15, line 29, strike out the words "ambulance" and "and field hospital".

Amendment adopted.

AMENDMENT No. 10.

On page 15, line 32, after the semicolon insert the following: "to the commanding officer of each field hospital, one hundred and twenty-five dollars per month;

to the succeeding effect of such authorized issuance was limited and fifty bonds per month."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

[illegible]

Senator Hare moved to take up Senate Bill No. 1358 for third reading.

Motion carried.

Senate Bill No. 1039—An act to amend Section 1063 of the Political Code of the State of California relating to instilling California history in the course of study.

Read third time.

[illegible]

Senator Hare moved to refer to Standing Committees as a special committee all and, to amend as follows:

[illegible]

Motion carried.

[illegible]

Mr. Caminetti: I now submit conclusion of [illegible] Senate Bill No. 1038, and [illegible] to amend [illegible] the same [illegible] as per instructions.

[illegible], Committee.

Report read and adopted.

Bill ordered to print and [illegible].

[illegible]

Senator Larkins moved to take up Senate Bill No. 411 for second reading.

Motion carried.

Senate Bill No. 411—An Act to amend Section 630 of the Political Code of the State of California relating to the salaries and compensation of officers [illegible] of the [illegible].

During second reading of the bill the following amendment was offered by Senator Larkins:

[illegible]

Amendment adopted.

AMENDMENT NO. 2.

In subdivision No. 2, strike out the words "a deputy to act as court bailiff at twelve hundred dollars per annum"; also, strike out the word "persons," on line 17, and insert in lieu thereof the word "processes".

Amendment adopted.

AMENDMENT NO. 3.

In subdivision No. 3, page 2, strike out all of said subdivision, and insert in lieu thereof: "The recorder, two thousand dollars per annum, and one deputy at twelve hundred dollars per annum, and six cents per folio for every instrument of any character transcribed by him or his deputies, which said amount shall be paid by the county treasurer, out of the county treasury."

Amendment adopted.

AMENDMENT NO. 4.

In subdivision No. 6, page 2, strike out all of said subdivision, and insert in lieu thereof: "The tax collector, twenty-four hundred dollars per annum, and a deputy at twelve hundred dollars per annum, and ten clerks at fifty dollars per month each for the months of October and November of each year".

Amendment adopted.

AMENDMENT NO. 5.

In subdivision No. 8, page 3, strike out on line 5 thereof, the words "four thousand," and insert in lieu thereof the words "three thousand". On line 6 of said subdivision, strike out the words "eighteen hundred," and insert in lieu thereof the words "two thousand".

Amendment adopted.

AMENDMENT NO. 6.

In subdivision No. 11, page 3, on lines 20 and 21 thereof, strike out the words "twenty-four," and insert in lieu thereof the words "twenty-two".

Amendment adopted.

AMENDMENT NO. 7.

In subdivision No. 12, pages 3 and 4, strike out all of said subdivision and insert in lieu thereof: "The county surveyor shall receive a salary of two thousand dollars per annum, and he shall be allowed one deputy at twelve hundred dollars per annum. The surveyor shall be allowed not to exceed nine hundred dollars per annum for salary of chainmen, traveling and field expenses of self and chainmen or assistant in the field. In addition to the duties as now provided for by law the surveyor shall keep the ownership books corrected up to date monthly and shall compile the official index plat book used by the board of supervisors while they sit as a board of equalization. The surveyor shall give his entire time to the duties of the office; *provided*, when there is no county work to be done, he may survey for private individuals, corporations, or companies, when called upon to do so, but all fees at the rate of eight dollars per day thus earned, must be turned over to the treasurer of the county to be expended as the board of supervisors may see fit."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

ASSEMBLY SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 48.—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Bill read second time, and ordered on file for third reading.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, that L. C. Boggs be, and he is hereby appointed to the position of committee clerk at $4 per day, payable weekly, and the Controller is hereby directed to draw his warrant for said amount and the Treasurer is directed to pay the same.

The question being on the adoption of the resolution.

The bill was passed, and the motion adopted by the following vote:

[illegible]

[illegible]

Senator Thompson presented the following communication, and moved that it be ordered printed in the Journal:

Motion carried.

Austin, March 11, 1913.

Hon. S. W. Thompson, Chairman Committee on Revision and Publication Senate Chamber, Austin, Texas.

DEAR SIR: At the request of many counties in the Panhandle in considering Senate Bill No. 386, and other bills of like nature, to make the property valuations fixed and made the equal of the assessments of counties for the use for comparison in the apportionment of school property funds among counties.

The Constitution provides that "Every law shall embrace but one subject, and that shall be expressed in the title." It seems to me a refinement of argument to say that the purpose of the bill is to equalize taxes, when the effect of the enactment of such a law would be to increase taxes in many counties.

The purpose of this provision was to see that the Legislature does not act in the dark, or that there secretly added to the law provisions apparently foreign to the purpose of the bill. I am sure when in the drafting of the constitution in which they the constitutional should be put there was no attempt to put in the bill for them and no other purpose of preventing misleading.

The term "uniform" is understood to mean the difference between the taxes which would have been levied on valuations and the taxes which have been paid the taxes which would have had to pay with under the assessments that the tax paying of taxation was paid on them.

To compare the "uniform" and "equal" as the case may be applied to assessments we must see what the state sets as standards which have been used the old system there to have and also what the county would "equal" and "uniform" would have been under the new assessments. These estimates have been called for and the [illegible]

It is admitted that it is impossible to compare these taxes exactly because the change in the tax system has necessarily influenced the decision of the Legislature and of the assessors as to the amount of money that have appropriated. It also influenced the amount taken of property for purposes of taxation.

In the following computations the assumption has been made that the taxes actually charged up in 1911 and 1912 are the amounts which would have been paid had the old system been in force.

Then the state levied in 1911 $10,000,000 and in 1912 $10,000,000 to cover ordinary purposes and [illegible] which were not the part of the ad valorem taxes. These were divided by the state apportionment and of the state were allowing five per cent for delinquency as the act has provided, gave the rates of .5625 and .56 for $100 for 1911 and 1912 respectively.

These rates differ from those used in estimating the taxing power in the report of the joint special [illegible] Legislature and in the two reports submitted to these rates the assessments made under Chapter 125 and 60 of the Statutes of 1911 were adopted from the total taxes charged up. It is held by the Supreme Court with the approval of the Attorney General, that these taxes should not be collected and that the taxes there mentioned were as near as to these rates are concerned.

In like manner the assessments which have been made from the amounts of county taxes actually charged up to the tax collectors as reported to the Comptroller in October.

In the case of counties creating a [illegible] the taxes the taxes that have not collected as a part of the county revenue and added in with the taxes. This is done under the assumption that if no taxes had been paid the taxes levied would have been larger.

To ascertain the comparative taxes the first step is to divide the total real taxes levied by the sum of: (1) the assessed to private property plus (2) the assessed (withdrawn) [illegible] property, as to the real property which would have been subject to these taxes. This gives a percentage real tax rate. The second step is to divide the difference between the total taxes levied and the real taxes by the total county rail operative and non-operative property together. This gives the assessed five "uniform" county tax rate. By adding these two together we obtain the assessed "uniform" county tax rate.

An example will make the method clear. In 1912 Bexar County had a total assessment roll of $25,465,067, of which $10,208,024 was taxable for local purposes and

$5,871,373 was the operating property withdrawn because taxable only for state purposes. The gross saving to the people of Butte County by the absence of the state tax was therefore 38 cents on $19,598,624, or $74,474.77. In the same year Butte County raised $60,059.36 for roads. The "outside" non-operative property upon which these taxes were collected amounted to $15,164,840. Add to that $5,373,389 for the operative "outside" property, we have a total of $20,538,229, which under the old system would have borne these taxes. To have raised $60,059.36 on $20,538,225 would have required a road tax rate of $0.2953 per $100. The county taxes other than the road tax amounted to $304,954.58. This divided by the total roll, operative and non-operative together, gives what the inside tax rate would have been under the old system, or $1.1973 per $100.

The constructive road tax rate	$0.2953
Plus the constructive inside tax rate	1.1973
Gives the constructive outside tax rate	$1.4926

The gross loss is found by applying these rates to the railroad property withdrawn from county tax rates. Thus, to continue the example, in Butte County the railroad property inside incorporated cities was assessed at $217,958, which at $1.1973 would have paid to the county $2,609.61. The inside or $3,757,351 at $1.4926, $56,082.22, total taxes lost on railroads, $58,691.83. As the state tax saved was $74,471.71 it is seen that there was in this county no "net loss" but a "net gain" of $15,782.94, when the loss occasioned by the withdrawal of railroad property is considered, although because of other classes of property being withdrawn that county suffers an apparent loss.

In the foregoing explanation and example the county assessed value of property has been used. There is, however, a very serious question as to the justice of that method between the different counties. The question is as to whether an equalized value should not be used in computing the gain or loss. Thus, if in one county the property taxed locally is assessed at 60 per cent of the true value and in another county property is assessed at 25 per cent, the amount of the state tax saved is artificially lessened in the second case and artificially increased in the first case. The constructive county tax rates are at the same time artificially raised in the second case and lowered in the first and consequently the second county may show a net loss, when, as a matter of fact, it would show no loss at all if the two counties were assessed on the same basis.

To illustrate: Let us assume that property is assessed at 50 per cent of its true value on the average throughout the State. A given county has, say, $20,000,000 of property assessed at $5,000,000, or 25 per cent. At 40 cents the state tax saved would be reckoned at $20,000. If assessed at 50 per cent, or $10,000,000, the state tax saved would have been $40,000, a difference of $20,000, which is easily large enough to turn an apparent loss into a gain. Conversely, if the county were assessed at, say, 80 per cent of the true value, or $16,000,000, the state tax saved would apparently be $64,000. Thus we might have the different gross savings of $20,000, $40,000 and $64,000.

It has been ascertained by this board that property in this State is assessed, on the average, at a little over 45 per cent of its true value. Some counties are assessed below and others above that amount.

Computations are submitted herewith showing how the gain or loss appears when the assessed valuations are equalized. Thus Butte County, used as an example above, showed in 1912 a net gain of $15,782.94 unequalized and $98,134.47 if equalized, because assessed below the average of the State. Sierra County shows a net gain of $2,577.08 unequalized and a net loss of $4,070.62 equalized, because assessed above the average of the State.

In 1911 the Legislature made appropriations to reimburse counties for the net loss occasioned by the withdrawal of railroad taxes as follows:

Imperial	$21,034
Madera	2,478
Nevada	5,861
Placer	26,394
San Bernardino	52,987
Siskiyou	5,045
Yuba	7,172

These figures were made on the basis of the taxes and assessments of 1910, no others being available at the time the [illegible]. By the next year the figures in the [illegible] had changed and [illegible] 1912.

The tables submitted herewith are:

A sheet showing the computation of the state constructive rate.

A general summary "Of the net gain or loss to counties occasioned by the withdrawal of railroad property only."

Detailed sheets giving [illegible] 1911 and 1912) for each county included.

Counties showing no loss at [illegible] from the computations.

Very truly yours,

STATE BOARD OF EQUALIZATION
By JOHN MITCHELL, Chairman.

[illegible]

the same result. If Imperial had levied, in addition to the county taxes she did levy, a tax sufficient to have raised the bonus as well, she would have had a net loss of $2,710.16.

INYO COUNTY UNEQUALIZED—1911.

State tax saved at .405 on $4,106,510.00		$16,631 36
Taxes lost on railroads:		
Inside, none.		
Outside, $1,017,370 at 1.3845		*14,085 49*
Net gain		$2,545 87

N. B.—As Inyo County was found to be assessed at less than 45 per cent of true value, equalization would increase the net gain, and hence need not be computed.

MADERA COUNTY UNEQUALIZED—1911

State tax saved at .405 on $8,593,145		$34,716 31
County taxes, less road taxes	$158,973 19	
Bonus added	2,478 00	
County revenues, less road taxes	$161,451 19	
Add road taxes	31,099 72	
Total county revenues	$192,550 91	
Outside operative and non-operative	10,190,108 00	
Total roll	11,126,564 00	
Constructive road tax rate .3051 equals	31,099 72	
	÷10,190,108 00	
Constructive inside tax rate 1.4510 equals	161,451 19	
	÷11,126,564 00	
Constructive outside tax rate 1.7561 equals sum of road and inside rates.		
Taxes lost on railroads:		
Outside, $2,056,793 at 1.7561	$36,119 34	
Inside, $88,511 at 1.4510	1,284 29	
Total loss		*37,403 63*
Net loss		*$2,687 32*

MADERA COUNTY EQUALIZED—1911.

Assessed value of non-operative roll		$8,593,145 00
90.14 per cent of the same		$7,745,861 00
Add assessed value of operative roll		2,533,419 00
Equalized value of total roll		$10,279,280 00
Outside non-operative roll	$7,774,930 00	
90.14 per cent of above	$7,008,321 00	
Add outside operative roll	2,415,178 00	
Equalized outside	$9,423,499 00	
Constructive road tax rate .3300 equals	31,099 72	
	÷9,423,499 00	
Constructive inside tax rate 1.5707 equals	161,451 19	
	÷10,279,280 00	
Constructive outside tax rate 1.9007 equals sum of road and inside rates.		
Taxes lost on railroads:		
Outside, $2,056,793 at 1.7561	$36,119 34	
Inside, $88,511 at 1.5707	1,390 24	
Total loss on railroads		*$7,509 58*
State tax saved at .405 on $7,745,861		31,370 74
Net loss		*$6,138 84*

[illegible]

PLACER COUNTY UNEQUALIZED—1911.

State tax saved at .405 on $8,753,530		$35,451 18
County taxes, less road taxes	$140,056 48	
Add bonus	36,304 00	
County revenues, less road taxes	$176,360 48	
Add road taxes	25,593 92	
Total county revenues	$201,954 40	
Constructive road tax rate .2395 equals	$25,593 93	
	÷10,684,983 00	
Constructive inside tax rate 1.3080 equals	176,360 48	
	÷13,483,349 00	
Constructive outside tax rate 1.5475 equals sum of road and inside rates.		
Taxes lost on railroads:		
Outside, $3,795,488 at 1.5475	$58,735 18	
Inside, $431,091 at 1.3080	5,638 67	
Total loss		64,373 85
Net loss		$28,922 67

PLUMAS COUNTY UNEQUALIZED—1911.

State tax saved at .405 on $5,415,930		$21,934 52
Railroad taxes lost on $1,723,347 at 1.1721		20,199 35
Net gain		$1,735 17

PLUMAS COUNTY EQUALIZED—1911.

State tax saved at .405 on $4,879,753		$19,763 00
Equalized non-operative roll	$4,879,753 00	
Add operative roll	1,745,789 00	
Total	$6,625,542 00	
Loss on railroad taxes		21,834 81
Net loss		$2,071 81

RIVERSIDE COUNTY UNEQUALIZED—1911.

State tax saved at .405 on $23,123,630		$93,650 70
Railroad taxes lost:		
Outside, $4,667,256 at 1.5720	$73,369 26	
Inside, $683,813 at 1.1530	7,884 36	
Total loss		81,253 62
Net gain		$12,397 08

N. B.—As Riverside County is assessed below 45 per cent, the net saving, if equalized, would be greater.

SAN BERNARDINO COUNTY UNEQUALIZED—1911.

State tax saved on $35,248,331 at .405		$142,755 74
County taxes, less road taxes	$687,342 45	
Bonus	52,987 00	
County revenues, less road taxes	$740,329 45	
Add road taxes	82,430 26	
Total county taxes	$822,759 71	
Constructive road tax rate .2481	$82,430 26	
	÷33,224,919 00	
Constructive inside tax rate 1.4092	740,329 45	
	÷52,534,289 00	
Constructive outside tax rate 1.6573 equals sum of road and inside rates.		
Taxes lost on railroads:		
Outside, $14,193,639 at 1.6573	$235,231 18	
Inside, $1,617,364 at 1.4092	23,791 89	
Total loss		258,023 07
Net loss		$115,267 33

[illegible]

SISKIYOU COUNTY UNEQUALIZED—1911

State tax saved at $0.405 on $14,437,270		$58,470 94
County taxes less road taxes	$209,336 09	
Add bonus	5,045 00	
County revenue, less road taxes	$214,381 09	
Add road taxes	49,962 29	
Total county revenue	$264,343 38	
Constructive road tax rate .3084 equals	49,962 29	
	÷16,199,494 00	
Constructive inside tax rate 1.1558 equals	214,381 09	
	÷18,548,321 00	
Constructive outside tax rate 1.4642 equals sum of road and inside rates.		
Taxes lost on railroads:		
Outside, $3,599,636 at 1.4642	$52,705 87	
Inside, $184,785 at 1.1558	2,135 75	
Total loss		54,841 62
Net gain		$3,629 32

SISKIYOU COUNTY EQUALIZED—1911

93.887% of $14,437,270	$13,554,720 00	
Add operative roll	4,111,051 00	
Equalized total roll	$17,665,771 00	
Equalized outside non-operative roll, or 93.887% of $12,499,575		$11,727,024 00
Add outside operative roll	3,708,921 00	
Total	$15,435,945 00	
Constructive road tax rate .3237 equals	$49,962 29	
	÷15,435,745 00	
Constructive inside tax rate 1.2135 equals	214,381 09	
	÷17,665,771 00	
Constructive outside tax rate 1.5372 equals sum of road and inside rates.		
Taxes lost on railroads:		
Outside, $3,599,636 at 1.5372	$55,333 60	
Inside, $184,785 at 1.2135	2,242 37	
Total loss		$57,575 97
State tax saved at $0.405 on $13,554,720		54,896 61
Net loss		$2,679 36

YOLO COUNTY UNEQUALIZED—1911.

State tax saved at $0.405 on $18,167,526		$73,578 52
Taxes lost on railroads:		
Outside, $2,368,924 at 1.3280	$31,459 31	
Inside, $62,827 at .8826	554 51	
Total loss		32,013 82
Net gain		$41,564 70

Year ended December 31—

[illegible]		
[illegible]		
[illegible]		

BUTTE COUNTY UNEQUALIZED—1912.

State tax saved at .38 on $19,598,624		$74,474 77
Taxes lost on railroads:		
Inside, $217,958 at 1.1973	$2,609 61	
Outside, $3,757,351 at 1.4926	56,082 22	
Total loss		$58,691 83
Net gain		$15,782 94

BUTTE COUNTY EQUALIZED—1912.

Assessed value of non-operative roll		$19,598,624 00
True value of non-operative roll		78,784,638 00
Equalized value of non-operative roll, taken at 45.066% of true value		$35,505,085 00
Add assessed value of operative roll		5,871,373 00
Grand total of equalized roll		$41,376,458 00
County taxes exclusive of road taxes	$304,954 58	
Add road taxes	60,659 36	
Total county taxes	$365,613 94	
Outside non-operative property assessed at		15,164,840 00
$35,505,085÷$19,598,624, or 181.16 per cent of above gives equalized value of outside non-operative property		$27,472,624 00
Add outside operative property		5,373,389 00
Total of equalized outside roll		$32,846,013 00
Constructive road tax rate, .1847 equals	$60,659 36	
	÷32,846,013 00	
Constructive inside tax rate, .7370 equals	304,954 58	
	÷41,376,458 00	
Constructive outside tax rate, .9217 equals sum of the road and inside rates.		
Taxes lost on railroads:		
Inside, $217,958 at .7370 equals	$1,606 35	
Outside, $3,757,351 at .9217 equals	34,631 50	
Gross loss railroads		$36,237 85
State tax saved on equalized value of non-operative roll, at $0.38 on $35,505,085.00		$134,919 32
Net gain		$98,681 47

IMPERIAL COUNTY UNEQUALIZED—1912.

State tax saved at .38 on $13,923,318 equals		$52,908 61
County taxes less road taxes	$160,953 55	
Bonus	21,054 00	
County revenues less road taxes	$182,007 55	
Road taxes	66,200 96	
Total	$248,208 51	
Constructive road tax rate .4541 equals	$66,200 96	
	÷14,578,612 00	
Constructive inside tax rate 1.0224 equals	182,007 55	
	÷17,802,655 00	
Constructive outside tax rate 1.4765 equals sum of road and inside rates.		
Railroad taxes lost:		
Inside, $156,302 at 1.0224 equals	$1,598 03	
Outside, $3,437,220 at 1.4765 equals	50,750 55	
Total loss		52,348 58
Net gain		$560 03

Imperial County Equalization [illegible]

Assessed value of non-operative roll		$ [illegible]
True value of non-operative roll		[illegible]
Equalized value of non-operative roll, taken at just assessed value		$ [illegible]
Add assessed value of operative roll		[illegible]
Grand total of equalized roll		$ [illegible]
County taxes, exclusive of road taxes	[illegible]	
Add state taxes at [illegible]	[illegible]	
County revenue, exclusive of road taxes	[illegible]	
Add road taxes	[illegible]	
Total county revenues	$ [illegible]	
Total outside assessment roll, non-operative and operative		$ [illegible]
Equalized value of same		[illegible]
Constructive road tax rate .6541 equals	$ [illegible]	
Constructive inside tax rate [illegible] equals	[illegible]	
Constructive outside tax rate [illegible] equals sum of road and inside rates		
Taxes lost on railroads		
Inside, $[illegible] at [illegible]	$ [illegible]	
Outside, $[illegible] at [illegible]	[illegible]	
Gross loss on railroads		$ [illegible]
State tax saved at 38 on $[illegible]		[illegible]
Net gain		$ [illegible]

Inyo County Equalization [illegible]

State taxes saved at 38 on $[illegible]		$ [illegible]
Taxes lost on railroads		
Outside, $[illegible] at [illegible]		[illegible]
Net gain		$ [illegible]

Kern County Equalization [illegible]

Assessed value of non-operative roll		$ [illegible]
True value of non-operative roll		[illegible]
Equalized value of non-operative roll, taken at $[illegible] per cent of true value		$ [illegible]
Add assessed value of operative roll		[illegible]
Grand total of equalized roll		$ [illegible]
County taxes, exclusive of road taxes	$[illegible]	
Add road taxes	[illegible]	
Total county taxes	$ [illegible]	
Outside non-operative property assessed at		$ [illegible]
Equalized outside non-operative property, taking at $[illegible] $[illegible] on $[illegible] per cent of true value		$ [illegible]
Add outside operative property		[illegible]
Total equalized value of outside roll		$ [illegible]
Constructive road tax rate .2005 equals	$ [illegible]	
Constructive inside tax rate .9085 equals	[illegible]	
Constructive outside tax rate 1.1770 equals sum of road and inside rates		
Taxes lost on railroads. Outside $[illegible] at 1.1770		$ [illegible]
State tax saved at 38 on $[illegible]		[illegible]
Net gain		$ [illegible]

LASSEN COUNTY UNEQUALIZED—1912.

State taxes saved at .38 on $5,946,783.00		$22,597 78
Railroad taxes lost: Outside, $1,457,634 at 1.5585		22,717 23
Net loss		$119 45

LASSEN COUNTY EQUALIZED—1912.

Assessed value of non-operative roll		$5,946,783 00
True value of non-operative roll		11,893,566 00
Equalized value of non-operative roll, taken at 45.066 per cent of true value		$5,359,954 00
Add operative roll		1,502,846 00
Grand total of equalized roll		$6,862,800 00
County taxes, exclusive of road taxes	$92,531 94	
Add road taxes	22,313 76	
Total county taxes	$114,845 70	
Outside non-operative property assessed at		$5,578,439 00
Equalized value of non-operative property taken at $5,359,954÷$5,946,783, or 90.132 per cent of the above		$5,027,958 00
Add outside operative roll		1,474,596 00
Total equalized value of outside roll		$6,502,554 00
Constructive road tax rate .3432 equals	$22,313 76	
	÷6,502,554 00	
Constructive inside tax rate 1.3483 equals	92,531 94	
	6,862,800 00	
Constructive outside tax rate, 1.6915 equals sum of road and inside rates.		
Taxes lost on railroads: Outside, $1,457,634 at 1.6915		$24,655 88
Total loss		$24,655 88
State tax saved at .38 on $5,359,954.00		20,367 83
Net loss		$4,288 05

MADERA COUNTY UNEQUALIZED—1912.

State tax saved at .38 on $11,870,435		$45,107 65
County taxes less road taxes	$131,287 01	
Bonus	2,478 00	
County revenues, less road taxes	$133,765 01	
Add road taxes	43,915 66	
Total county revenues	$177,680 67	
Constructive road tax rate .3278 equals	$43,915 66	
	÷13,394,910 00	
Constructive inside tax rate .9296 equals	133,765 01	
	14,388,015 00	
Constructive outside tax rate 1.2574 equals sum of road and inside taxes.		
Taxes lost on railroads:		
Outside, $2,038,915.00 at 1.2574	$25,637 32	
Inside, $84,510.00 at .9296	785 60	
Total loss		26,422 92
Net gain		$18,684 73

Madison County Equalization—1941

Assessed value of locomotives [illegible]		$ [illegible]
Less value of [illegible]		[illegible]
Equalized value of locomotives [illegible]		$ [illegible]
Add [illegible]		[illegible]
Grand total equalized roll		$ [illegible]
General county assessment of road [illegible]	$ [illegible]	
Add state bonus of 1912	[illegible]	
County [illegible]	$ [illegible]	
Add [illegible]	[illegible]	
Total county revenue	$ [illegible]	
Assessed value of outside [illegible]		$ [illegible]
Equalized value of outside [illegible]		[illegible]
Add [illegible]		[illegible]
Total equalized outside roll		$ [illegible]
Concurrent road tax rate [illegible] equals	$ [illegible]	
Concurrent [illegible]	[illegible]	
Concurrent [illegible]	[illegible]	
Taxes due on railroads:		
Inside $ [illegible]		[illegible]
Outside $ [illegible]		[illegible]
Total loss on railroads		[illegible]
State tax saved at .28 on $ [illegible]		[illegible]
Net gain		$ [illegible]

Nelson County Equalization—1941

State tax saved at .28 on $6,284,970		$ 314.362 50
County taxes, less road taxes	$ [illegible]	
Bonus	[illegible]	
County revenue less road taxes	$ [illegible]	
Add road taxes	[illegible]	
Total county revenue	$ [illegible]	
Concurrent road tax rate [illegible] equals	$ [illegible]	
Concurrent [illegible]	[illegible]	
Concurrent outside tax rate 1.8281 equals sum of road and [illegible] rates		
Railroad taxes lost:		
Inside $67,927 at 1.4500	[illegible]	
Outside $1,126,747 at 1.8281	[illegible]	
Total loss		[illegible]
Net gain		$ [illegible]

NEVADA COUNTY EQUALIZED—1912.

Assessed value of non-operative roll		$6,384,970 00
True value of non-operative roll		10,641,617 00
Equalized value of non-operative roll, taken at 45.066 per cent of true value		$4,795,751 00
Add operative property		1,715,085 00
Grand total of equalized roll		$6,510,836 00
County taxes, exclusive of road taxes	$112,120 08	
Add state bonus of 1912	5,861 00	
County revenues, exclusive of road taxes	$117,981 08	
Add road taxes	22,042 67	
Total county revenues	$140,023 75	
Assessed value of outside non-operative roll		$4,408,535 00
Equalized value of outside non-operative roll, taken at $4,795,751÷$6,384,970, or 75.11 per cent of assessed value		$3,311,250 00
Add outside operative roll		1,524,727 00
Total equalized outside roll		$4,825,977 00
Constructive road tax rate .4558 equals	$22,042 67	
	÷4,835,977 00	
Constructive inside tax rate 1.8121 equals	117,981 08	
	6,510,836 00	
Constructive outside tax rate 2.2679 equals sum of road and inside rates.		
Taxes lost on railroads:		
Inside, $25,927 at 1.8121		*$469 82*
Outside, $1,126,767 at 2.2679		*25,553 95*
Total loss		*$26,023 77*
State tax saved at .38 on $4,795,751		18,223 85
Net loss		*$7,799 92*

PLACER COUNTY UNEQUALIZED—1912.

State tax saved at .38 on $8,916,830.00		$33,883 96
County taxes less road taxes	$136,745 87	
Add bonus	36,304 00	
County revenues, less road taxes	$176,049 87	
Add road taxes	25,406 32	
Total county revenues	$198,456 19	
Constructive road tax rate, .2439 equals	$25,406 32	
	÷10,414,894 00	
Constructive inside tax rate, 1.2914 equals	173,049 87	
	13,400,441 00	
Constructive outside tax rate, 1.5353, equals sum of road and inside rates.		
Railroad taxes lost:		
Outside, $3,626,384.00 at 1.5353	$55,675 87	
Inside, $327,522.00 at 1.2914	4,229 62	
Total loss		*59,905 49*
Net loss		$26,021 53

Placer County Supervisors' Office.

Assessed value of non-operative roll	$2,916,630 00
Less value of non-operative roll	[illegible]
Equalized value of non-operative roll, raised or reduced [illegible]	[illegible]
Add operative roll	[illegible]
Grand total of equalized roll	[illegible]
County census, exclusive of fund taxes	[illegible]
Add state taxes	[illegible]
County assessor, exclusive of fund taxes	[illegible]
Add state taxes	[illegible]
Total county purposes	[illegible]
Assessed value of non-operative boards roll	[illegible]
Equalized value of non-operative boards roll, raised or reduced [illegible]	[illegible]
Add boards operative roll	[illegible]
Total equalized value of boards roll	[illegible]
Construction fund tax rate [illegible]	[illegible]
Construction bonds, [illegible]	[illegible]
Construction bonds [illegible]	[illegible]
Taxes lost on [illegible]	[illegible]
Total loss	[illegible]
State tax [illegible]	[illegible]
Net loss	[illegible]

Tuolumne County Supervisors' Office.

State tax [illegible]	[illegible]
Redwood [illegible]	[illegible]
Net loss	$6,049 28

Fresno County Supervisors' Office.

Assessed value of non-operative roll	[illegible]
Less value of non-operative roll	[illegible]
Equalized value of non-operative roll, raised or reduced [illegible]	[illegible]
Add operative roll	[illegible]
Grand total of equalized roll	[illegible]
County census [illegible]	[illegible]
[illegible]	[illegible]
Construction property assessed [illegible]	[illegible]
[illegible]	[illegible]
Taxes lost on [illegible]	[illegible]
State tax [illegible]	[illegible]
Net loss	[illegible]

RIVERSIDE COUNTY UNEQUALIZED—1912.

State tax saved at .38 on $25,303,289		$96,152 50
Railroad taxes lost:		
Outside, $4,822,335 at 1.6801	$81,020 05	
Inside, $779,433 at 1.2486	9,732 00	
Total loss		90,752 05
Net gain		$5,400 45

RIVERSIDE COUNTY UNEQUALIZED—1912.

Assessed value of non-operative roll		$25,303,289 00
True value of non-operative roll		92,360,600 00
Equalized value of non-operative roll, taken at 45.066 per cent of true value		$41,627,284 00
Add operative roll		6,229,398 00
Grand total of equalized roll		$47,856,682 00
County taxes exclusive of road taxes	$393,719 18	
Add road taxes	75,839 48	
Total county taxes	$469,558 66	
Assessed value of non-operative outside roll		$12,639,914 00
Equalized value of non-operative outside roll, taken at $41,627,284 $25,303,389, or 164.513 per cent of assessed		$20,794,302 00
Add operative outside roll		4,935,446 00
Total of equalized outside roll		$25,729,748 00
Constructive road tax rate .2947 equals	$75,839 48	
	÷25,729,748 00	
Constructive inside tax rate .8227 equals	$393,719 18	
	÷47,856,682 00	
Constructive outside tax rate 1.1174 equals sum of road and inside rates.		
Taxes lost on railroads:		
Inside, $779,433 at .8227	$6,412 40	
Outside, $4,822,335 at 1.1174	53,884 77	
Total loss		$60,297 17
State tax saved at .38 on $41,627,284		158,183 67
Net gain		$97,886 51

SAN BERNARDINO COUNTY UNEQUALIZED—1912.

State tax saved at .38 on $38,644,245		$146,848 13
County taxes, less road taxes	$504,693 83	
Add state bonus	52,987 00	
County revenues, less road taxes	$557,680 83	
Add road taxes	123,252 12	
Total county revenue	$680,932 95	
Constructive road tax rate .3276 equals	123,252 12	
	÷37,625,369 00	
Constructive inside tax rate .9568 equals	557,680 83	
	÷58,285,281 00	
Constructive outside tax rate 1.2844 equals sum of road and inside rates.		
Taxes lost on railroads:		
Outside, $16,349,049 at 1.2844	$209,987 18	
Inside, $1,648,052 at .9568	15,768 56	
Total loss		225,755 74
Net loss		$78,907 61

State Railroad Gross Receipts—1910.

Assessed value of non-operative roll		$ [illegible]
Less value of non-operative roll		[illegible]
Equalized value of non-operative roll, being at 46.06 per cent of true value		[illegible]
Add operative roll		[illegible]
Grand total of equalized roll		$ [illegible]
County general taxes on roll [illegible]	[illegible]	
Add [illegible]	[illegible]	
Total [illegible]		[illegible]
Assessed value of [illegible] roll		[illegible]
Equalized value of [illegible] roll, being at [illegible]		[illegible]
Add [illegible]		[illegible]
Total [illegible]		[illegible]
Assessed value of [illegible] roll		[illegible]
Equalized value of [illegible] roll, being at [illegible]		[illegible]
Add [illegible]		[illegible]
Total [illegible]		[illegible]
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]		[illegible]
Total [illegible]		[illegible]
State tax [illegible] at .25 on $[illegible]		[illegible]
Net gain		[illegible]

Express Company Assessments—1910.

State tax [illegible] at .25 on $[illegible]		[illegible]
Railroad [illegible]		
Outside, $2,474,952 at 1.7886	$42,664 [illegible]	
Inside, $[illegible] at 1.7886	[illegible]	
Total loss		[illegible]
Net gain		[illegible]

Express Company Assessments—1911.

Assessed value of non-operative roll		$ [illegible]
Less value of non-operative roll		[illegible]
Equalized value of non-operative roll, being at [illegible] per cent of true value		[illegible]
Add operative roll		[illegible]
Grand total of equalized roll		$ [illegible]
County [illegible]	[illegible]	
Add [illegible]	[illegible]	
Total [illegible]	[illegible]	
Assessed value of [illegible] roll		[illegible]
Equalized value of [illegible] roll, being at [illegible]		[illegible]
Add operative [illegible]		[illegible]
Total [illegible]		[illegible]

Constructive road tax rate, .3250 equals	$41,030 72	
	÷12,623,022 00	
Constructive inside tax rate, 1.4897 equals	218,356 83	
	÷14,657,415 00	
Constructive outside tax rate, 1.8147, equals sum of road and inside rates.		
Taxes lost on railroads:		
Inside, $91,208.00 at 1.4897	$1,358 73	
Outside, $2,474,962.00 at 1.8147	44,913 14	
Total loss		*$46,271 87*
State tax saved at .38 on $11,105,747.00		42,201 84
Net loss		*$4,070 03*

SISKIYOU COUNTY UNEQUALIZED—1912.

State tax saved at .38 on $17,486,235.00		$66,447 69
County taxes, less road taxes	$184,654 64	
Add bonus	5,045 00	
County revenue, less road taxes	$189,699 64	
Add road taxes	61,474 08	
Total county revenues	$251,173 72	
Constructive road tax rate, .3227 equals	61,474 08	
	÷19,047,650 00	
Constructive inside tax rate, .8775 equals	189,699 64	
	÷21,618,695 00	
Constructive outside tax rate, 1.2002, equals sum of road and inside rates.		
Railroad taxes lost:		
Outside, $3,468,720.00 at 1.2002	$41,631 78	
Inside, $259,780.00 at .8775	2,279 37	
Total loss		*$43,911 15*
Net gain		$23,536 54

SISKIYOU COUNTY EQUALIZED—1912.

Assessed value of non-operative roll		$17,486,235 00
True value of non-operative roll		36,429,656 00
Equalized value of non-operative roll, taken at 45.066 per cent of true value		$16,417,389 00
Add operative roll		4,132,460 00
Grand total of equalized roll		$20,549,849 00
County taxes, less road taxes	$184,654 64	
Add state bonus of 1912	5,045 00	
County revenues, less road tax	$189,599 64	
Add road taxes	61,474 08	
Total county revenues	$251,173 72	
Assessed value of non-operative outside roll		$15,368,520 00
Equalized value of non-operative outside roll, taken at $16,417,389÷$17,486,235, or 93.887 per cent of assessed value		$14,429,042 00
Add operative outside roll		3,679,130 00
Total equalized outside roll equals		$18,108,172 00
Constructive road tax rate, .3395 equals	$61,474 08	
	÷18,108,172 00	
Constructive inside tax rate, .9231 equals	189,699 64	
	÷20,549,849 00	
Constructive outside tax rate, 1.2626 equals sum of road and inside rates.		
Taxes lost on railroads:		
Inside, $259,780.00 at .9231	$2,398 03	
Outside, $3,468,720.00 at 1.2626	43,796 06	
Total loss		*$46,194 09*
State tax saved at .38 on $16,417,389.00		62,386 08
Net gain		$16,191 99

[illegible]

[illegible]

[illegible]

YUBA COUNTY EQUALIZED—1912.

Assessed value of non-operative roll		$7,090,670 00
True value of non-operative roll		27,796,980 00
Equalized value of non-operative roll, taken at 45.066 per cent of true value		$12,526,987 00
Add operative roll		2,407,697 00
Grand total of equalized roll		$14,934,684 00
County taxes, less road taxes	$159,965 51	
Add state bonus of 1912	7,172 00	
County revenues, less road tax	$167,137 51	
Add road taxes	17,673 66	
Total county revenues	$184,811 17	
Assessed value of outside non-operative roll		$4,418,415 00
Equalized value of outside non-operative roll, taken at $12,526,987 ÷ $7,090,670, or 176.668 per cent of assessed value		$7,805,925 00
Add outside operative roll		1,731,525 00
Total equalized outside roll		$9,537,450 00
Constructive road tax rate .1853 equals	$17,673 66	
	÷ 9,537,450 00	
Constructive inside tax rate 1.1191 equals	167,137 51	
	÷ 14,934,684 00	
Constructive outside tax rate 1.3044 equals sum of road and inside rates.		
Taxes lost on railroads:		
Inside, $262,287 at 1.1191	$2,935 25	
Outside, $1,410,570 at 1.3044	18,399 48	
Total loss		*21,334 73*
State tax saved at .38 on $12,526,987		47,602 55
Net gain		$26,267 82

LEAVE OF ABSENCE.

Senator Owens was, on his own motion, granted leave of absence for Monday, March 24.

ADJOURNMENT.

At eleven o'clock and thirty minutes a.m., on motion of Senator Gates, the acting President declared the Senate adjourned until Monday, March 24, 1913, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
Monday, March 24, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Caswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Lane Taylor.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, March 13, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR TO MEMBERS LEGISLATURE.

On request of Senator Leeds, the privilege of the floor of the Senate Chamber for this day was courteously extended to Dr. R. C. Woolsey, of Berkeley.

APPROVAL OF JOURNALS.

The Journals of Monday, March 15, 1915; Tuesday, March 16, 1915; Wednesday, March 17, 1915; Thursday, March 18, 1915; Friday, March 19, 1915, and Saturday, March 20, 1915, were corrected, and on motion of Senator Rush, approved.

LEAVE OF ABSENCE.

Senator Owen was on motion of Senator Holohan granted leave of absence for this day.

PETITIONS.

The following petitions were presented:

By Senator Hewitt, urging the enactment of Senate Bill No. 322, from Arnold Springer, of Los Angeles, and others.

By Senator Grant, urging the enactment of Senate Bill No. 322, from Jessie Morton and 220 others, of San Francisco; also, from Sophie K. Murphy and others, of San Lorenzo; also, from Ella S. Kidd and others, of Los Gatos; also, from Margaret Shedd, of Chico, and others; also, from Susan Longfellow and others, of Pasadena and Claremont; also, from Josephine C. Hoag and others, of Sonoma; also, from E. F. Vargas and others, of Palo Alto; also, also, from Mrs. Emma Harris and others, of Berkeley; also, from Louise A. Clark and others, of Stockton; also, from J. L. Howard and others, of Auburn.

By Senator Campbell, regarding the enactment of legislation bearing on the dairying industry, from F. F. Shipsey and others, of San Luis Obispo County.

By Senator Gates, urging the enactment of Assembly Bill No. 1, from members of the Japanese and Chinese Boys for the Pacific Coast and Hawaii.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 60—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as section 1714, relating to the liability of the licensees of public amusement resorts to their employees—

And Assembly Bill No. 98—An Act amending the heading of appropriations to assessors and boards of equalization, and relating to the compensation of those whose time thereof will exceed one year of the biennial fiscal year, and providing for the payment of such said expenses thereof—

Also: Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipality contiguous to navigable waters, and intersected or bounded by navigable waterways or salients or tributaries thereof, or any portion thereof, to construct and maintain docks, wharves, piers, slips, basins, bulkheads, and other improvements of the waterfront thereof, and to fix the wharfage or dockage charges for the use thereof," approved March 10, 1909, and empowering boards of supervisors to construct and maintain such docks, wharves, piers, slips, basins, bulkheads, and other improvements of the waterfront thereof, and to fix the wharfage or dockage charges for the use thereof, in counties bordering on navigable waterways or tributaries as have fully three thousand and not more than four thousand inhabitants, and to permit such boards of supervisors to contribute or pay a portion of such expenses so incurred, and providing the manner in which the cost and expense thereof shall be paid.

Also: Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 50 read first time and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 956 and 1017 read first time and referred to Committee on Roads and Highways.

Assembly Bill No. 895 read first time and referred to Committee on Judiciary.

Also:

Assembly Chamber, Sacramento, March 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1422—An Act to provide for the washing and cleaning of raw material used in the manufacture of shoddy and for the inspection of [illegible] and to the manufacture of shoddy and of [illegible] where the same is [illegible] and the [illegible] thereof without the State and making the sale thereof, and to prescribe penalties for the violation thereof.

Also: Assembly Bill No. [illegible]—An Act to amend Section [illegible] of the Penal Code of the State of California, relating to clams and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day.

Also: Assembly Bill No. 1040—An Act to amend Section 1498 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Also: Assembly Bill No. 880—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1422 read first time and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 104 read first time and referred to Committee on Fish and Game.

Assembly Bills Nos. [illegible] read first time and referred to Committee on Judiciary.

Also:

Assembly Chamber, Sacramento, March 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to [illegible] and [illegible] thereof,

Also: Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660, Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

Also: Assembly Bill No. 891—An Act to amend Section [illegible] of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Also: Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be numbered Sections [illegible], relating to undertakings on appeal.

Also: Assembly Bill No. 894—An Act to amend Sections 953, 953a, 953b, 953c, 953d, 953b and 953c of the Code of Civil Procedure, relating to papers on appeal.

Also: Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 887, 888, 891, 892, 894 and 896 read first time, and referred to Committee on Judiciary.

Also:

Assembly Concurrent Resolution No. [illegible]

Mr. Thompson. I am directed to inform your honorable body that the Committee on [illegible] Assembly which therefore has to [illegible] the Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States which will [illegible] Resolved [illegible]

[illegible]
Clerk of Assembly.

Assembly Joint Resolution No. [illegible] to the Committee on Foreign Relations.

[illegible]

The following request of standing committee [illegible]

[illegible]

Senate Chamber, Sacramento, March 24, 1913.

Mr. President: The Committee on Reformatories and Penitentiary have examined the following:

Senate Bill No. [illegible] to amend Section [illegible] of the Political Code, relating to [illegible]

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 24, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 580—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabled or misbranded drugs, providing for the traffic therein, providing penalties for violation thereof," approved March 11, 1907, relating to the misbranding of drugs, and the times and places of hearing of drug cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 24, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907, relating to the expenses of the director and assistant director and to the times and places of hearing food cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

JONES, Chairman.

Senate Bill No. 580 ordered on file for second reading.

Assembly Bill No. 579 ordered re-referred to Committee on Finance.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 22, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Assembly Bill No. 353—An Act declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur or which are used for such purposes, and providing for the enjoyment and prevention of such nuisances by injunction and otherwise—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUTLER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 24, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 1546—An Act to amend the Penal Code of the State of California, by adding thereto two new sections, to be numbered [illegible], and relating to the sale, giving away, or serving of intoxicants on holidays, and prescribing a penalty therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUTLER, Chairman.

Assembly Bill No. 353 and Senate Bill No. 1546 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1022—An Act making an appropriation to make certain plans for the improvement of the State Fair grounds at Agricultural Park in the city of Sacramento and to make drawings, specifications and estimates therefor under the direction of the State Department of Engineering—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with the further recommendation that it be re-referred to Committee on Finance.

COGSWELL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set apart a site and grant to any person or persons the right and privilege to erect on the State fair grounds at Agricultural Park in the city of Sacramento a building or other structure or structures, providing for the approval of the plans and specifications therefor and for the maintenance and maintenance thereof.

Also Senate Bill No. 1026, an Act to amend an Act entitled "An Act to provide for the appointment and powers of the State Horticultural Society," approved April 27, 1909.

Have had the same under consideration, and recommend that they do pass, and be enacted into law as such.

TOWNSEND, Chairman.

Also

PUBLIC BUILDINGS, SACRAMENTO, March 23, 1915.

Mr. President: Your Committee on Appropriations to which was referred Senate Bill No. 1064—An Act to appropriate the money arising or coming to and in the hands of the Controller of State, from the sale of certain property in the city of Sacramento, known as the Preston School of Industry, to the Board of Trustees of the State Normal School in the city of Sacramento, for the purpose of purchasing a site for the location of the Normal School in the city of Sacramento, and for the erection of buildings thereon, and for the improvement of the grounds thereof, and for the purchase of furniture and equipment for the same, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with amendment and recommend that it do pass as amended.

CRAWFORD, Chairman.

Senate Bill No. 1022 ordered re-referred to Committee on Finance.

Senate Bills Nos. 1047, 1061 and 1064 ordered on the 1st second reading.

INTRODUCTION OF MEASURES.

Senator Hewitt asked that he request for permission to introduce a bill be recalled from the Committee on Introduction of Bills and that it be withdrawn.

Request ordered granted.

REQUEST FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were received.

By Senator Regan: To introduce a Senate bill—An Act to amend Section 4361 of the Political Code, relating to official reports and fees.

By Senator Kehoe: To introduce a Senate bill—An Act providing for the decoration of the grounds on the south or ground floor of the State Capitol Building and making an appropriation therefor.

By Senator Boyd: To introduce a Senate bill—An Act to provide for the acquisition, installation, construction, improvement, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works and other public works and utilities, for the assessment of the cost and expense thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1913.

Requests referred to Committee on Introduction of Bills.

INTRODUCTION OF JOINT RESOLUTIONS AND BILLS.

Senate Bill No. 1065—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Read first time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1065 passed by the following vote:

AYES—Senators Anderson, Ard, Boynton, Breed, Brown, Bush, Burnett, Caminetti, Campbell, Carr, Cartwright, Chandler, Cogswell, Cole, Cook, Curtin, Dennett,

Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Senator Breed, Senate Bill No. 394 was ordered passed on file.

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

In the absence of the author, Senate Bill No. 682 was passed on file, to retain its place.

Senate Bill No. 683—An Act to amend Section 271 of the Penal Code, relating to the abandonment of children under the age of fourteen years and fixing a penalty therefor.

In the absence of the author, Senate Bill No. 683 was passed on file, to retain its place.

Senate Bill No. 1172—An Act to amend an Act to create a State board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

On motion of Senator Gerdes, Senate Bill No. 1172 was passed on file.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

On motion of Senator Anderson, Senate Bill No. 834 was passed on file.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905.

On motion of Senator Gerdes, Senate Bill No. 1169 was passed on file.

Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 673 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates,

Gerdes, Gerry, Hans, Henry, Jones, Millard, Rolfe, Larkins, Lyon, Mott, Poole, Rush, Sanford, Shoemaker, Stanbridge, Thompson, Tyrrell and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 907—An Act regulating landlords in all farming and providing a penalty for violation of the provisions of this Act.

On motion of Senator Lyon, Senate Bill No. 907 was passed to the Senate Bill No. 904—An Act to amend [illegible] relative to [illegible] and [illegible] water or otherwise protecting [illegible].

On motion of Senator Lyon, Senate Bill No. 904 was passed to the Senate Bill No. 910—An Act to amend section 1171 of the Political Code, relating to the disposition of [illegible] and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 910 was passed on the

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to [illegible] Article XI of the Constitution of the State of California to [illegible] a new section [illegible] to be known as Section 4a.

On motion of Senator Finn, Senate Constitutional Amendment No. 26 was passed on the

Senate Bill No. 986—An Act to amend Section 862 of the Code of Civil Procedure, relating to [illegible].

Read third time.

On motion of Senator Finn, Senate Bill No. 986 was ordered passed on the

Senate Bill No. 1111—An Act to amend Section 1054 of the Code of Civil Procedure of the State of California, relating to dismissal of actions for failure to serve summons.

Read third time.

The question being on the passage of the bill

The bill was tabled, and Senate Bill No. 1111 passed by the following vote:

Ayes—Senators Anderson, Bell, Benson, Bennett, Brosnan, Finn, Flaherty, Gerdes, Gerry, Hans, Henry, Jones, Millard, Rolfe, Larkins, Lyon, Mott, Poole, Rush, Sanford, Shoemaker, Stanbridge, Thompson, Tyrrell and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1114—An Act to amend section eleven hundred twenty-two of the Political Code of the State of California, relating to expenditure of state and county school money.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 174 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Caswell, Cobb, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Leon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1523—An Act to amend section seventeen hundred fifty-six of the Political Code of the State of California, relating to the maintenance of high schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1523 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Caswell, Cobb, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Leon, Regan, Rush, Sanford, Shanahan, Tyrrell, and Wright—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1629—An Act to amend section one thousand seven hundred and fifty of the Political Code of the State of California, relating to the course of study in high school.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1629 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Caswell, Cobb, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Leon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section four and one half of article six thereof, relating to appeals.

On motion of Senator Boynton, Senate Constitutional Amendment No. 12 was passed on file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At twelve o'clock M., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS

Senate Bill No. 1173—An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

During second reading of the bill the following amendments were offered by the committee:

Amendment No. 1

On page 2, line 3, after the word "may" insert the following: "not more than 10 days before the general election next preceding which the office of"

Amendment adopted.

Amendment No. 2

On page 2, line 12, strike out the words "may not exceed more than seven in number" and insert the following: "shall not exceed five"

Amendment adopted.

Amendment No. 3

On page 2, line 13, after the word "property" insert the following: "and shall make such additional reports and compilations as commissioner for the convenience of said board may require"

Amendment adopted.

Amendment No. 4

On page 2, line 20, strike out the words "terms and conditions of the five cent contract of the second class" and insert in lieu thereof the following: "terms and rates and conditions of the five and two cent rates"

Amendment adopted.

Amendment No. 5

On page 3, line 19, after the word "given" insert a comma.

Amendment adopted.

Amendment No. 6

On page 3, line 20, strike out the words "existing franchise grant power, and" and insert in lieu thereof the following: "existing franchise powers"

Amendment adopted.

Amendment No. 7

On page 3, line 34, after the word "good", strike out the remainder and insert in lieu thereof a comma.

Amendment adopted.

Amendment No. 8

On page 4, line 6, after the word "rates", insert the following: "provided, however, that the annual charge of any street railroad company organized under the laws of this state shall be calculated in the manner and within the rate and considerations and proportions allowed by law for the payment of franchise taxes based on the gross earnings of railroad companies organized for like and kindred purposes, and provided further that the provisions of this section shall not apply to any existing contracts between any municipality and any street railroad company entered into prior to the passage of this act"

Amendment adopted.

Amendment No. 9

On page 4, line 14, after the word "municipality", insert a comma.

Amendment adopted.

Amendment No. 10

On page 4, line 19, strike out the word "regulation" and insert in lieu thereof the word "control".

Amendment adopted.

Amendment No. 11

On page 5, line 32, change the period to a semicolon and insert the following: "provided further, that in case the city and county adjacent portions constituted duties imposed by a charter framed under the provisions of paragraph 8 and 9 of Article XI of the constitution, the compensation of such officers and the expenses of

such officers may be apportioned by the board of supervisors in proportion to the duties rendered as county officers under general laws and rendered as municipal officers under charter provisions, and the compensation determined to be for the performance of municipal duties shall be paid from funds raised for municipal purposes and the compensation determined to be for county duties shall be paid from funds provided by Sections 3714 and 4305 of this code."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 752—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road a state highway.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title, after the word "improvement," insert "and extension".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, after the word "the," insert "extension to the corporate limits of the city of Placerville, and the".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 7, after the word "improvements," insert "and extension".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1017—An Act to amend section twelve and sixteen of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option, authorizing and filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory, unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority

to sell or distribute alcoholic liquors or intoxicating beverages shall be granted, forfeiting and declaring void all such licenses or permits thereafter issued and to levy penalty in a penal offense to sell, give away or distribute alcoholic liquors within said territory, with certain exceptions and providing penalties for said offenses." approved April 4, 1911.

Bill read second time, ordered engrossed and on the following third reading:

Senate Bill No. 1115—An Act authorizing and empowering any city and county, or county or any municipal corporation in the State of California to donate and grant to the State of California any real property owned by it, or in which it may hereafter acquire title to or interest therein, for a site upon which the State of California may erect public buildings or institutions, or grounds in connection therewith, and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Bill read second time, ordered engrossed and on the following third reading.

Senate Bill No. 62—An Act to amend an Act entitled "An Act to provide for the work to and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the payment and payment of such bonds." approved April 7, 1911, by adding a new section thereto, to be numbered 77a, relating to the doing of work and making improvements upon railroad tracks and the assessment thereof or other upon the streets of municipalities and the proceedings relating thereto.

Bill read second time, ordered engrossed and on the following third reading.

Senate Bill No. 222—An Act to amend section two hundred eighty-three of the Code of Civil Procedure, relating to licenses to practice law.

Bill read second time, ordered engrossed and on the following third reading.

Senate Bill No. 1202—An Act to amend section thirty-six hundred fifty-three of the Political Code of the State of California, relating to certified copies of assessment book to be furnished price, terms and to certain officers or persons.

Bill read second time, ordered engrossed and on the following third reading.

SENATE HOUR OF THE DAY

At twelve o'clock and fifteen minutes p.m. Senator Luce, of the Thirty-fourth District, in the chair.

ASSEMBLY SPECIAL ORDER—THREE MINUTES ON BILLS

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the apportionment of its additional judge.

Read third time.

On motion of Senator Strobridge, Assembly Bill No. 48 was ordered re-referred to Committee on Finance.

RECESS OR ADJOURNMENT

At twelve o'clock and fifteen minutes p.m. on motion of Senator Thompson, the hour of noon was extended thirty minutes.

THIRD READING OF BILLS—(RESUMED).

Assembly Concurrent Resolution No. 12. Relative to approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held thereon for that purpose on the 30th day of November 1912.

Assembly Concurrent Resolution No. 12 ordered passed on file, to retain its place.

SECOND READING OF BILLS.

Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read second time, and ordered on file for third reading.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, compensation set opposite their names payable weekly, and the Controller is hereby directed to draw his warrants for said respective amounts, and the Treasurer is directed to pay the same.

Charles Benson, Committee Clerk ..... $4 00 per day.
J. Le Roy Joseph, Committee Clerk ..... 4 00 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Behan, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Regan, Rush, Shanahan, Strobridge, and Thompson—29.

NOES—Senator Tyrrell—1.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 24, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Regan for permission to introduce a bill entitled an Act to amend section four thousand two hundred and ninety-five of the Political Code, relating to official services and fees.

Also: The request of Senator Kehoe to introduce a bill entitled an Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol building, and making an appropriation therefor.

Also: The request of Senator Hewitt to introduce a bill entitled an Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments; and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Have had the same under consideration, and respectfully recommend that the several requests be granted.

BOYNTON, Chairman.
THOMPSON.
CAMPBELL.

The question being on the adoption of the report.

The roll was called, and the senate adjourned by the following vote:

Ayes: Senator Adkisson, Bass, Bowen, Bridges, Brooks, Cook, Evans, Foster, Gassaway, Gilmore, Gore, Griffin, Hagerty, Hall, Kay, Kelly, Lewis, Lucas, Mann, Mason, Neely, Nelson, Pickens, Pollock, Rose, Sharp, Smith, Snyder, Stone, Sullivan, Talbott, Thompson, Trumbo, Wellman, and Yoder—30.

Nays—none.

INTRODUCTION OF BILLS AND RESOLUTIONS.

The following bills were introduced:

By Senator Hagerty: Senate Bill No. 1218—An Act to provide for the separation, combination, consolidation, extension, operation and maintenance by municipalities of water works, electric plant works, gas works, and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited, and to the owners of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities and for the assessment of the cost and expense thereof upon the property benefited thereby," approved March 13, 1907.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Kelley: Senate Bill No. 1219—An Act providing for the designation of the colonnade on the north or ground floor of the State Capitol building, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Rose: Senate Bill No. 1220—An Act to amend section four thousand two hundred and eighty-five of the Revised Code relating to railroad servitude and fees.

Bill read first time, and referred to Committee on Railroads.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes a.m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 24, 1909.

The Senate met at ten o'clock a.m.

Lieutenant-Governor Albert J. Wellman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Adkisson, Ayer, Bass, Bowen, Bridges, Brooks, Cook, Evans, Foster, Gassaway, Gilmore, Gore, Griffin, Hagerty, Hall, Kay, Kelley, Lewis, Lucas, Mann, Mason, Neely, Nelson, Pickens, Pollock, Rose, Sharp, Smith, Snyder, Stone, Sullivan, Talbott, Thompson, Trumbo, Wellman, Yoder and Wright—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. G. Dent Nadler.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 24, 1913, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

The following petitions were presented:

By Senator Gates: Protesting against the enactment of Senate Bill No. 927, from Winfield S. Runde and 76 others, of Oakland.

By Senator Shanahan: Protesting against the enactment of Senate Bill No. 713, from J. A. Wallace and others, of Weaverville.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

Also: Assembly Bill No. 213—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges, for the city and county of San Francisco, and providing for their compensation.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 889 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 213 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Also: Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as Section 90, relating to conduct of public officials.

Also: Assembly Bill No. 1013—An Act to amend Section 261 of the Political Code of the State of California, relating to the duties of officers of the Senate and Assembly.

Also: Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Also: Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and federal officials, election laws and corporation laws.

Also: Assembly Bill No. 308—An Act to amend Section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges, and providing for the appointment of six additional Superior Court judges in counties of the first class, and providing for their compensation.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 223 and 308 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 1128, 1013, 699 and 1269 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1035—An Act to establish police courts in cities of the sixth class governed by special charters, and providing for a judicial system, and to fix their jurisdiction.

Also, Assembly Bill No. 1356—An act to amend Sections 1499 and 1500 of the Political Code, relating to terms and vacancy in office and number of ballots to be provided by the county clerk at elections and the designation of unused ballots.

Also, Assembly Bill No. 1360—An act conferring authority on the Railroad Commission to prescribe and enforce reasonable rules governing train service upon steam railroads operating in this State.

Also, Assembly Bill No. 1362—An act to amend Section 408 of the Political Code of California, relating to the employees of the Secretary of State and providing a penalty for the same.

Also, Assembly Bill No. 1364—An act increasing the number of judges of the Superior Court of the County of San Diego, State of California, and fix the salaries [illegible] of such additional judge.

J. M. DRAKE, Chief Clerk of Assembly.
By CHARLES G. WILSON, Assistant Clerk.

Assembly Bill No. 805 read first time and referred to Committee on Municipal Corporations.

Assembly Bill No. 1158 read first time and referred to Committee on Elections.

Assembly Bill No. 1238 read 2nd time and referred to Committee on Corporations.

Assembly Bill No. 1302 read 2nd time, and referred to Committee on Judiciary.

Assembly Bill No. 1364 read 2nd time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 22, relative to the protection of the national encampment under such terms and conditions as may be necessary to permit an increased number of men and stock to graze within the national forest and other lands.

J. M. DRAKE, Chief Clerk of Assembly.
By CHARLES G. WILSON, Assistant Clerk.

Assembly Joint Resolution No. 22 referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

TO SUBSTITUTE FOR ASSEMBLY BILL NO. 1356.

SACRAMENTO, March 25, 1913.

MR. PRESIDENT: Your Committee on Elections and Reapportionment have considered the following:

Senate Bill No. 1356—An act to amend Section 1499 of an act entitled "An act to establish the Political Code," approved March 31, 1872, and all acts amendatory thereof, relating to the duties of the county clerk at elections and the designation of unused ballots.

Which was referred to your committee on March 24, 1913, and have had the same under consideration, and recommend that the bill be amended as follows:

Amend Substitute Bill No. 1356—An act to amend the [illegible] Code, relating to the [illegible] of ballots [illegible] and to repeal [illegible] thereof.

And as amended do pass.

CRAIG, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, MARCH 25, 1913

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined the following:

Senate Bill No. 1124—An Act to amend Section 4273 of the Political Code of the State of California, relating to salaries of county officers in counties of the 24th class.

Also: Senate Bill No. 1559—An Act regulating the hours of employment of females in all departments, institutions, establishments and occupations of any kind whatever under the management, control or supervision of, or receiving aid from, the State, or any county, city and county, city, district, or public corporation of any kind; and providing penalties for the violation thereof.

Also: Senate Bill No. 1232—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished tithe, towns and municipal districts [illegible].

Also: Senate Bill No. 392—An Act to amend Section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Also: Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work to and upon streets, [illegible] within municipalities and upon property and [illegible] by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved (April 7, 1911), by adding a new section thereto to be numbered 77*a*, relating to the doing of work and making improvements upon railroad tracks and the taxation thereof existing upon the streets of municipalities and the proceedings relating thereto.

Also: Senate Bill No. 1113—An Act authorizing and empowering any city and county, or county of the [illegible] to grant to and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to pay such part of its funds as deemed necessary toward the acquisition of such a site.

Also: Senate Bill No. 1017—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be allowed within the territory described in such petitions; providing for the notice and holding of such elections, making it the duty of the [illegible] to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted, [illegible] and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions, and providing penalties for such offenses," approved April 4, 1911.

Also: Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters, and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, vines, shrubs and flowers," approved April 28, 1909.

Also: Senate Bill No. 1495—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Also: Senate Bill No. 1070—An Act to regulate certain scaffolding or staging for the protection of workmen [illegible] in addition to the duties imposed by any law upon employers [illegible] in connection therewith, the use of scaffolding or staging swung or suspended [illegible] such employers shall be subject to the provisions of this Act; fixing penalties for a violation hereof to be the same as provided in Section 102 of the Penal Code, and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Also: Senate Bill No. 1171—An Act to add a new section to the Code of Civil

[illegible]

Also

[illegible]

Also

[illegible]

provide for the disposition of the products of their skill and labor," approved February 23, 1911, so as to provide for pecuniary assistance to prisoners and their families and providing for the payment of the same.

Also: Senate Bill No. 1203—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State, and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Finance.

FINN, Chairman.

Senate Bills Nos. 1201, 1202 and 1284 ordered on file for second reading.

Senate Bills Nos. 1083 and 1203 ordered re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1696—An Act providing for the publication of a legislative bulletin during the constitutional recess—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Rules.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 1240—An Act to amend Sections 10c and 10n of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Also: Senate Bill No. 1397—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 402½, providing that certain buildings shall be provided with fire escapes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 452—An Act to amend Section 408 of the Code of Civil Procedure of the State of California, relating to the issuance of alias summons, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1012—An Act to authorize the [illegible] Martin as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the state school land fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

GATES, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

Mr. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment of the Constitution of this State by repealing Section 13½ of Article XI, relating to the granting of public moneys payable on any claim not passed upon within six months of the Thirty-First Day and to any claims thereafter presented—have had the same under consideration, and respectfully report back said resolution and recommend that it do pass.

CATTS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

Mr. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 668—An Act to amend Section 1008 of the Political Code of the State of California, relating to proof of publication of an advertisement made without the United States.

Also: Senate Bill No. 745—An Act to amend Section 8 of an Act entitled "An Act to adopt and adopt the Penal Code of the State of California" approved February 14, 1911.

Also: Senate Bill No. 836—An Act to amend Section 1276 of the Code of Civil Procedure of the State of California, relating to notice of filing undertaking on appeal.

Also: Senate Bill No. 862—An Act to amend Section 284 of the Penal Code of California, relating to felonies.

Also: Senate Bill No. 888—An Act to add a new section to the Penal Code of California, to be numbered 327, relating to lotteries and providing a penalty for the violation thereof.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

SMITH, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

Mr. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 9—A resolution to submit to the people of the State of California an amendment to Section 10, of Article IX, of the Constitution of said State, relating to the duties of state officers—have had the same under consideration, and respectfully report back said resolution and recommend that it be adopted and do not pass.

CATTS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

Mr. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 207—An Act to amend section one thousand eight hundred and sixty-one of the Civil Code, relating to the time of such service on residents of states or territories—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

CATTS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

Mr. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 541—An Act to amend Section 4367 of the Political Code of the State of California.

Also: Senate Bill No. 606—An Act to amend Section 1822 of the Penal Code relating to witnesses and summoning of witnesses and jurors.

Also: Senate Bill No. 628—An Act to amend Section 1272 of the Penal Code of the State of California.

Also: Senate Bill No. 672—An Act providing for submitting to the electors of the State of California the question of calling a convention to revise the Constitution of the State.

Also: Senate Bill No. 678—An Act to amend Section 1487 of the Code of Civil Procedure relating to the setting off of the separate homestead and the proceedings of persons against said homestead and the owners of the homestead claimant.

Also: Senate Bill No. 70—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 404a, and relating to the violation of the right to the franchise by any corporation which shall contribute to such corporation or promise actions brought against it, within the state limits or the courts of the United States.

Also: Senate Bill No. 1487—An Act concerning boards of supervisors of counties of any and every, or the trustees or other governing body of any county

ipalities in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

Also: Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by executors, administrators and guardians.

Also: Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Senate Bill No. 1696 ordered re-referred to Committee on Rules.

Senate Bills Nos. 991, 1240, 1397, 452, 687, 745, 838, 992, 993, 261, 541, 393, 338, 473, 218, 12, 1487, 220 and 287 ordered on file for second reading.

Senate Bill No. 1012 ordered re-referred to Committee on Finance.

Senate Constitutional Amendments Nos. 13 and 9 ordered on file.

RESOLUTION.

The following resolution was introduced:

By Senator Wright:

WHEREAS, The Senate has hereinafter set forth dealt with subjects that appear to be within the cognizance of the Railroad Commission, and which the Railroad Commission appears to have full power and authority to deal with under the Constitution and authority vested in it by the Public Utilities Act; and

WHEREAS, There is now pending before the Legislature such a multiplicity of measures that it would be impossible to give to all careful consideration; therefore,

For the purpose of, to a slight degree, relieving the Senate from the pressing business of the session and for the further purpose of giving a better opportunity for investigation, the subject matter embraced within the following bills is hereby referred to the State Railroad Commission for such action as said commission may deem conducive to the general welfare, and the clerk of this Senate is hereby instructed to forward to said commission copies of the following Senate bills:

Senate Bill No. 663, relating to the furnishing of gas, electricity, steam or heat, and telephone service, in certain cases.

Senate Bill No. 1709, relating to the duties of telephone companies.

Senate Bill No. 1103, relating to the operation of railroads.

Senate Bill No. 1473, relating to tickets and accommodations to passengers.

Senate Bill No. 834, relating to the regulation of water companies, and their subjection to the Public Utilities Act.

Senate Bill No. 587, relating to compulsory service by water companies.

Resolution read and adopted.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 902—An Act to make an appropriation to pay the salaries and the mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 902 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Barton, Breed, Bryant, Butler, Campbell, Carr, Cartwright, Cassidy, Chan, Curtis, Flint, Grant, Hayes, Hewitt, Jones, Juilliard, Kehoe, Leale, Miss Boynton Rigdon, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 385—An Act relating to conveyances of the bed of tidelands and shores of the ocean for the benefit thereof of the Legislature of the State of California, passed the [illegible] Third time.

Third Reading.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 385 passed by the following vote:

Ayes: Senators Anderson, Bell, Bonelli, Burns, Christian, Dilworth, Dorsey, Fellom, Finley, Fisher, Gibson, Hatfield, Hawkins, Healey, Hewitt, Hollingsworth, Jones, Kenny, Knight, Lagomarsino, Lanterman, Lee, Lewis, Luckel, Mahan, Maloney, Mathews, Metcalf, Miller, Nelson, Nielsen, Nutt, Peek, Regan, Rhodes, Richards, Roseberry, Sharkey, Shelley, Shoemaker, Slater, Smith, Stanford, Stanton, Stevens, Swing, Tenney, Thomas, Tickle, Tyler, Voorhis, Warne, Weaver, Wilson, Wood, Young, Zenovich—50.

Noes: None.

Bill passed and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 386—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 470a, relating to stripping or dismantling vehicles not of this State, and prescribing a penalty for dismantling for shipment or transportation, or stripping or dismantling any vehicle brought into the confines of this State.

On motion of Senator Tickle, Senate Bill No. 386 was passed to Third Reading.

Senate Bill No. 394—An Act relating to the [illegible] Senate Bill No. 394 was passed to Third Reading.

Senate Bill No. 394—An Act to amend Section 1140 of the Political Code of the State of California, relating to contracts of eight actual hours.

Third Third Time.

On motion of Senator Ayer, Senate Bill No. 394 was passed to Third Reading.

Senate Bill No. 396—An Act to amend section [illegible] Political Code of the State of California, relating to contracts to be made by boards of school trustees and city boards of education.

Third Third Time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 396 passed by the following vote:

Ayes: Senators Anderson, Bell, Bonelli, Burns, Christian, Dilworth, Dorsey, Fellom, Finley, Fisher, Gibson, Hatfield, Hawkins, Healey, Hewitt, Hollingsworth, Jones, Kenny, Knight, Lagomarsino, Lanterman, Lee, Lewis, Luckel, Mahan, Maloney, Mathews, Metcalf, Miller, Nelson, Nielsen, Nutt, Peek, Regan, Rhodes, Richards, Roseberry, Sharkey, Shelley, Shoemaker, Slater, Smith, Stanford, Stanton, Stevens, Swing, Tenney, Thomas, Tickle, Tyler, Voorhis, Warne, Weaver, Wilson, Wood, Young, Zenovich—50.

Noes: None.

Bill passed and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 397—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 470a, relating to stripping or dismantling vehicles not of this State, and prescribing a penalty for dismantling for shipment or transportation, or stripping or dismantling any vehicle brought into the confines of the State.

On motion of Senator Tickle, Senate Bill No. 397 was passed to Third Reading.

Senate Bill No. 734—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipality subdivision to permit the construction and maintenance of any state highway or boulevard over highways or streets or to incorporated limits of any portion thereof by the supervisors of highway commissioners of the county," approved March 11, 1909, and providing boards of supervisors to designate and maintain such bridge or bridges as such

highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highways or boulevards and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Curtin, Senate Bill No. 794 was passed on file, to retain its place.

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

On motion of Senator Finn, Senate Bill No. 682 was passed on file.

Senate Bill No. 683—An Act to amend section two hundred seventy-one of the Penal Code, relating to the abandonment of children under the age of fourteen years and fixing a penalty therefor.

On motion of Senator Finn, Senate Bill No. 683 was passed on file.

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

On motion of Senator Gerdes, Senate Bill No. 1172 was passed on file.

Senate Bill No. 547—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

On motion of Senator Anderson, Senate Bill No. 547 was passed on file.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

On motion of Senator Anderson, Senate Bill No. 834 was passed on file.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905.

On motion of Senator Gerdes, Senate Bill No. 1169 was passed on file.

Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

On motion of Senator Lyon, Senate Bill No. 982 was passed on file.

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers, for indicating low water, or otherwise preventing explosions.

On motion of Senator Lyon, Senate Bill No. 984 was passed on file.

Senate Bill No. 301—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 301 was passed on file and ordered to foot of file.

Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California, an amendment to the Constitu-

tion of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 9a.

MOTION TO ADOPT AS AMENDED CONSTITUTIONAL AMENDMENT NO. 9.

Senator Finn moved to refer to Senator Bryant as a special committee of one to amend as follows:

On line 3, in place where the word "city" appears the word "and".

Also: By striking out all line 4 the words "county thereof," and inserting in lieu thereof the word "formerly."

REPORT OF SPECIAL COMMITTEE ON JOINT

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

Mr. President: Your special committee of one to whom was referred Senate Constitutional Amendment No. 9, with instructions to amend, respectfully reports the same back amended as per instructions.

ARTHUR BRYANT, Chairman.

Report read and adopted.

Constitutional amendment ordered to print and engrossment.

SENATE CONCURRENT RESOLUTION NO. 16.

Relative to the appointment of a committee of the legislature to confer with state auditor and other officials relative to the expenditures of moneys appropriated by the legislature for the purpose of improving the grounds and buildings of the state capitol and to report to the legislature at the present session.

WHEREAS, The state and various departments, institutions and other agencies thereof have been, and are now engaged in the work of erecting, repairing, improving and maintaining of various public buildings, structures, works and grounds; and

WHEREAS, Said appropriations have in the past been made without reference to maintaining a definite high standard of maintenance, improvement and upkeep; and

WHEREAS, The moneys obtained for such expenditures in many instances, from lack of proper advice as to amounts appropriated, are inadequately protected and much below what the needs of the proposed work are required to require; and

WHEREAS, The State of California, with its rich heritage of climate and of inspiring scenery is presented with an art that should place pleasure before and first; and

WHEREAS, The citizens of this state by their labor and industry, and by the care and cultivation of the unexcelled educational system have attained to a culture which favors the appreciation and requires consideration of the harmonious and appropriate and fitting accessories which the present times make necessary; and

WHEREAS, The citizens of this state are entitled to the development of standards of architecture, engineering and landscape work in all public works, that, considering in the economy and utility maintain standards of other United States; and

WHEREAS, The state of California, the city of New York and other states and municipalities have in the establishment of new departments and others remodeling before undertaking radical steps to advertise and maintain such standards of architecture, sculpture and painting; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That a committee of three Senators and three assembly members of the Assembly be appointed by the President of the Senate and by the Speaker of the Assembly, which committee shall have power and it shall be its duty to employ an assistant member thereof, three architects, a painter, a sculptor, and a landscape gardener, and any and all other persons deemed necessary to assist, advise and report to the Governor, state and agencies of engineering and surveying, department, who state the standard of architecture, sculpture and painting as of such moneys, school districts and municipal buildings, grounds and public works, and the landscape decorating and maintenance thereof; and be it further

Resolved, That said report together with the recommendations of said committee shall be filed with the Governor at least thirty days prior to the convening of the forty-first session of the California State Legislature; and be it further

Resolved, That the investigations and report of said commission shall be conducted and made without expense to the state.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Sanford, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

On motion of Senator Gates, Senate Bill No. 286 was passed on file.

Senate Bill No. 1565—An Act to add a new section to the Political Code of the State of California, to be numbered Section 4220*a*, relating to the duties of county surveyors and deputies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1565 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Sanford, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 487—An Act to amend Section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

In the absence of the author, Senate Bill No. 487 was passed on file, to retain its place.

Senate Bill No. 1001—An Act to add a new section to the Political Code, to be numbered 1235*a*, relating to and fixing the compensation of grand jurors in counties of the sixth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1001 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto, to be designated and known as Section 4066*a*, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, approved April 18, 1911.

On motion of Senator Cohn, Senate Bill No. 1002 was passed on file.

Senate Bill No. 222—An Act to amend Section 4151 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

On motion of Senator Sanford, Senate Bill No. 222 was passed to its

Senate Bill No. 408—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the fifth class.

On motion of Senator Sanford, Senate Bill No. 408 was passed to its

Senate Bill No. 409—An Act to amend Section 4151 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 409 was passed to its

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 4½ of Article VI thereof, relating to appeals.

On motion of Senator Boynton, Senate Constitutional Amendment No. 12 was passed to its

RECESS FOR THE PURPOSE OF THE CHAIR

At two o'clock and fifty minutes p.m., Hon. A. E. Regnier, President pro tem. of the Senate, in the chair

RECESS REVOKED BY CHAIR

Senate Bill No. 540—An Act to amend Sections 2 and 11—of an Act entitled "An Act for the prevention of the manufacture, sale or importation of adulterated, misbranded or poisonous drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, relating to the misbranding of drugs, and the times and places of hearings of drug cases.

During second reading of the bill the following amendment was offered by the committee:

AMENDMENT NO. 1

In line 7 page 2 after the word "drugs," insert a comma

Amendment adopted

AMENDMENT NO. 2

In line 8 page 2 strike out the words "of same"

Amendment adopted

AMENDMENT NO. 3

In line 10 page 2 strike out the words "in pursuance of any provision"

Amendment adopted

Bill read second time, and ordered to print, engrossed and third reading

Senate Bill No. 1546—An Act to amend Section 434 of the Penal Code of the State of California, relating to the "sale of intoxicants on election days" by adding thereto two new sections to be known and numbered as Section 434a and Section 434b relating to the sale, giving away, or serving of intoxicants on holidays and providing a penalty therefor

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by striking out all that portion following the word "thereto," in line 2, and insert in lieu thereof the following: "a new section to be numbered sixty-three c, relating to the sale, giving away or serving of intoxicants on a legal holiday, and prescribing a penalty therefor."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, of the printed bill, after the comma following the word "association," strike out the word "club" and the comma following.

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 5, of the printed bill, after the indefinite article "a," insert the word "legal".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 5, of the printed bill, after the word "holiday," strike out the remaining portion of the line and the first two words of line 6, and insert in lieu thereof the following: "other than Saturday afternoons".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 5, of the printed bill, after the comma following the word "association," strike out the word "club".

Amendment adopted.

AMENDMENT No. 6.

On page 2, strike out all of lines 10 and 11, and insert in lieu thereof the following: "(a) to the keeping open of hotels, restaurants or boarding houses for the furnishing of meals and lodging only."

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 26, after the word "premises," strike out the word "by," and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT No. 8.

On page 2, strike out all of Section 2.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the acceptance and maintenance thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1065—An Act to amend An Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 786—An Act to regulate the selling, offering or exposing of seed for sale, and providing penalties for violation thereof.

During second reading of the bill, the following amendments were offered to the committee:

Committee Amendment No. 1

On page 1, in the printed bill, strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. That the provisions of this act, authorized under and by virtue of article [illegible] Constitution, [illegible] [illegible] [illegible]

Hibiscus Trionum ——— bladder ketmia
Hordeum ——— barleygrass
Holcus halepensis (*Sorghum vulgare*) ——— Johnson grass
Hypochaeris radicata ——— cat's ear
Lactuca ——— wild lettuce
Iva ——— marsh elder
Juncus ——— rush
Lepidium virginicum (*Lepidium apetalum*) ——— stickseed
Lepidium (*Cardaria*) ———
Leonurus sibiricus ——— Siberian motherwort
Lepidium ——— peppergrass
Linaria ——— butter-and-eggs; toad flax
Lithospermum arvense ——— corn gromwell
Lolium temulentum ——— darnel
Lotus ——— bird's-foot trefoil
Lupinus ——— lupine
Madia sativa ——— tarweed
Matricaria inodora ——— scentless camomile
Medicago arabica (*M. maculata*) ——— spotted bur clover
Medicago hispida (*M. denticulata*) ——— toothed bur clover
Medicago lupulina ——— yellow trefoil
Melilotus alba ——— white sweet clover
Melilotus indica ——— small flowered yellow trefoil
Melilotus officinalis ——— yellow (sweet) clover
Melilotus parviflora ———
Nepeta cataria ——— catnip
Neslia paniculata ——— ball mustard
Nothoscordum (*Hesperoxis*) ——— false garlic
Oenothera biennis ——— evening primrose
Oxalis ——— Socrel, thistle
Picris ——— oxtongue
Plantago ——— buckhorn; plantain
Polygonum ——— knotweed, smartweed, lady's thumb
Portulaca oleracea ——— purslane
Potentilla ——— five-finger
Prunella vulgaris ——— heal-all
Ranunculus ——— buttercup
Raphanus raphanistrum ——— wild radish
Rosa ——— wild rose
Rudbeckia hirta ——— brown-eyed Susan
Rumex ——— dock, sorrel
Salsola ——— Russian thistle
Sanguisorba ——— burnet
Sherardia arvensis ——— field madder
Silene ——— catchfly
Sinapis arvensis ——— charlock, wild mustard
Solanum ——— nightshade
Sonchus ——— sow thistle
Sorghum halepense ——— Johnson grass
Spergula ——— spurry
Stellaria media (*Holosteum*) ——— chickweed
Taraxacum ——— dandelion
Thlaspi arvense ——— Frenchweed
Tragopogon ——— goat's beard
Trifolium ——— wild clover

Except *T. hybridum*, *T. incarnatum*, *T. pratense* and *T. repens*.

Uncaria uncinatula (*Uncinaria uncinata*) ——— cow cockle
Valerianella locusta (*V. olitoria*) ——— corn salad
Verbena ——— verbena

are hereby defined as noxious weed seeds. No person shall sell, offer or expose for sale within this state for seeding purposes in this state any agricultural seeds defined in section one of this Act containing a greater amount or proportion than one seed of any or all of said noxious weed seeds to two thousand seeds of the variety of agricultural seed offered or exposed for sale.

SEC. 4. The inspection of lots of agricultural seeds required under section two of this Act shall be based upon a test or analysis conducted either by the state horticultural commissioner, or his assistants, or by the vendor of the agricultural seeds or his agents. The test or analysis made by the vendor or his agents shall conform to the reasonable regulations which said commissioner is hereby authorized and directed to prescribe or shall conform to the reasonable regulations or methods recommended or used by the Association of Official Seed Analysts or the United States Department of Agriculture.

SEC. 5. Whoever buys or sells agricultural seeds defined in section one of this

Act for use in the state fire marking program upon request and approval of such needs to the state horticultural commissioner for examination and test as to purity and of viability, and such commissioner shall cause such examinations and tests to be promptly made and report thereon returned to the sender. For the test of purity said commissioner shall charge a fee of twenty-five cents for the examination of each sample, and for a test of viability or a fuller test of purity five cents, either or both of which fees shall be payable in advance. All moneys received from samples of seeds tests shall be paid into the treasury of the state, to be credited to the funds of the state horticultural commissioner.

Sec. 6. The provisions of this Act shall be executed by the state horticultural commissioner, such commissioner is hereby authorized to employ, to deal with the approval of the persons seeds dangerous, permission and inspectors as may be necessary to enforce this Act, and he is authorized to pursue or to be represented, or assistance to take for services, paying the reasonable purchase price, a sample not exceeding four ounces in weight. Such may be of sufficient seeds offered or exposed for sale, provided that said samples shall be taken in relation to the property of the vendor or person in charge of the lot from which or commencement, and shall be taken from a parcel, lot, or package of seeds which shall not be less than ten per cent of the whole lot immediately and shall be thoroughly mixed and then divided into two samples and placed in glass or metal vessels or containers, each fully sealed and a label placed on each vessel stating the name of the authorized and intended, the name of the vendor from whom taken, and the date and place of taking such samples, and said label shall be signed by and commissioner or his duly authorized agent; or said samples may be sent to the commissioner of the vendor or agent in person. Such samples of seeds to be tested with or on the premises of the vendor or person in interested, and the same returned to the horticultural commissioner for analysis and comparison with the label required to accompany each of this Act.

Sec. 7. The provisions of this Act shall not apply to:

First—Any person entering in a general business or selling to said purchaser agricultural seeds to be cleaned or prepared before being planted or exposed for sale for seeding purposes.

Second—Agricultural seed which is held in storage for the purpose of being cleaned.

Third—Agricultural seed marked "not clean" and held or sold for shipment outside the state only.

Fourth—Mixtures of agricultural seeds composed the named purchaser when so labelled. This shall not however exempt any vendor of such mixtures from the provisions of section three of this Act.

Sec. 8. Whenever any officer or inspector duly acting this state any agricultural seeds defined in sections one of this Act sections containing with the provisions of section two and three of this Act, or whenever he shall receive or have any information which seems sufficient to him to warrant such action, he shall forthwith notify the state horticultural commissioner or the seed inspector duly appointed by such commissioner, and such officer or inspector is authorized to procure a sample of such seeds and submit the same to the state horticultural commissioner or the seed inspector duly appointed by him for examination and test. Any person who shall sell or offer or expose for sale any agricultural seeds in violation of any provision of section two or three of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars; provided however, that in prosecutions for violations of this Act shall be construed except in the manner following. Where the state horticultural commissioner believes, or has reason to believe, that any person has violated any of the provisions of sections two, three and eight of this Act he shall cause notice of such fact together with full specifications of the act or omission constituting the violation, to be given to said person, who either in person or by agent or attorney shall have the right under such reasonable rules and regulations as may be prescribed by said commissioner, to appear before said commissioner and introduce evidence and said hearing shall be private. If after such hearing or without such hearing, in case such person fails or refuses to appear, said commissioner shall decide and declare that any or all of said specifications have been proven to his satisfaction he may in his discretion or cause to the proper prosecuting attorney and request him to prosecute said person according to law for violation of this Act representing with said specifications in case of the proceedings and such other evidence as he shall deem necessary and proper. Prosecutions and prosecuting attorney shall prosecute said cases according to the law.

Sec. 9. No action for the recovery of damages or any liability whatsoever for any violation of any of the provisions of this Act, or for the breach of any implied duty or obligation in the sale of the agricultural seeds defined in section one of this Act shall be maintained by the buyer and unless the vendor of such seeds unless such action shall be commenced within a reasonable time after the sale and prior to the sowing or otherwise of such seeds, and unless the buyer or agent of such buyer are based upon properly drawn samples of such seed taken the sale claimed and examined in the way and manner provided in section two of this Act.

Sec. 10. The results of the analyses and tests of seed made by the state horticultural commissioner or samples drawn by him or his assistants may at his discretion be published in his annual report.

SEC. 11. There is hereby appropriated annually out of any money in the state treasury not otherwise appropriated the sum of $5,000 to be paid to the state horticultural commissioner of California, and the same shall be expended for the equipment of a seed testing laboratory and in carrying out provisions of this Act, and the state controller is hereby authorized and directed to draw his orders for such payments and the state treasurer is hereby directed to pay the same.

SEC. 12. The words "person," "vendor," and "party in interest" and "whoever" as used in this Act shall be construed to import both the plural and singular, as the case demands, and shall include corporations, companies, societies and associations.

SEC. 13. Be it further enacted that any law or laws in conflict with this Act be and the same are hereby repealed.

SEC. 14. This Act shall take effect six months after its approval by the governor of the state.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

FILE OF ASSEMBLY BILLS—THIRD READING.

ASSEMBLY CONCURRENT RESOLUTION No. 12.

Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

WHEREAS, The city of San Rafael, a municipal corporation of the county of Marin, State of California, now is, and was at all times herein referred to, a city containing a population of more than three thousand five hundred, but less than ten thousand inhabitants; and

WHEREAS, At a special election duly held in said city on the 29th day of May, 1912, under and in accordance with the law and the provisions of Section 8 of Article XI of the Constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof to prepare and propose a charter for the government of said city; and

WHEREAS, Said board of freeholders did, within one hundred and twenty days after the result of said election was declared, prepare and propose a charter for the government of said city of San Rafael; and

WHEREAS, Said charter was on the 28th day of September, 1912, signed in duplicate by a majority of said board of freeholders and was thereupon duly returned and filed, one copy with the city clerk of said city of San Rafael, and the other copy with the county recorder of said county of Marin, and filed in the office of said county recorder; and

WHEREAS, Said proposed charter was thereafter published three times in *The Independent*, a weekly newspaper of general circulation, printed, published and circulated in the city of San Rafael, on the following days of publication, to wit: October 8th, 1912, October 15th, 1912, October 22nd, 1912, the first publication thereof having been made within fifteen days after the filing of the copy thereof as aforesaid in the office of the said city clerk; and

WHEREAS, Said proposed charter was, not less than twenty days, nor more than forty days after the completion of said publication, to wit: On the 30th day of November, 1912, submitted by the board of trustees of the city of San Rafael to the qualified electors of said city at a special election duly called and held therein on said 30th day of November, 1912; and

WHEREAS, At said last mentioned special election a majority of said qualified electors of said city of San Rafael, voting at said special election, voted in favor of said ratification and duly ratified said charter as proposed as a whole; and

WHEREAS, Said board of trustees, after canvassing the return of said last mentioned special election duly found and declared that a majority of said qualified electors voting at said special election had voted for, and ratified said charter as above specified; and

WHEREAS, The same is now submitted to the legislature of the State of California for its approval and ratification as a whole without power of alteration or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, Said charter was ratified in the words and figures, following, to wit:

CHARTER OF CITY OF SAN RAFAEL.

Prepared and proposed by a board of freeholders elected May 29, 1912, pursuant to the provisions of Section 8, Article XI, of the Constitution of the State of California.

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Article I. Name, Rights, and Liabilities of the City.
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ARTICLE I.

NAME, BOUNDARIES AND ORGANIZATION OF THIS CITY.

Name of the City.

Section 1. The municipal corporation now existing and known as the city of San Rafael shall continue and remain a body politic and corporate in name and the fact by the name of the "City of San Rafael" and by that name shall have perpetual succession.

Rights and Liabilities.

Sec. 2. The city of San Rafael shall succeed to and continue to own, hold and enjoy all property, rights of property and rights of action of every nature and description now pertaining to the municipality, and to which it may hereafter be or become entitled. It shall be subject to all the liabilities that now exist against the municipality. All ordinances of said city and statutes of the city of San Rafael in so far as they are not inconsistent with this charter shall remain in force until repealed or amended, and all proceedings pertaining to the enforcement of ordinances, and all proceedings pertaining to the collection of assessments levied for local improvements shall be continued or completed in the manner in which said proceedings were commenced.

ARTICLE II.

BOUNDARIES.

Section 1. The boundaries of the city of San Rafael are as follows: Beginning at the point of intersection of said westerly line of the county highway leading from San Rafael to Kentfield (Sunnyside Avenue) as the same is now established and the southerly boundary line of the lands conveyed by Alfred Greenfield to John Thomas by deed dated the 15th day of June A. D. 1869, and recorded in Book 30 of Deeds, page 153, Marin County Records, said point of beginning being the southeasterly corner of the lands conveyed by said Greenfield to said Thomas; thence along the southerly boundary line of the lands conveyed to said Thomas by said Greenfield, and conveyed by the said Thomas to Joseph O. Shaw and Jessie Shaw by a deed dated the 14th day of April A. D. 1881, and recorded in the office of said recorder in Book 76 of Deeds, page 153, and conveyed by said Shaws to Alfred F. Belcher, Jr., by deed dated the 1st day of May A. D. 1911, and recorded in the office of said recorder in Book 278 of Deeds, page 153, and conveyed by said Belcher to Mary E. Belcher by deed dated the 1st day of May A. D. 1911, and recorded in the office of said recorder in Book 278 of Deeds, page 154, and conveyed by said Mary E. Belcher to Mary E. Belcher, Trustee, by deed dated the 1st day of May A. D. 1911, and recorded in the office of said recorder in Book 278 of Deeds, page 154, and conveyed by said Mary E. Belcher, Trustee, to Mary E. Belcher by deed dated the 1st day of May A. D. 1911, and recorded in the office of said recorder in Book 278 of Deeds, page 155, thereon applying the bearings of the deeds and courses northwesterly in a direct line to a point which is south 63 degrees west twenty-five links from the northwesterly corner of the lands of San Rafael as the boundaries thereof were established in the month of April, 1874, by order of the board of trustees of said city; thence due north to a point on the southerly bank of the aforesaid creek said point being on the northerly boundary line of the land of said estate of Forbes as the same is now established by the Supreme Court of the State of California; thence northeasterly along the northerly boundary line of the lands of said estate of Forbes to the point where the same is intersected by the northwesterly boundary line of the lands conveyed by Alfred Greenfield to John Thomas by deed dated the 15th day of June A. D. 1869, and recorded in Book 30 of Deeds, page 153, Marin County Records, said point being the northeasterly corner of the lands conveyed by said Greenfield to said Thomas; thence southwesterly along the northwesterly boundary line of the lands conveyed to said Thomas by said Greenfield, and conveyed by the said Thomas to Joseph O. Shaw and Jessie Shaw by a deed dated the 14th day of April A. D. 1881, and recorded in the office of said recorder in Book 76 of Deeds, page 153, and conveyed by said Shaws to Alfred F. Belcher, Jr., by deed dated the 1st day of May A. D. 1911, and recorded in the office of said recorder in Book 278 of Deeds, page 153, and conveyed by said Belcher to Mary E. Belcher by deed dated the 1st day of May A. D. 1911, and recorded in the office of said recorder in Book 278 of Deeds, page 154, and conveyed by said Mary E. Belcher, Trustee, to Mary E. Belcher by deed dated the 1st day of May A. D. 1911, and recorded in the office of said recorder in Book 278 of Deeds, page 155, to the point of intersection of said westerly line of the county highway leading from San Rafael to Kentfield (Sunnyside Avenue) and said southerly boundary line of the lands conveyed to said Thomas by said Greenfield

of land which was conveyed by Arthur W. Foster to Louisiana S. Foster by a deed dated the 2nd day of December, 1885, and recorded in the office of said recorder in book 2 of deeds, at page 474; thence northerly and easterly along the westerly and northerly boundary lines of said tract conveyed to Louisiana S. Foster to a madrone tree standing at the most easterly corner thereof; thence northerly and easterly along the westerly and northerly boundary lines of the tract of land which was conveyed by Alexander Forbes to William T. Coleman by a deed dated the 5th day of October, 1871, and recorded in the office of said recorder in liber J of deeds, at page 306, to the Dixon Puerto Suello, the depression in the San Pedro ridge where said ridge is crossed by the county road leading from San Rafael to Petaluma; thence easterly along said ridge, following the southerly boundary line of the "Wagner tract," which was conveyed by Henry C. Campbell to O. C. Miller by a deed dated the 28th day of March, 1889, and recorded in the office of said recorder, in book 9 of deeds, at page 424, and following the southerly boundary line of the "Kimball tract" which was conveyed by A. Mccartney to Edward Gray Stetson by a deed dated the 26th day of August, 1887, and recorded in the office of said recorder, in book 5 of deeds, at page 371, to a live oak tree standing at the common corner of the said "Kimball tract," the tract containing 515 57 100 acres of land, which was conveyed by Mary E. McAlester to Ada M. I. McMahon, and others by a deed dated April 18, 1904, and recorded in the office of said recorder in book 87 of deeds, at page 130, and the tract of land which was conveyed by Ellen Ford to M. T. Freitas by a deed dated the 9th day of December, 1903, and recorded in the office of said recorder in book 85 of deeds, at page 165; thence descending in a general southerly direction along a spur of the said San Pedro ridge, which spur divides the waters flowing into the San Rafael valley from the waters flowing direct to the bay of San Francisco, to a point in the San Rafael and Point San Pedro road at Oak Point; thence easterly along the said San Rafael and Point San Pedro road to the point where the same enters the salt marsh; thence crossing the salt marsh in a general southwesterly direction to a stake marked "T. L. S. 55" standing on the edge of the salt marsh at the point of a ridge or spur which lies immediately east of the valley formerly known as the "Laurel grove picnic grounds"; thence southeasterly, ascending along the summit of said spur or ridge, to the summit of the main ridge at a point in the southerly boundary line of the tract of land which was conveyed by David Porter to William T. Coleman by a deed dated the 27th day of May, 1871, and recorded in the office of said recorder in liber J of deeds, at page 99; thence westerly along said ridge and following the line dividing the tract conveyed to William T. Coleman as aforesaid from the tract of land conveyed by David Porter to F. S. Wensinger by a deed dated October 29, 1890, and recorded in the office of said recorder in book 13 of deeds, at page 107, and along the southerly boundary line of said lands conveyed by John Reynolds to John O. B. Short and Jacob Short as aforesaid to the point of beginning.

ARTICLE III.

POWERS OF THE CITY.

SECTION 1. Without denial or disparagement of other powers held under the constitution and laws of the state, the city of San Rafael shall have the right and power:

Perpetual succession.

SEC. 2. To have perpetual succession.

Official seal.

SEC. 3. To provide a corporate seal, with appropriate device, to be affixed to all instruments or writings needing authentication.

Sue and defend.

SEC. 4. To sue and defend in all courts and places and in all matters and proceedings.

Property for public purposes.

SEC. 5. To purchase, receive, have, take, hold, lease, use and enjoy property of every kind and description, both within and without the limits of said city, and to control and dispose of the same for the public benefit.

Bequests and donations.

SEC. 6. To receive bequests, gifts and donations of all kinds of property, in fee simple, or in trust for charitable or for other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the bequest, gift or trust, or absolutely in case such request, gift or trust be unconditional.

Public works, buildings and institutions.

SEC. 7. To establish, maintain and equip libraries, reading rooms, parks, playgrounds, markets, and all other public buildings, places, works and institutions, and to carry on and conduct any and all kinds of business and to subsidize the same.

Telephone, telegraph and transportation.

SEC. 8. To acquire by purchase, condemnation or otherwise, and to establish, maintain, operate, own and exercise telephone and telegraph systems, lines and plants or other railways and transportation service of any and every kind.

Water, light, heat and power.

SEC. 9. To acquire by purchase, condemnation or otherwise, and to establish, maintain, operate, own and exercise water works, gas works, electric light, heat and power works within and without the city, and to supply the city and the inhabitants thereof with water, light, heat or power, or any of them, and to contract with any person, firm or corporation for the use of water, gas, heat and electricity.

Sale of products of public utility.

SEC. 10. To sell gas, water, electric current, and all products of any public utility operated by the city.

Land for public utilities.

SEC. 11. To acquire by purchase, condemnation, gift or otherwise, within and without the city, such lands or other property as may be necessary for the establishment, maintenance and operation of any public utility or to provide for and effectuate any other public purpose, and to sell, convey and dispose of the same for public benefit.

Leases of property.

SEC. 12. To rent by ordinance or resolution or authorize by ordinance for the purpose of maintenance and operation of any public utility owned by the city, and to provide for the lease of any lands now or hereafter owned by the city, except buildings or lands devoted, purchased, acquired or used for public parks or public libraries.

Eminent domain.

SEC. 13. To exercise the right of eminent domain, for the purpose of acquiring real and personal property of every kind for any public use.

To borrow money.

SEC. 14. To borrow money for any of the purposes for which the city is authorized to provide, and for amending any law of any general nature relating thereto to enable and authorize said city to issue bonds therefor; provided, that in the procedure for the creation and issuance of such bonded indebtedness the general laws of the State of Oklahoma in force at the time such proceedings are taken shall be observed and followed.

Special tax.

SEC. 15. To raise money by special tax in addition to the amount but not provided in Article XII of this charter. To prohibit any special tax by the council shall submit to the electors of the city the question whether such tax shall be raised, by advertising a notice of such election in a newspaper published in said city once a week for three successive weeks specifying the time and place of holding the election, the amount of money proposed to be raised, and the purpose for which it is intended to be used. Such election shall take place within twenty-five days after the first publication of said notice, and the levy of such tax shall be authorized by at least two-thirds of the qualified electors who vote at said election. At such election the council may be authorized, by those voting thereat, to make appropriations for the expenditure of any sum so raised below the sum proposed, according to the ratio between the two, and provide in the said proceeding for such levy from year to year, not exceeding five per cent per annum. Or the council may be authorized by such election to levy a special tax each year for a period of years not exceeding three years in all, for any permanent improvement, and the money so raised may be expended each year after the same is collected and available.

Police power.

SEC. 16. To exercise police powers and make all necessary police and sanitary regulations and to adopt ordinances and prescribe penalties for the violation thereof.

Improvement of streams.

SEC. 17. To improve the water, watercourses and channels flowing through any city or adjoining the same; to widen, straighten and deepen the channels thereof and to remove obstructions therefrom; to control and improve the water front of the city; and to straighten, bank, embattle, improve and control the said banks bordering on said waterways, ways and approaches, within the limits of said city or contiguous thereto, wherever existing, pass or lay it known.

Grading or opening streets.

SEC. 18. To grade and repair bridges, to construct the same, alter, open, close, improve and repair streets, waterways, alleys, squares and other public highways and places within the city; to drain, sprinkle, oil and light the same; to remove all obstructions therefrom; to establish or change the grades thereof; to

grade, pave, macadamize, gravel and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks and cross-walks thereon or on any part thereof; to cause to be planted, set out and cultivated shade trees thereon; and generally to manage and control such highways and places.

Fire department.

SEC. 19. To equip and maintain a fire department, and to make all necessary regulations for the prevention of fires.

Nuisances.

SEC. 20. To provide for the abatement of any nuisance at the expense of the persons creating, causing, committing or maintaining such nuisance.

Rewards.

SEC. 21. To offer rewards, not exceeding two hundred and fifty dollars in any one instance, for the apprehension and conviction of any person who may have committed a felony in the city, and to authorize the payment thereof.

Fire limits.

SEC. 22. To prescribe fire limits and determine the character and height of buildings that may be erected therein, and the nature of the materials to be used in the construction, alteration or repair of such buildings, or in the repair or alteration of existing buildings within such fire limits.

Building regulations.

SEC. 23. To regulate the construction and location of, and the materials used in, all buildings, chimneys, stacks and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, chimneys, stacks or other structures, and to provide for their summary abatement or destruction; to regulate the materials used in, and the method of construction of, foundations and foundation walls, the materials, manner of construction and location of drains and sewers, the materials used in wiring buildings or other structures for the use of electricity for lighting, power, heat or other purposes, and materials used for piping buildings or other structures for the purpose of supplying the same with water or gas, and the manner of so doing; to prohibit the construction of buildings and structures which do not conform to such regulations.

Fire escapes.

SEC. 24. To require the owners and lessees of buildings or other structures to place upon them or in them fire escapes and appliances for protection against fire and for the extinguishment of fires.

Protection against fires.

SEC. 25. To prevent the construction and to cause the removal of dangerous chimneys, fireplaces, hearths, stoves, stove pipes, ovens, boilers, apparatus and machinery used in any building in the city; to prevent the depositing of ashes, the accumulation of shavings, rubbish or any combustible material in unsafe places, and to make provisions to guard against fires.

Provisions for safety in theaters, halls, etc.

SEC. 26. To regulate the size and construction of the entrances to and exits from all theaters, lecture rooms, halls, schools, churches and other places for public gathering of every kind, and to prevent the placing of seats, chairs, benches or other obstructions in the hallways, aisles or open places therein.

Provisions for safety in streets.

SEC. 27. To regulate the speed of railroad trains, engines and cars passing through the city, and the speed of cars of street or interurban railway companies using the public streets of the city; to require railroad companies to station flagmen, place gates or signals at all such street crossings as the council may deem proper; to require street cars and local trains to be public; to prohibit the making up of railroad trains on any of the street crossings or street intersections of the city; to regulate the speed with which persons may ride or drive or propel bicycles, motor cycles, automobiles, or other vehicles along or upon any of the streets or highways, of the city; to prohibit the blocking or obstructing by railroad trains of any of the street crossings or street intersections of the city.

Improper use of streets.

SEC. 28. To regulate or prohibit the exhibition or carrying of banners, placards, or advertisements, and the distribution of handbills in the streets, public grounds or upon the sidewalks; to regulate and prevent the flying of banners, flags or signs across the streets or from houses; to regulate or prohibit traffic and sales in the streets and public places; to prevent encroachments upon or obstructions to the streets, and to require their removal.

Weeds and rubbish on sidewalks.

SEC. 29. To compel the owner or occupant of buildings to remove or remove dirt, rubbish and noxious weeds and trees and other real estate to prevent such to deface or obstruct the approach or detachment thereof by means offered or suggested of the city or the owners of such others to contribute.

Billboards and signs.

SEC. 30. To regulate, license or prohibit the construction and use of billboards and signs.

Public ground.

SEC. 31. To prevent or regulate the burning of brush or any kinds of garbage and to establish and maintain a public and private fire department or other fire protection of any kinds of apparatus necessary or help.

Dogs.

SEC. 32. To regulate and prevent the keeping or dogs of dogs, to provide for the destruction of vicious dogs and to require the payment of license fees to the owners or persons having possession of dogs, and to impose penalties upon such persons for refusing to pay such license fees.

Preservation of health.

SEC. 33. To enact all regulations which may be necessary and conducive for the preservation of health and the suppression of disease; to make regulations to prevent the introduction of contagious, malignant, infectious or other diseases into the city; to make regulations with the authority and to prevent the introduction of all persons who may pollute the water, air or other property within the city or within limits.

Dangerous and offensive occupations; disagreeable houses.

SEC. 34. To regulate or prohibit the carrying on of all manufactories, occupations and trades which may be of such a nature as to affect the public health or good order of the city or destroy the comfort, peace and quiet and the enjoyment of residence in the neighborhood resulting in the carrying out of any business of any person who may pursue the same or the maintenance or use of any building or upon any premises owned or controlled by them; to make regulations for the suppression of disagreeable, offensive or injurious smells.

Inspection of food products.

SEC. 35. To provide for food inspectors and inspectors to the proper officer of meats, vegetables, fish, game, bread, butter, cheese, milk, eggs, vegetables, breadstuffs, fruits and other food products offered for sale in the city and to provide for the seizing and condemning, destruction of all such articles as are unwholesome, adulterated or unfit for human use; to regulate and prevent the bringing into the city or having in keeping within the city any such unwholesome, spoiled, adulterated or unwholesome products.

Powers.

SEC. 36. To provide for the acquisition and possession of all duties, charges, taxes and obligations and other for and any of them granted to the city.

Lighting, furnished and apartments houses.

SEC. 37. To regulate lighting, equipment and appearance houses and to prevent the overcrowding of the same, and to require that they be put and kept in proper sanitary condition.

Street connections.

SEC. 38. To regulate the construction, repair and use of sewers, water systems, water connections and mains, and to compel the connecting, cleansing or abandoning of the same, and to designate the time and manner in which the work shall be done.

Garbage.

SEC. 39. To provide for the conveyance of and disposal of garbage, ashes, animal and vegetable refuse, dead animals, offal and waste matter.

Licensing business.

SEC. 40. To license, for purpose of regulation and revenue, or any kind, kind of business and prohibiting the same and all shows, exhibitions and public games carried on in the city; to fix the value of licenses upon the same, and to provide for the collection thereof by suit or otherwise.

Weights and measures.

SEC. 41. To provide for the inspection and sealing of all weights and measures used in the city, and to regulate the keeping and use of scales of proper weights and measures duly tested and sealed.

Taxation.

SEC. 42. To levy and collect taxes upon all the real and personal property within the city, subject to the limitations elsewhere in this charter provided.

Erroneously collected taxes.

SEC. 43. To order the repaying to the persons entitled thereto by the treasurer of any taxes, percentages or costs erroneously or illegally collected.

Fees.

SEC. 44. To fix the fees and charges for all official services not otherwise provided for in this charter.

Purchase of property under execution.

SEC. 45. To provide for the purchase of property levied upon or under execution in favor of the city, but the amount bid on such purchase shall not exceed the amount of judgment and costs.

Regulation of public utility rates.

SEC. 46. To fix and determine, by ordinance, in the month of February of each year, and to take effect the first day of July thereafter, the rates or compensation to be collected by any person, firm or corporation in the city for the use of water, heat, light, power or telephonic service supplied to the city or its inhabitants, and to prescribe the quality of the service.

Railroads to keep streets in repair.

SEC. 47. To require every railroad company to keep the streets in repair between the tracks, and along and within the distance of two feet upon each side of the track occupied by the company, and to sprinkle the same.

Spur tracks.

SEC. 48. To permit the laying down of spur or side tracks and running of cars thereon, for the purpose of connecting warehouses, manufactories or other business industries and enterprises with any line of railroads which do now or may hereafter enter the city, subject to such regulations and conditions as may be prescribed from time to time by the council; such tracks not to be used as a main line or a part thereof; and also for the purpose of excavating and filling in a street or a portion of a street or the adjoining land, and for such limited time as may be necessary for such purpose and no longer. Such tracks must be laid level with the street, and must be operated under such restrictions as not to interfere with the use of the street by the public. All permits granted under the provisions hereof shall be revocable at the pleasure of the council.

Regulation of poles and wires.

SEC. 49. To cause the removal and placing under ground of all telephone, telegraph, electric light or other wires within the city or within any designated portion thereof, and to regulate or prohibit the placing of poles and suspending of wires along or across any of the streets, highways and public places in the city.

Size and location of pipes.

SEC. 50. To regulate the size and location of all water pipes, gas pipes, and all other pipes and conduits laid or constructed in the streets and public places, and to require the filing of charts and maps of such pipes and conduits.

Elections.

SEC. 51. To make all rules and regulations governing elections not inconsistent with this charter.

Park commission.

SEC. 52. To establish a park commission and appoint commissioners thereon, to serve without compensation, with such powers and duties as may be fixed by the council.

Improvement of waterways.

SEC. 53. To acquire by purchase or otherwise and own, operate and control all machinery and all appliances necessary for the improvement of waterways.

Violation of charter and ordinances.

SEC. 54. To prescribe fines, forfeitures and penalties for the violation of any provision of this charter, or of any ordinance; but no penalty shall exceed a fine of five hundred dollars or six months' imprisonment, or both.

General grant of power.

SEC. 55. To exercise such other powers as are now or may be hereafter granted by the legislature to the municipalities within the state, unless the exercise of such powers is contrary to the provisions of this charter, to exercise all other needful

powers for the efficient administration of city government, so far as the welfare of the city is its predominant interest, such powers and forms, however named, created or used, and no enumeration hereinafter used for or conferring such power or other acts and things which shall be necessary and proper to carry into full and complete effect all powers of this government or of any of its officers.

General laws followed.

SEC. 36. In the exercise of any procedure for exercising any of aforesaid and granted or implied power or authority, the general law of this state, where applicable, shall govern and regulate with any exercise provisions of this charter, shall prevail and shall be followed.

Direct legislation by the people.

SEC. 37. The qualified voters of the city shall have the power, through the initiative and referendum, as provided in this charter and the general laws of the state, to enact appropriate legislation to carry out such exercise any of the granted or implied powers of the city.

Liberal construction.

SEC. 38. Lastly, this grant of power is to be liberally construed for the purpose of securing the well being of the municipality and its inhabitants.

ARTICLE IV.

ELECTIONS.

General and special municipal elections.

SECTION 1. A municipal election shall be held on the first day in the second Monday in April, 1913, and on the second Monday in April every second year thereafter, and shall be known as the general municipal election. All other municipal elections that may be held in accordance with any general law shall be known as special municipal elections.

Nomination and election of city officers.

SEC. 2. The mode of nomination and election of all elective officers to be voted for at any municipal election shall be as follows and not otherwise:

SEC. 3. The name of a candidate shall be printed upon the ballot when a petition and nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

Form of nomination petition.

SEC. 4. The petition of nomination shall consist of not less than fifty nor more than one hundred individual certificates which shall read substantially as follows:

Individual certificate.

SEC. 5. Petition of nomination.

STATE OF CALIFORNIA,
COUNTY OF MARIN, } ss.
CITY OF SAN RAFAEL,

I, the undersigned, an actually resident elector of said city, do hereby declare that I am a qualified elector of the city of San Rafael and that my residence and post office address is No. _____ street; that I hereby petition that the nomination of _____ whose residence is at No. _____ street, San Rafael, for the office of _____ to be voted for at the municipal election to be held in the city of San Rafael on the _____ day of _____, 19__, and I hereby declare that I am not at this time a signer of any other petition for the above named office, or if any there are several names of persons as candidates for the above named office, that I know not signed more petitions than there are persons to be voted for for the above named office.

Subscribed and sworn to before me this _____ day of _____, 19__.

_____
Notary or Qualification Officer.

The petition of nomination to which this certificate forms a part shall be filed by _____ residence is No. _____ street, San Rafael, California.

Forms to be supplied by city clerk.

SEC. 6. It shall be the duty of the city clerk to furnish upon application a reasonable number of forms of individual certificates to any person requesting.

Requirements of certificate.

SEC. 7. Each certificate must be a separate paper. All certificates must be of a uniform size as determined by the city clerk. Each certificate must contain the name of the signer thereto and no more. Every signer must be a qualified elector, must sign at the time of signing a certificate knowingly sign more than one petition

certificate for any other candidate for the same office, nor in case there are several places to be filled in the same office, signed to more certificates for candidates for that office than there are places to be filled in such office. In case an elector has signed two or more conflicting certificates, all such certificates shall be rejected. Each signer must verify his certificate and make oath that the same is true before a notary public or a verification deputy, as provided for in this article. Each certificate shall further contain the name and address of the person to whom the petition is to be returned in case said petition is found insufficient.

Verification deputies.

SEC. 8. Verification deputies, under this article, must be qualified electors of the city, and shall be appointed by the city clerk upon application in writing signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal office at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Such verification deputies need not use a seal, and shall not have power to take oaths for any other purpose whatsoever, and their appointments shall continue only until all petitions of nomination, under this article, shall have been filed with the city clerk.

Date of presenting petition.

SEC. 9. A petition of nomination, consisting of not less than fifty nor more than one hundred individual certificates for any one candidate, may be presented to the city clerk not earlier than forty-five days nor later than thirty days before the election. The clerk shall endorse thereon the date upon which the petition was presented to him.

Examination of petitions by city clerk.

SEC. 10. When a petition of nomination is presented for filing to the city clerk, he shall forthwith examine the same, and ascertain whether it conforms to the provisions of this article. If found not to conform thereto, he shall then and there in writing designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition to the person named as the person to whom the same may be returned in accordance with this article. The petition may then be amended and again presented to the clerk as in the first instance. The clerk shall forthwith proceed to examine the petition as hereinbefore provided. If necessary, the council shall provide extra help to enable the clerk to perform satisfactorily and promptly the duties imposed by this article.

Withdrawal of signatures.

SEC. 11. Any signer to a petition of nomination and certificate may withdraw his name for the same by filing with the city clerk a verified revocation of his signature before the filing of the petition with the city clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

Withdrawal of candidate.

SEC. 12. Any person whose name has been presented under this article as a candidate may, not later than twenty-five days before the day of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If upon such withdrawal the number of candidates remaining does not exceed the number to be elected, then other nominations may be made by filing petitions therefor not later than twenty-one days prior to such election.

Filing of petitions.

SEC. 13. If either the original or amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five days before the date of election: *provided*, that petitions of nomination made pursuant to Section 12 of this article shall be filed by the clerk twenty days before the date of election; *provided* that if any petition be returned pursuant to Section 10 of this article, two days shall be allowed to amend and again present the same.

Preservation of petitions.

SEC. 14. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this article.

Election proclamation.

SEC. 15. Immediately after such petitions are filed the clerk shall enter the names of the candidates in a list, with the offices to be filled, and shall on the twentieth day before the election certify such list as being the list of candidates nominated, as required by the charter of the city of San Rafael, to the city council, which shall meet on said twentieth day before the election for the purpose

of receiving such bid. Said council shall thereupon cause said certified list of names and the offers to be made proposals whether for a less term or consistent terms to be published for two weeks before the election in not less than one weekly newspaper of general circulation published in the city of New Bedford. Said advertisement shall contain in all respects as the general law governing the conduct of municipal elections now or hereafter in force, except as herein provided.

Form of ballots.

SEC. 16. The city clerk shall cause the ballots to be printed and issued and cause proper arrangements for the polls and cause an attendant required to vote thereon. The ballots shall contain the list of names and the appropriate offices, as provided in the preceding, and shall be substantially the following form:

SEC. 17.

CITY OF NEW BEDFORD | MUNICIPAL ELECTION.

FOR CITY OF NEW BEDFORD

Instructions to voters. To vote, stamp or write a cross (×) opposite the name of the candidate for whom you desire to vote. All names otherwise made are candidates. All distinguishing marks are forbidden and make the ballot void. To vote wrongly mark, tear or deface this ballot, return it to the inspectors and obtain another.

Requirements of ballots.

SEC. 18. All ballots printed shall be precisely of the same size, quality, tint of paper, kind of type and color of ink so that without the number it shall be impossible to distinguish one ballot from another, and the names of all candidates printed upon the ballot shall be in type of the same size and style. A cross mark may be provided at the right-hand side of the ballot opposite the name of each candidate, to be used upon all the ballots that shall be voted upon by machinery as provided by the general laws. The names of the candidates for each office shall be arranged in alphabetical order, the ballot shall be indicative of the nature of the candidacy of all the support of any candidate.

Party nominees to be on ballot.

SEC. 19. The name of no candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided, shall be omitted from the ballot.

Arrangement of offices on ballot.

SEC. 20. The offices on the ballot shall be arranged in separate columns in the following order:

For mayor.
Vote for one.
For councilmen.
Vote for eighteen (18).
For members of board of aldermen.
Vote for eighteen (18).
For city clerk (3 years).
Vote for one.
For city assessor (3 years).
Vote for one.
For city treasurer (3 years).
Vote for one.
For water commissioners (3 years).
Vote for two.
For city solicitor (3 years).
Vote for one.
For city auditor (3 years).
Vote for one.
For public weigher (3 years).
Vote for one.

Space for voting cross.

SEC. 21. A half inch square shall be provided to the right of the name of each candidate whereby to mark the cross.

Blank spaces for additional candidates.

SEC. 22. Half inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person he prefers for whom he may wish to vote.

Specific ballots.

SEC. 23. The clerk shall cause to be printed specific ballots thereon, to keep with the ballot in the hand of the precinct, one of different colored paper and shall furnish copies of the same to inspectors to registered voters at the office of the five days before the date fixed for such election, and shall send one with ballots to each voter entitled to vote at such election, as soon as all such specific ballots shall have been printed or have been filed with said clerk.

Vote necessary for election.

SEC. 24. The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such election shall be declared entitled to the office for which they are candidates.

Failure of person elected to qualify.

SEC. 25. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as herein provided.

Informalities in elections.

SEC. 26. No informalities in conducting municipal elections shall invalidate the same, if they have been conducted fairly and in substantial conformity to the requirements of this charter.

General election regulations.

SEC. 27. The provisions of the state law in force at the time of holding any city election relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections; *provided*, that the council shall meet as a canvassing board and duly canvass the election returns on the fourth day after a municipal election and declare the results.

Control of city elections.

SEC. 28. The conduct and carrying on of all city elections shall be under the control of the council, and the council shall, by ordinance or resolution, provide for the holding of all city elections, and may direct and subdivide the municipality into municipal election precincts for the holding of municipal elections, and change and alter such precincts and redistrict the municipality for such elections as often as occasion may require. Unless the boundaries of the precincts shall be changed, as herein provided, they shall remain as fixed for the election of state and county officers at the last general election preceding the city election.

Compensation of election officers.

SEC. 29. At each city election each of the election officers shall receive such compensation for his services as the council shall fix.

Filing of election figures.

SEC. 30. The election returns from each municipal election precinct shall be filed with the city clerk, who shall immediately place them in the safe or vault in the city clerk's office, and no person shall be permitted to handle, inspect, examine or in any manner interfere with the same until canvassed by the council. After having been canvassed, they shall be sealed up by the city clerk for six months, and no person shall have access to them except on the order of a court of competent jurisdiction.

Certificates of election.

SEC. 31. After the result of an election is declared or when an appointment is made, the city clerk shall, under his hand and official seal, issue a certificate thereof and serve the same personally or by depositing such certificate, with the postage prepaid, in the United States post office in San Rafael, addressed to the person elected or appointed; and such person must, before taking office, file his official bond, if a bond is required of him by this charter or the ordinance of the city, and take and subscribe to the oath of office required of him by this charter, which oath must be filed with the city clerk.

ARTICLE V.

INITIATIVE, REFERENDUM AND RECALL.

SECTION 1. The initiative.

Preliminaries to filing petition.

(1) The qualified electors of the city shall have power to propose by petition, and adopt at the polls, any ordinance which may be enacted under this charter. Such ordinance may be proposed by filing with the city clerk a petition setting forth said ordinance in full, signed by qualified electors of the city as many in number as hereinafter required of the entire vote cast at the last preceding general municipal election. Before any petition for such submission of a proposed ordinance shall be circulated, an affidavit by or on behalf of its proponents shall be filed with the city clerk containing the following: A copy of the proposed ordinance; a statement in not more than two hundred (200) words giving the proponents' reasons for the adoption of such ordinance; a statement of the intention to secure the submission of said ordinance to a vote of the electors by an initiative petition, and the address of the party making such affidavit. The council shall have ten (10) days after the filing of such affidavit in which to formulate and send by registered mail to the address given in such affidavit a statement in not more than two hundred (200) words of the reasons why such proposed ordinance should not be adopted. Those reasons for and against the adoption of the proposed ordinance shall be printed as a part of each individual certificate forming a part of the petition.

Form and contents of petition.

(2) The petition petitioning shall consist of individual certificates signed by qualified electors of the city as appear on petitions or forwarding requests. The form and requirements of such certificates and mode of certification shall be substantially as follows:

(Individual certificate.)

INITIATIVE PETITION TO THE COUNCIL.

We, the undersigned, qualified electors of the City of San Rafael, hereby petition the Council to [Here insert what it is desired the Council shall do.]

(The petition must be signed by qualified electors equal in number to the [Here insert 10% or 15%] per centum of the entire vote cast at the last preceding general municipal election, and contain a request that said ordinance be submitted to a vote of the electors of a general municipal election, then such ordinance, unless withdrawn, shall be submitted by the council to the next general municipal election that shall occur after the expiration of [Here insert 30 days or 40 days] days from the date of the attachment of the certificate of sufficiency to the petition accompanying said ordinance, unless the council shall have power to the time at which such election, passed such ordinance without submission.)

I (or we) hereby request that the following ordinance be submitted to a vote at the next general municipal election, if one occurs within [Here insert 30 days or 40 days] days from the date of the attachment of the certificate of sufficiency to the petition accompanying said ordinance, unless the Council shall have power to the time at which such election, passed such ordinance without submission, pursuant to the initiative provisions of the charter of the City of San Rafael.

I further certify that I have read the petition hereinabove and the ordinance therein set forth, and that the signatures appended hereto were made in the presence of the undersigned, and I am satisfied that each signer is the person he represents himself to be, and that each signature is the genuine signature of the person whose name it purports to be.

Dated at San Rafael, California, this ____ day of _____, 19__.

(Signed) _____

(Individual Petitioner.)

State of California,
County of Marin,
City of San Rafael, } ss.

_____, being duly sworn, deposes and says: That he is one of the petitioners who signed the foregoing petition, and that the signatures thereto are true and genuine.

(Signed) _____

Subscribed and sworn to before me this ____ day of _____, 19__.

(Signed) _____

(Individual Petitioner.)

(Official Capacity and Title.)

The signatures of each of the petitioners hereto appended were made in my presence, and I believe each signature to be the genuine signature of the person whose name it purports to be.

Dated at San Rafael, California, this ____ day of _____, 19__.

(Signed) _____

(Individual Petitioner.)

The petitioners of Subdivision 2 of Section 2 of this article, beginning "We, the undersigned," and ending "as petitioners," shall appear at the top of each page of the petition.

Signing petition.

(3) If the petition hereinabove set forth shall be signed by qualified electors equal in number to twenty per centum of the entire vote cast at the last preceding general municipal election, and contain a request that said ordinance be submitted to a vote of the people at a special election, then such ordinance, unless withdrawn, shall be submitted by the council to the next general municipal election that shall occur after the expiration of [Here insert 30 days or 40 days] days from the date of the attachment of the certificate of sufficiency to the petition accompanying said ordinance, unless the council shall have power to the time at which such election, passed such ordinance without submission.

Ten per cent petition.

(4) If a petition be signed by qualified electors equal in number to ten per centum of the entire vote cast at the last preceding general municipal election, and contain a request that said ordinance be submitted to a vote of the electors of a general municipal election, then such ordinance, unless withdrawn, shall be submitted by the council to the next general municipal election that shall occur after the expiration of [Here insert 30 days or 40 days] days from the date of the attachment of the certificate of sufficiency to the petition accompanying said ordinance, unless the council shall have power to the time at which such election, passed such ordinance without submission, pursuant to the initiative provisions of the charter of the City of San Rafael.

Limitations for petitions.

(5) No individual certificate provided for in this section shall be valid or sufficient unless the same shall have been signed within [Here insert 30 days or 40 days] prior to the

presentation to the clerk of the petition of which it forms a part. No initiative petition requesting the submission of an ordinance at a special municipal election, and having an insufficient number of signatures to require such special election, but having the required number for submission of said measure at a general municipal election, shall, by virtue thereof, be sufficient to require the submission of such ordinance at a general municipal election. No initiative petition requesting the submission of an ordinance at a general municipal election, and having a sufficient number of signatures to have required the submission of said ordinance at a special municipal election shall, by virtue thereof, be sufficient to require the calling of a special municipal election.

Measure to be mailed to voters.

(6) Whenever any ordinance is required under the initiative or referendum provisions of this charter to be submitted to the voters of the city at any election, the council shall cause the ordinance, together with such arguments for and against it as may have been printed on the individual certificates constituting the initiative or referendary petition, to be printed, and it shall be the duty of the city clerk to enclose a printed copy thereof in an envelope with a sample ballot and mail the same to each voter at least five (5) days prior to the election. The council may cause said ordinance to be printed once in a newspaper of general circulation published in the city one week preceding the date of such election.

Election.

(7) The ballots used when voting upon such proposed ordinance shall set forth in full the title of the proposed ordinance, and shall state the general nature of the proposed ordinance, and shall contain the words "for the ordinance," and "against the ordinance." If a majority of the qualified electors voting on said proposed ordinance shall vote in favor thereof such ordinance shall take effect five (5) days after the declaration of the official canvass.

Several ordinances at one election.

(8) Any number of proposed ordinances under the initiative and any number of ordinances under the referendum may be voted upon at the same election, in accordance with the provisions of this section.

Limit to special elections.

(9) There shall not be held under this section more than one special election in any period of one year.

Competing and conflicting measures. (Repeal.)

(10) When there are two or more ordinances proposed to secure the same general purpose, the council shall so declare, and shall have the voter so printed that the voter first may choose between the ordinances or none, and second may express his preference for any one. If a majority of the votes on the first question is affirmative, then the ordinance receiving the highest number of votes shall become law, and the others shall fail of passage. In case two or more ordinances are cited for the highest vote, they shall be resubmitted at the next ensuing general municipal election. If there is a conflict between two or more ordinances adopted at the same election, then the ordinance receiving the highest affirmative vote shall prevail. No ordinance approved by the electorate under the provisions of this article shall be amended or repealed except by a vote of the electorate, unless such ordinance shall otherwise provide.

Election is mandatory.

(11) If any ordinance proposed by initiative petition, or upon which a referendum vote is requested by petition in accordance with the provisions of this charter, be not submitted to the voters at or within the time elsewhere specified in this charter, such petition shall remain in force until such ordinance has been submitted to a vote; and no bond issue or other ordinance proposed by the council shall be submitted to the voters unless at the same election, or at or thereto, there shall be submitted to the voters the ordinance or ordinances upon which a vote is requested by petition, if any vote be so requested and upon which a vote has not been taken at or within the time elsewhere specified in this charter. This section is prohibitory and mandatory.

Substantial compliance.

(12) A substantial compliance with the provisions of this section shall be sufficient for the holding of an election hereunder and the approval or rejection of any measure submitted thereat.

Further regulation.

(13) The council shall, by ordinance, make such further regulations as may be necessary to carry out the provisions of this section and to adopt the provisions of Article IV thereto.

SEC. 2. The referendum.

Mode of protesting against ordinance.

(1) Any [illegible] against the [illegible] shall be [illegible] from the date of the final passage, unless [illegible] by the qualified [illegible] of the [illegible] or the [illegible] and [illegible] by [illegible] [illegible] of the [illegible] [illegible] [illegible]

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____ No. _____ _____ street, San Rafael, California.

The provisions of Subdivision 4 of Section 3 of this article, applying to recall petitions, shall apply to petitions filed under this section.

Time of election.

(4) If a petition be filed more than thirty days and less than ninety days prior to a general municipal election, the ordinance or measure shall be submitted at such general municipal election; otherwise it shall be submitted at the next general municipal election, or at a special municipal election called prior thereto, as the council shall decide.

Conduct of election.

(5) Subdivision six (6), seven (7), eight (8) and twelve (12), of section one (1) of this article, applying to the initiative, shall govern elections held under authority of this section, so far as possible.

Result of election.

(6) If a majority of votes cast on any ordinance or measure submitted on petition or referred by the council on its own motion to the electors, in accordance with the provisions of this section, shall be in favor thereof, it shall go into effect five (5) days after the declaration of the official canvass, otherwise it shall be considered repealed or rejected. The provisions of subdivision ten (10) of section one (1) of this article, relating to conflicting and competing measures under initiative elections, shall apply to conflicting and competing measures under referendary elections.

Franchise measure.

(7) No ordinance passed by the council granting any franchise shall go into effect until the expiration of sixty (60) days from the date it becomes final. At the end of such sixty (60) days such ordinance shall be in force and effect, unless within such period there shall be filed with the city clerk a referendary petition, signed by qualified electors equal in number to ten (10) per cent of the entire vote cast at the last preceding general municipal election, requesting that such ordinance be submitted to the electors at the next occurring general or special municipal election. If such referendary petition is duly filed with the city clerk, requiring that a franchise be referred to a vote of the electors at the next occurring general or special municipal election, and if the applicant for the franchise desires action thereon earlier than the next occurring general or special municipal election, then a special municipal election for the determination of such question may be called by the council, *provided*, that the applicant pay one half of the expenses of such special election, as such expense may be determined by the council. In case that such referendary petition is duly filed such ordinance shall not go into effect until approved by a majority of the voters voting thereon at an election as herein provided.

Reference of measures to popular vote.

(8) Any ordinance or measure that the council or the qualified electors of the city shall have authority to enact may be enacted by the council of its own motion submit to the electors for adoption or rejection at a general or special municipal election, in the same manner and with the same force and effect as is provided in this charter for ordinances submitted on petition.

Further regulations.

(9) The council may, by ordinance, make such further regulations as may be necessary to carry out the provisions of this section, and adapt the provisions of Article IV thereto.

SEC. 3. The recall.

Applies to all elective officers.

(1) Every incumbent of an elective office, whether elected by popular vote or appointed thereto to fill a vacancy, shall be subject to removal from office by the proceedings provided in this section. Such proceedings shall be known as recall proceedings, and shall be as follows:

Petition for recall.

(2) A petition signed by qualified electors equal in number to twenty (20) per cent of the entire vote cast at the last preceding general municipal election, requesting the calling of an election to determine whether the incumbent of an elective office shall be removed, shall be addressed to the council and presented to the city clerk. The petition may request that the question of such removal shall be submitted at a special municipal election, or at the next general municipal election.

Form of petition.

(B) The petition for recall last aforesaid [any other shall be substantially in the following form:]

[Preliminary certificate.]

PETITION for the University Representative in National Administrative Parliament

[If recall for the term]

For the recall of [name of officer].

From the office of [name of office].

Because for the reason of [reason of officer] [any for other of reasons of other].

[Here insert the reasons.]

I, the undersigned, certify that I reside [or is a resident of the recall municipality that is hereinafter named] in the town of the province of the city of [name district], or I appeal with the said [district] municipal electors, that petition affidavit copies of officer] shall be recalled and removed from the office [or [name] of office]. I further certify that I have read the foregoing statement [or read aforesaid the recall of said officer and certify that the petition is correct], that I am a qualified elector in said city, that I reside [at No. ..... [street, avenue, etc.], in said city, and that my occupation is .....

[Signed] .....

State of California }
County of Marin, } ss.
City of San Rafael, }

.....being duly sworn, deposes and says: That he is one [person who signed the foregoing petition], and that the statements therein contained are true and correct.

[Signed] .....

Subscribed and sworn to [or affirmed] before me this ..... day of ..... 19..

[Signed] .....

[Official capacity of person before whom sworn.]

The person or [each one circulating] [or a part thereof] is issued [candidate], to circulate [a] petition [petitions] for the ..... [name of officer] sought, San Rafael, California.

Filing and examination of petition.

(A) Each petition must be signed and verified by [one or more] of [or] such qualified voters [having a special qualification prescribed by or for the recall of the municipal officer]. Each petition shall be [signed] [signed and verified] by [or] [for] such voters [whose qualifications shall be determined as of the time] [as] [of] the last [general] election [next preceding the time of filing such petition, whether the name of such petitioner appears upon the register of such election or not]. Each petition shall [be signed by such petitioners in person, and] [not] be circulated [or signed] more than [sixty] days before the filing thereof. To any petition there may be appended [a] [the] statement [not exceeding two hundred words] in favor of the [recall] [petition] [sought] signed by the same petitioners [or any of them] [who signed the petition]. [If any petition shall contain more than one name, the petitioners shall designate not more than three of their number as the committee of the petition, and the committee so designated shall be the committee of the petition.] [Each petition shall be filed with the clerk of the city, and the clerk shall, within seven days after the filing of such petition, examine the same and from the records of the registration of voters ascertain whether or not the petition is signed by the requisite number of qualified petitioners, and if necessary the petitioners shall have a reasonable time, not exceeding ten days, in which to complete the petition by filing additional papers. The clerk shall then attach to the petition his certificate showing the result of his examination.] [If the petition shall be found to be insufficient, it may be amended within ten days from the date of such certificate by filing a supplementary petition upon additional papers signed and verified in all respects as required for the original petition. Within five days after the filing of such amendment the clerk shall examine the same and from the records of the registration of voters ascertain whether or not the petition as amended is sufficient, and within five days from the date of such filing he shall attach to the petition his certificate showing the result of his examination.] [If the petition is insufficient, it may be amended by supplementary petition upon additional papers signed and verified in all respects as required for the original petition. Within five days after the filing of such amendment the clerk shall examine the same and from the records of the registration of voters ascertain whether or not the petition as amended is sufficient, and within five days from the date of such filing he shall attach to the petition his certificate showing the result of his examination.]

[If the petition is insufficient after amendment, the petitioners shall have] [Any petitioner shall have] [a] further period of [ten] days in which to file [a] supplementary petition upon additional papers, and the clerk shall examine the same within [five] days after the filing thereof. [Any petitioner may withdraw his name from a petition at any time before the filing of the certificate of sufficiency.]

Statement of petitioner in recall petition.

(A) Before any petition [or recall is circulated] [or signed] [or filed] [in behalf of the making of] [whether circulated or] signed [and] [or] filed, there shall be filed with the city clerk [and] [or] [with] the city officer [or any other person to be named] [and] [or] [by] the [petitioner] [petitioners] [or any of them] [who signed the petition] a statement [not exceeding two hundred words] in favor of the [petitioner] [petitioners] [or any of them] [who signed the petition] [and] [or] [by] [the]

or each individual contestee. No original petition for recall of any officer shall be presented to the city clerk later than forty (40) days after the filing of the affidavit.

Election under recall petition.

(6) If the officer sought to be removed fails to resign within five (5) days after the recall petition is filed, and the petitioners request a special municipal election to be held, the council shall cause a special municipal election to be held within not less than thirty (30) nor more than forty-five (45) days after the filing of said petition to determine whether said officer shall be recalled; but if a general or special municipal election is to occur within ninety (90) days after the filing of said petition, the council may postpone the holding of such election to such general or special election.

Life of petition.

(7) If any question of recall, for which a petition has been filed, be not submitted to the electors of the city within the time specified, such petition shall remain in force until such question has been submitted.

Grounds of recall. Officer's justification.

(8) There shall be printed on the sample and on the official ballots the statement of the reasons for the recall of the officer, and his answer, if any.

Recall ballots.

(9) The ballots at every election at which recall is to be voted upon shall contain the following question: "Shall [name of officer] be removed from the office of [name of office]?" Following the question shall be printed the words "Yes" and "No," on separate lines, with a voting square at the right of each, in which the voter shall stamp or write a cross (×) for or against such recall. All requirements of this charter relating to ballots at general municipal elections shall, so far as applicable, apply to all ballots at every election at which a question of recall is to be voted upon. The call for elections under this section shall be the same as the call for general or special municipal elections.

What constitutes a recall.

(10) After a petition for recall of a person from office has been filed, he may continue to perform the duties of his office until the council has canvassed the returns of the election and declared that a majority of the votes upon the question of his recall was cast in favor thereof, and thereupon said office shall become vacant.

No recall petition for six months.

(11) No recall petition shall be filed against any officer until he has held office for six (6) months.

Ineligibility of recalled official.

(12) Any person who shall have been recalled, or who shall have resigned while recall proceedings were pending, shall not hold any municipal office within one (1) year thereafter.

ARTICLE VI.

CITY OFFICIALS.

Elective officers.

SECTION 1. The elective officers of the city of San Rafael shall be: A mayor, four councilmen, five members of the board of education, a city clerk, a city attorney, a chief of police, a city treasurer, a city assessor, a tax and license collector, and a police judge.

Election and term of office of mayor.

SEC. 2. The mayor shall be elected at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each second year thereafter, and shall hold office for the period of two years from and after the Monday next succeeding the day of such election, and until his successor is elected or appointed and qualified.

Election and terms of office of councilmen and members of board of education.

SEC. 3. The term of office of councilmen and members of the board of education shall be four years from and after the Monday next succeeding the day of their election, and until their successors are elected or appointed and qualified. Elections for councilmen and members of the board of education shall be held at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each second year thereafter. At the first general municipal election to be held on the second Monday in April, 1915, there shall be elected in said city of San Rafael four (4) councilmen and five (5) members of the board of education. The said councilmen and said members of the board of education so elected at said first general municipal election shall at their first meeting so classify themselves by lot as that two councilmen and two members of said board of education shall go out of office at the expiration of two years.

Removal and refusal of office of police inspectors, officers.

Sec. 4. The city shall, with [illegible] shall [illegible] [illegible] [illegible]

Deputyships.

SEC. 12. The council shall have power, by ordinance or by resolution, to create and discontinue offices, deputyships, assistant-ships, boards and commissions and employments other than those prescribed in this charter, to fix their terms of office, to provide the mode of filling them, to prescribe the duties pertaining thereto, according to its judgment of the needs of the city, and to determine the mode of removing any such officer, assistant or employee.

ARTICLE VII.

THE COUNCIL.

Council the governing body.

SECTION 1. All powers herein granted to and vested in the city of San Rafael shall, except as herein otherwise provided, be exercised by a council, to be designated the council of the city of San Rafael. Said council shall be the governing body of the city, and shall consist of a mayor and four councilmen, and, subject to the express limitations of this charter, shall be vested with all powers of legislation in municipal affairs adequate to a complete system of local government consistent with the constitution of the state.

President and vice-president.

SEC. 2. The mayor shall be president of the council, and shall preside at its meetings when present. The council shall elect one of its number to be vice-president.

Meetings of council.

SEC. 3. The council shall, by ordinance, provide for the time and place of holding its meetings and the manner in which its special meetings may be called.

Meetings to be public.

SEC. 4. All legislative sessions of the council, whether regular or special, shall be open to the public.

Quorum.

SEC. 5 A majority of the council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and postpone the consideration of pending business in like manner.

Rules of proceeding.

SEC. 6. The council shall determine its own rules of procedure, may punish its members for disorderly conduct and compel their attendance at the council meetings.

Ordinances and resolutions.

SEC. 7. (1) The council shall act only by ordinance or resolution.

Ayes and noes.

(2) The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the council. Upon the request of any member, the ayes and noes shall be taken and recorded on any vote. Every member, when present, must vote.

Majority vote of council.

(3) No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least three members of the council.

Title.

(4) Every ordinance shall be preceded by a brief title which shall indicate the subject and purport thereof.

Enacting clause of ordinance.

(5) The ordaining clause of all ordinances shall be, "The council of the city of San Rafael do ordain as follows"; and the ordaining clause of all ordinances adopted in accordance with the provisions of Article V of this charter shall be, "The people of the city of San Rafael do ordain as follows."

Requirements of ordinances.

(6) No ordinance shall be passed by the council on the day of its introduction, nor within five days thereafter, nor at any other time than at a regular meeting, nor until its publication at least once in full in a weekly newspaper published in said city of San Rafael at least three days before its adoption, and in case of amendment being made thereto before the final adoption of the ordinance, it must in like manner be republished in full as amended at least three days before its adoption as amended.

Ordinance required in certain cases.

(7) No action providing for any specific improvement or the appropriation or expenditure of any public money, except a sum less than five hundred (500)

debate for the consideration, and in case of public emergency for the passage of any measure, but establishing or changing the House rule in this respect shall not prevent action on ordinances previously introduced, which shall be governed by the rule in force when introduced.

Recommendations.

(8) When any ordinance is put upon its final passage and fails to pass such a motion is made to reconsider the vote upon such motion shall not be taken except on a motion of the majority that has cast such vote, after the passage or which such motion was made.

Signing and attesting.

(9) All ordinances shall be signed by the mayor and attested by the city clerk.

Revision and amendment.

(10) No ordinance shall be revised, reviewed or amended by reference to its title only, but the ordinance to be revised or amended, or the section or sections thereof to be amended or the new section or sections or an entire chapter shall be set forth in full as revised or amended. Such amended matter shall be distinguished by quotation marks or by some other method that the purpose of such amendment may be clearly understood.

Repeal.

(11) No ordinance may pass which shall be repealed except by ordinance adopted in the manner provided in this section.

Record of city ordinances.

(12) A true and correct copy of all ordinances shall be kept and certified to by the city clerk as a book marked "City Ordinances." Such record copy, with such certificate, or duly attested ordinances shall be prima facie evidence of the contents of the ordinances and of the time passage and publication of the same and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be available to the public at all city hours. Nothing herein contained shall be considered to prevent the filing of the passage and publication of an ordinance in the usual way.

Copies of city ordinances.

SEC. 8. All demands against the city of San Rafael, except as otherwise in this charter provided, shall be presented to and audited by the council in accordance with such regulations as it may by ordinance prescribe, and upon the allowance of any such demand, the mayor shall issue a warrant upon the city treasurer for the same, which warrant shall be countersigned by the city clerk, and shall specify the name of the person entitled to the money and on what fund it is to be paid.

Ordinances not to include foreign provisions.

SEC. 9. The council shall not extend under color to pass by any ordinance or otherwise to grant to the purchaser thereof or any person, firm or corporation any franchise, right or privilege not specifically granted by this charter, the ordinances of the city now in force and the general laws of the State. No ordinance shall be changed or enlarged by reference to any other ordinance or to any part thereof, but the ordinance to be changed or enlarged shall be set out in full as changed or enlarged.

Publication of charter and ordinances.

SEC. 10. The council shall cause all ordinances to be printed, compiled and indexed and kept on file with the City Clerk, together with all general ordinances of the city, and may cause to be published in book form the charter of the city and the ordinances in force, either together or separately, to be published in book form.

Annual financial report.

SEC. 11. The council shall cause to be prepared and published within thirty days after the last of each fiscal year a report showing the financial transactions and financial condition of the city for the fiscal year.

Construction of terms, etc.

SEC. 12. The council shall prescribe a construction which, except in case of manifest inconsistency, or unless the words indicating such effect are expressly limited, shall be as follows, and words used in writing in the present

ARTICLE VIII

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS

The mayor.

SEC. 1. The chief executive officer of the city of San Rafael shall be the mayor. The mayor shall be the presiding officer of the council. He may call special meetings of the council, and upon the request of any member of the council, shall upon the request of any member of the council, shall upon the request of any member of the council, shall

entered in the journal by the city clerk and approved by the council. The mayor shall see that the laws of the State of California, the provisions of this charter and the ordinances of the city of San Rafael are strictly enforced and duly observed within said city. He shall take all measures necessary for the preservation of public order and the suppression of mobs, riots and tumults, for which purpose he may use the police force, and, in case such force is ineffectual, he may call upon the governor of the state for military aid. The mayor shall diligently observe official conduct of all officers and employees of the city, and note the manner in which they perform their duties, especially in the collection, administration and disbursement of public funds and property. The books, records and official papers of all departments, boards, officers and employees of the city shall, at all times, be open to his inspection and examination, and he shall use special care to see that such books, records and documents are kept in proper legal form. He shall have general supervision of all departments, public institutions and offices of the city, and shall see that they are lawfully, economically and honestly administered and conducted. The mayor shall see that all contracts and agreements with the city are faithfully kept and performed, and to that end he shall, with the consent of the council, cause legal proceedings to be instituted and prosecuted, in the name of the city of San Rafael, against all persons failing, in whole or in part, to fulfill their agreements with said city. The mayor shall have power to administer oaths and affirmations and take affidavits and depositions in all matters relating to the business of the city. The mayor shall sign all conveyances made by the city of San Rafael, and all contracts to which it is a party, and shall acknowledge the execution of all instruments executed by said city that require acknowledgment, and shall sign all warrants ordered drawn by the council. When, by reason of absence from the city or from any other cause, the mayor is temporarily unable to perform the duties of his office, the vice president of the council shall act as mayor during such temporary absence or disability.

City treasurer.

SEC. 2. It shall be the duty of the city treasurer to receive and safely keep all moneys which shall come into his hands as city treasurer, for all of which he shall give duplicate receipts, one of which shall be filed with the city clerk. He shall pay out said money on warrants signed by the proper officers, and not otherwise, except interest coupons on bonds. He shall make quarterly settlements with the city clerk. He shall exercise such other powers and perform such other duties as may be prescribed or conferred in this charter, by law, or the ordinances of the city.

City assessor.

SEC. 3. It shall be the duty of the city assessor, between the first day of May and the first day of August in each year, to make out a true list of all the taxable property within the city. The mode of making out said list, and proceedings relating thereto, shall be in conformity with laws now in force regarding county assessors, except as the same may be otherwise provided in this charter or by ordinance. Said list shall describe the property assessed and the value thereof, and shall contain all other matters required to be stated in such lists by county assessors. Said city assessor shall verify said list by his oath, and shall deposit the same with the city clerk on or before the first Monday of August in each year. Said assessor and his deputy shall have power to administer all oaths and affirmations necessary in the performance of his duties.

City clerk.

SEC. 4. It shall be the duty of the city clerk to keep a full and true record of all the proceedings of the council and of the board of equalization. The proceedings of the council shall be kept in a book marked "Records of the Council." The proceedings of the board of equalization shall be kept in a separate book marked "Records of the Board of Equalization." He shall keep a book, which shall be marked "City Accounts," in which shall be entered as a credit all moneys received by the city for licenses, the amount of any tax when levied, and all other moneys received; and in which shall be entered on the debit side all commissions deducted, and all warrants drawn on the treasury. He shall also keep a book, marked "City Tax and License Collector's Account," in which he shall charge the city tax and license collector with all the tax lists, if any, delivered to him, and all licenses delivered to him. He shall credit the city tax and license collector with the delinquent lists returned by him. He shall also keep a book, marked "City Treasurer's Account," in which he shall keep a full account of the transactions of the city with the city treasurer. He shall also keep a book, marked "City Licenses," in which he shall enter all licenses delivered by him to the city tax and license collector. He shall also keep a book, marked "City Ordinances," into which he shall copy all city ordinances, with his certificate annexed to said copy, stating the foregoing ordinance is a true and correct copy of an ordinance of said city, and giving the number and title of said ordinance, and stating that the same has been published or posted according to law. Each of the foregoing books, except the records of the council and the board of equalization, shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein. The city clerk shall also keep a book, marked "Demands and Warrants," in which he shall note every demand against the city, and file the same. He shall state thereon, under the date of the demands, the final disposition made of the same; and if the same is allowed and a warrant is drawn,

[illegible] [illegible] [illegible] [

member fails to qualify within ten (10) days after his appointment, such appointment shall be void, and a new appointment shall be made for the unexpired portion of the term of said member. Meetings of the board of health shall be held when called by the president, or any three members, and all meetings shall be public. Three members shall constitute a quorum. Said board of health, subject to the ordinance of the city, shall have supervision of all matters pertaining to the sanitary condition of the city. The council shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the board of health may from time to time adopt, and all expenses necessarily incurred by the board of health in carrying out the provisions of law and of this charter shall be provided for by the council.

Fire commission.

SEC. 10. The board of fire commissioners shall consist of five (5) members, as follows: The chairman of the finance committee of the council, the chief of the fire department, and three (3) members to be appointed by the council. The board of fire commissioners shall exercise such powers and perform such duties as may be prescribed or conferred in this charter or the ordinances of the city.

Park commission.

SEC. 11. The several tracts or parcels of land heretofore dedicated to the city of San Rafael, known as parks, and such other tracts of land in said city as may hereafter be acquired, dedicated or set apart for public park or playground purposes, shall be managed and controlled by a board of five (5) commissioners to be appointed by the council, which shall be termed the board of park commissioners. The board shall elect a president and a secretary, who shall hold office during its pleasure. It shall hold regular meetings at such time and place as it may determine, and special meetings may be called by its president or two members of the board at any time. Its meetings shall be public; three members shall constitute a quorum for the transaction of business; it may adopt rules for its proceedings, and shall cause a record of such proceedings to be kept by its secretary under its direction. Said board of park commissioners shall have power and authority to manage, control and govern the parks of the city of San Rafael and provide for the maintenance and improvement thereof. It shall cause to be prepared and adopted general plans for the permanent improvement of such parks, cause them to be properly laid out in accordance with such plans, planted with suitable trees, shrubs, flowers, grass, etc., and the same to be cared for, cultivated and preserved. It may accept suitable articles donated for the use or adornment of such parks, and cause such articles to be placed therein. It shall employ and discharge all persons employed in or about the city's parks, prescribe their duties and fix their salary or compensation. It shall supervise and control the expenditures of all money in the park fund of the city treasury. It may adopt and enforce such rules and regulations as it may deem proper to regulate and govern the use of the grounds under its supervision and control. And said board shall exercise such other powers and perform such other duties as may be necessary to carry into effect the purposes of this section and to maintain, beautify and improve the city's public parks. The council shall annually include in the general tax levy a tax of not less than four (4) cents upon each one hundred dollars in valuation of property appearing upon the assessment rolls for the maintenance and improvement of its parks. Such tax, when collected, together with any other money given, donated, devised or bequeathed to the city for park purposes, shall constitute the park fund, and shall be kept by the city treasurer separate from all other public money, and shall be used and paid out only for the benefit of the city's parks and playgrounds. All expenditures of said fund must be authorized by the board of park commissioners, and all claims payable therefrom must be approved by said board before being presented to or allowed by the council. The council shall, by ordinance, provide for carrying into effect the powers herein granted to the board of park commissioners, enforcing such orders, rules and regulations as it may make concerning the use of the public parks and playgrounds and the preservation of park and playground property.

ARTICLE IX.

PUBLIC LIBRARY.

Management.

SEC. 1. The public library of said city shall be under the management of a board of five (5) trustees who shall be appointed by the mayor: *provided*, that the first board of library trustees appointed under this charter shall take office on the third Monday of April, 1915, and shall at their first meeting so classify themselves by lot that two of their number shall go out of office at the expiration of two years, and three at the expiration of four years. Library trustees shall not be less than twenty-five years of age, and must have been residents of said city for at least five years prior to their appointment and shall serve without compensation. The term of office of library trustees shall be four years.

Meetings.

SEC. 2. The board of library trustees shall meet at least once a month at such times and places as they may by by-laws. Special meetings may be called at

and time to close contest for school trustee election] [name] [illegible] [illegible] [illegible

may contract for lending the books of such libraries to residents of such counties or neighboring municipalities upon a reasonable compensation to be paid by such counties or neighboring municipalities.

Title to property.

SEC. 9. The title to all property acquired for the purposes of such library, when not inconsistent with the terms of its acquisition or otherwise designated, shall vest in the city.

ARTICLE X.

POLICE COURT.

Police court.

SECTION 1. There is hereby created in and for the city of San Rafael, a court, which shall be known as the police court of the city of San Rafael.

Judge and qualifications.

SEC. 2. Said court shall consist of one judge, who shall have attained the age of thirty years, and shall be a duly qualified elector of said city.

Exclusive jurisdiction.

SEC. 3. Said court shall have exclusive jurisdiction:

(1) In all prosecutions for violations of the city ordinances;

(2) In all actions for the recovery of any fine, penalty or forfeiture, and the enforcement of any obligation or liability prescribed by the city ordinances and in which the sum sued for does not exceed three hundred dollars.

Concurrent jurisdiction.

SEC. 4. Within the city limits, said court shall have concurrent and coordinate jurisdiction with township justices' courts in all criminal matters in which said justices' courts now or may hereafter have jurisdiction and the judge of said police court shall have, as aforesaid, like authority, power and jurisdiction as the justices of the justices' courts. He shall have the powers and perform the duties of a magistrate.

Appeals.

SEC. 5. Appeals may be taken to the superior court of the State of California, in and for the county of Marin, from the judgments and orders of said police court, in all cases in which appeals now or hereafter may be taken to said superior court from said justices' courts and police courts.

Procedure.

SEC. 6. The provisions of the several codes and of the statutes of this state relative to the procedure in justices' courts are applicable to the procedure in the police court. It may issue all writs and process which may be issued by justices of the peace or justices' courts, and the police judge may certify and take depositions and affidavits. Any warrant, writ, summons or other process issued by the police court may be directed to the chief of police, or to any sheriff or constable, who shall serve and return the same. He shall have power to administer oaths.

When open.

SEC. 7. The police court shall be open for the transaction of business at all times except Sundays and non-judicial days.

Sickness or disability.

SEC. 8. Upon the sickness or disability of the judge of said police court, he may cause to preside in his place any qualified justice of the peace of the county of Marin.

Courtroom, etc.

SEC. 9. The council shall provide a suitable courtroom, dockets, blanks and stationery necessary for the transaction of the business of said police court.

Fines.

SEC. 10. All fines and other moneys received or collected by the judge of said police court, for or on account of the city of San Rafael, shall be paid into the city treasury on the first Monday in each month.

Bailiff.

SEC. 11. The chief of police shall attend, or assign a police officer for attendance, on said court to preserve order therein and enforce its orders and serve its process.

Actions pending.

SEC. 12. All actions and proceedings pending and undetermined in the existing city recorder's court shall be proceeded with, heard, tried and determined in said police court hereby provided for, before said judge the same as if said actions or proceedings had been actually commenced in said police court.

Service of the peace.

SEC. 11. Nothing in this Charter shall be so construed as to prevent a county of the peace from holding the place as police judge.

ARTICLE XI.

PROFESSIONAL ORGANIZATIONS

School departments.

SECTION 1. The school departments of the city of San Antonio shall constitute the educational department of the State Medical Association, and all members of said State Medical Association who are graduates of reputable medical colleges and universities shall be entitled to membership in the educational department of the State Medical Association, and shall have all the rights and privileges of the said State Medical Association, and shall be entitled to all the emoluments, privileges, rights and privileges of the said State Medical Association. It shall consist of chairmanship and secretary selected by the membership of the said department as provided by said State Medical Association, and the chairmanship of the said department shall be entitled to all the emoluments, privileges, rights and privileges of the said State Medical Association, and

jurisdiction to foreclose such liens, or by sale of the property affected, and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance: *provided*, that when real property is offered for sale for taxes thereon, the same shall be struck off and sold to the city in like case and in like manner and with like effect and with like right of redemption as it may be struck off and sold to the state when offered for sale for state and county taxes; and the council shall have the power to provide for the procedure to be followed in such sales to the city and for the redemption of the property thereafter.

Equalization.

SEC. 3. The council shall meet on the second Monday of August in each year, at ten (10) o'clock in the forenoon of said day, and sit as a board of equalization, and shall continue in session from day to day until all the returns of the assessor have been rectified. They shall have power to hear complaints, and to correct, modify or strike out any assessment made by the assessor, and may, of their own motion, raise any assessment, upon notice to the party whose assessment is to be raised. The corrected list for each tax shall be the assessment roll for said tax for said year. It shall be certified by the city clerk, who shall act as clerk of the board of equalization, as being the assessment roll for said tax, and shall be the assessment roll upon which such tax is to be levied in said year.

ARTICLE XIII

PUBLIC WORK AND CONTRACTS

Form of contracts.

SECTION 1. All contracts must be in writing, approved by the city attorney, executed in the name of the city by an officer or officers authorized thereunto, countersigned, numbered and registered by the city clerk in a book kept for that purpose.

Progressive payments on contracts.

SEC. 2. Contracts may provide for progressive payments, if in the ordinance authorizing or ordering the work permission is given therefor, but no progressive payments can be provided for or made at any time which, with prior payments, shall exceed seventy-five per cent of the value of the labor done and the materials used up to that time, and no contracts shall provide for or authorize the payment of more than seventy-five per cent of the contract price before the completion of the work done thereunder and the acceptance thereof by the proper officer, board or department.

Public work to be done by contract.

SEC. 3. The erection, improvement and repair of all public buildings and works, all street and sewer work, and the furnishing of supplies and materials for the same, or for any use by the city, when the estimate therefor exceeds the sum of five hundred ($5000) dollars, shall be done by contract, and shall be let to the lowest responsible bidder, after advertising for sealed proposals at least once a week for two (2) weeks in a weekly newspaper of general circulation published in said city. Such notice shall specifically state the work contemplated to be done. The council may reject any bid deemed excessive and re-advertise, or the work may be done by the council. If no bid is received, the work may be done by the council.

Advertising.

SEC. 4. The city clerk shall submit a list of blanks and blank books used in the several offices and departments, and the council shall annually fix the prices therefor, and also the price of all job and city advertising and each officer, board or department shall procure such blanks, blank books, job printing and advertising at a price no greater than is so fixed, and certify the bill therefor to the council.

Contracts for lighting.

SEC. 5. No contract for lighting streets, public buildings, places or offices shall be made for a longer period than three (3) years, nor at a higher rate than the minimum price charged private consumers.

Collusion with bidder.

SEC. 6. Any officer of the city, or of any department thereof, who shall aid or assist a bidder in securing a contract for work, labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall willfully mislead any bidder in regard to the character of the material or supplies called for, or who shall knowingly certify to a greater amount of labor than has actually been performed, or to the receipt of a greater amount or different kind of material or supplies than has been received, shall be guilty of malfeasance in office.

Collusion of bidder.

SEC. 7. If any person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other person for the purpose of preventing other bids, then the contract so awarded shall be null and void, and the council shall re-advertise, or said work may be done by the council.

Offices incompatible.

SEC. 8. No officer shall be interested in any contract under the law of his office, agency, or the city which shall be void or voidable at the option of the city, unless such contract shall be duly bid for and given to the lowest responsible bidder after advertisement as provided in section seventy-eight of the Greater New York charter, and no commissioner or officer so engaged or interested at the time shall participate in any action of the board or department to which the contract is offered, or vote thereon, or in any way attempt to influence any other person, board or department.

Board of aldermen.

SEC. 9. The aldermanic body of each of the boards of aldermen shall consist of one member elected from each aldermanic district, and the number of districts in each borough shall be as follows: [Here insert number of districts in each borough.]

ARTICLE XIV.

BILL OF RIGHTS.

SECTION 1. The powers of government shall be divided into three distinct departments: the legislative, executive and judicial.

SEC. 2. The power of public franchises or privileges shall not be granted but subject to the right of the city, hereafter exercised by such of its agencies as may be duly authorized by the people of the city, to regulate and control the use, operation and maintenance of the same, to the end that adequate provision may be made for the safety, convenience and accommodation of the public, including proper wages for labor employed, and that the rights of the city and of the people may be fully protected. No franchise or privilege shall be granted for a longer period than twenty-five years, except that a franchise to own or operate a railroad may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any rapid transit railroad may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any dock, pier or bridge may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any subway may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any tunnel may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any viaduct may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any elevated railroad may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any surface railroad may be granted for a period not exceeding fifty years, and except that a franchise to own or operate a railroad which is required to be removed or relocated by reason of the construction of any

first election under this charter, shall canvass the votes and declare the result of said election. The amount of the bonds of all officers elected at such election shall be fixed by said board of trustees at least thirty days prior to such election.

Terms of incumbents in office.

SEC. 3. The members of the board of trustees and all other elective officers of the city of San Rafael in office at the time this charter takes effect shall continue to hold office and discharge their respective duties until the election and qualification of the officers first elected under this charter; *provided*, that the said board of trustees shall constitute the council, the president of the board of trustees shall perform the duties of mayor, trustees shall perform the duties of commissioners, and the city recorder shall perform the duties of police judge, and the marshal shall perform the duties of chief of police. The term of each of the other officers in office at the time this charter takes effect shall cease and terminate when the council first elected thereunder shall by resolution so declare.

Existing ordinances to continue in force.

SEC. 4. All city ordinances, resolutions and regulations in force at the time this charter takes effect, and not inconsistent with the provisions hereof, are hereby continued in force until the same shall be duly amended or repealed.

Conduct of legal proceedings.

SEC. 5. The city attorney shall be the prosecuting attorney in behalf of the people in all criminal cases arising from violations of the provisions of this charter and the ordinances of the city and shall attend to all suits and proceedings in which the city may be legally interested; *provided*, the council shall have control of all litigation of the city, and may employ other attorneys to take charge of any litigation or to assist the city attorney therein.

Violation of charter and ordinances.

SEC. 6. The violation of any provision of this charter, or of any ordinance of the city, shall be deemed a misdemeanor, and may be prosecuted by the authorities of the city in the name of the people of the State of California, or may be redressed by civil action, at the option of said authorities. Any person sentenced to imprisonment for a violation of the provisions of this charter, or of any ordinance, may be imprisoned in the city jail, or in the Marin county jail, in which latter case the expense of such imprisonment shall be a charge in favor of such county against the city of San Rafael.

Meaning of words.

SEC. 7. The word "city" wherever it occurs in this charter means the city of San Rafael, and every commissioner, board, officer, or employee wherever mentioned in this charter means the commissioner, board, officer, or employee, as the case may be, of the city of San Rafael. The word "council" when used in this charter means the council of the city of San Rafael.

Provisions for election.

SEC. 8. If, for any reason, the first general municipal election is not held on the day herein provided for, the validity of this charter and of such election is not affected thereby, and the board of trustees of the city of San Rafael then in office must provide for the holding of such election as soon as possible thereafter.

Illegal approval of demands.

SEC. 9. Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, ordinance, or this charter, shall be liable to the city, individually, and on his official bonds for the amount of the demand so illegally approved, allowed or paid.

Women eligible to office.

SEC. 10. Nothing in this charter shall be construed as prohibiting the election or appointment of women to any office, and the words used in this charter in the masculine gender shall include the feminine.

Surrender of books and records.

SEC. 11. All officers, boards, commissioners and departments of the city shall, upon vacating office, turn over to their successors all books, papers, documents, records, archives and other property which may be in their possession or under their charge.

Boundaries.

SEC. 12. The boundaries of the city of San Rafael as described in this charter may be altered and the territory embraced therein may be added to or diminished in accordance with the laws of the State of California, covering the annexation and exclusion of territory by municipalities.

Additional duties of officers.

SEC. 11. All officers of the city of San Rafael, whether so designated, elected, or appointed by the above mentioned or other charter, perform such duties as may be required by ordinance of the general laws of the State of California.

Books and Papers open to inspection.

SEC. 12. All books and records of the various offices and departments of the city, except books of the police department, and the private books of the assessor, shall during business hours be open to the inspection of any citizen or taxpayer, when such citizen or taxpayer has business therewith. Every citizen shall be entitled to the advice in writing of the opinion in reference of a law of ordinance from the head of the office or department thereof.

Check pass.

SEC. 13. The board shall annually in the month of January, in connection with the fixing of the tax levy, fix the amount of the check pass, which shall not exceed the sum of five dollars.

Publication and posting of notices.

SEC. 14. Except when otherwise provided by law, or this charter, all notices required to be published by the city council shall be published in a newspaper of general circulation, printed and published in the city of San Rafael, and all notices required to be posted shall be posted in three public places in the city of San Rafael, one of which shall be the door of the room where the city council usually meets.

Ordinances, how passed.

SEC. 15. All laws of the City of San Rafael shall be passed by ordinance, and no ordinance shall be passed except by a majority vote of the members of the board of trustees, and no ordinance shall be passed at the meeting at which it is introduced, but any motion or proposed ordinance may be introduced at any regular meeting of the board of trustees, and may be amended at any subsequent meeting before the final passage thereof. Every ordinance shall be read in full before the vote is taken upon its passage, and the vote upon the passage of every ordinance shall be taken by ayes and noes, and entered upon the journal of the proceedings of the board of trustees.

Ordinances, how published.

SEC. 16. All laws of the City of San Rafael shall take effect and be in force from and after the expiration of ten days from the time of the publication thereof, unless otherwise provided in this charter, or in the ordinance itself; but no ordinance shall take effect until a copy of the same shall have been published in a newspaper of general circulation, printed and published in the city of San Rafael, and the affidavit of the publication thereof shall be filed with the city clerk.

Ordinances, how signed.

SEC. 17. Every ordinance shall be signed by the president of the board of trustees, or in his absence by the trustee presiding at the meeting at which the ordinance was passed, and attested by the clerk, and shall be published in full in a newspaper of general circulation, printed and published in the city of San Rafael, and the affidavit of the publication thereof shall be filed with the city clerk.

Ordinances, how amended.

SEC. 18. No ordinance shall be amended by reference to its title only, but the section or sections as amended shall be set forth in full.

General provisions.

SEC. 19. In all matters concerning the municipal affairs, government, and police of the city of San Rafael not specially provided for in this charter, the provisions of the general laws of the State of California, now in force or hereafter enacted, shall govern.

SEVERABILITY.

Whereas, The city of San Rafael is a city containing a population of more than three thousand five hundred inhabitants, as determined and established by the census taken under the direction of the Congress of the United States in the year one thousand nine hundred and ten, and the Legislature of the State of California, by an act entitled "An act to provide for the formation of city charters and to amend an act entitled 'An act to provide for the formation of city charters and to amend an act entitled 'An act to provide for the formation of city charters and to amend an act entitled '

STATE OF CALIFORNIA,
COUNTY OF MARIN,
CITY OF SAN RAFAEL. } ss.

I, Richard Kinsella, president of the board of trustees of the city of San Rafael, State of California, do hereby certify that I now am, and at all times herein mentioned was, the duly elected, qualified and acting president of said board of trustees of the city of San Rafael, county of Marin, State of California; that E. B. Martinelli, L. E. Fleischman, Henry C. Gieske, E. S. Rake, L. Johansen, J. H. Clark, Salvador A. Pacheco, H. B. Meyer, J. B. Lovell, Lawrence Moore, Frank Riede, Louis Smith, Charles H. Du Bois, Robert Dollar and C. B. Atterbury, a majority of whose names appear signed to the foregoing proposed charter were, and each of them was on the 29th day of May, 1912, at a special election held in said city of San Rafael on said day duly elected by the qualified voters of the said city as a board of freeholders to prepare and propose a charter for said city of San Rafael; that each of said persons so elected was a freeholder and was at the time of said election and had been continuously for more than five years immediately prior thereto a qualified elector of said city of San Rafael; that the foregoing is a full, true and correct copy of said charter prepared by said board of freeholders, and filed in the office of the city clerk of said city of San Rafael on the 28th day of September, 1912, and within one hundred and twenty days after the result of said election was declared by the said board of trustees as required by Section 8 of Article XI of the constitution of this state; that said proposed charter was then published in *The Independent*, which at all times herein mentioned was, and now is a weekly newspaper of general circulation, printed, published and circulated in said city of San Rafael; that said proposed charter was published three times in said newspaper on the following days of publication, to wit: October 8, 1912, October 15, 1912, and October 22, 1912; that the first publication thereof was made on the 8th day of October, 1912, and within fifteen days after the filing of a copy of said charter as aforesaid in the office of the city clerk of said city of San Rafael; that, as required by said Section 8, Article XI of said constitution, a special election was held in said city not less than twenty days, nor more than forty days after the completion of the publication of said charter, to wit: on the 30th day of November, 1912, for the purpose of ratifying said proposed charter as a whole; that by a majority of the votes of the qualified electors voting at said election said proposed charter was ratified as a whole. That the returns of said election was duly canvassed by the board of trustees of said city of San Rafael on the 2nd day of December, 1912, and as the result thereof declared as above set forth; and that in all matters and things pertaining to said proposed charter all provisions of said section of the constitution and the laws of the State of California pertaining to the adoption of said charter have been fully complied with in every particular.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the corporate seal of the city of San Rafael to be affixed this 25th day of January, 1913.

R. KINSELLA.
President of the Board of Trustees of the City of San Rafael.

Attest:
EUGENE W. SMITH.
City Clerk of the City of San Rafael.

AND WHEREAS, Said proposed charter has been duly presented and submitted to the legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the assembly of the State of California, the senate thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein), That said charter of the city of San Rafael as presented to, adopted and ratified by the qualified electors of said city be, and the same is, hereby approved as a whole as and for the charter of the said city of San Rafael.

The question being on the adoption of the resolution,

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to

amend Section 1180 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 199 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brobeck, Burnett, Chamberlain, Cogswell, Curtin, Flint, Gates, Gerdes, Hare, Inman, Lukens, Mahan, Owen, Rigdon, Rush, Saylor, Stetson, Strobridge, Thompson, Tyrrell, and Wolfe—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY MEASURES ON READING

Assembly Bill No. 255—An Act declaring houses of lewdness, prostitution and prostitutes to be nuisances, providing for the abatement thereof, and providing for recovering the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from, maintaining, conducting or permitting said nuisance.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1

On page 2, line 1, of the printed bill, as amended March 19, 1913, after the word "shall" insert a comma.

Amendment adopted.

AMENDMENT NO. 2

On page 2, line 10, after the word "shall", insert the following: "in the full sense of the purpose, as an abatement by the court,"

Amendment adopted.

AMENDMENT NO. 3

On page 3, line 1, strike out the word "such" and insert in lieu thereof the following: "court or judge."

Amendment adopted.

AMENDMENT NO. 4

On page 3, line 6, after the word "premises", insert a comma.

Amendment adopted.

AMENDMENT NO. 5

On page 3, line 23, after the word "purchaser", strike out the period and insert in lieu thereof a comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

RUSH ORDER TO PRINTER

On motion of Senator Gerdes, the Secretary was directed to issue a rush order for printing Assembly Bill No. 255.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received, and ordered printed in the Journal:

MR. PRESIDENT: Your special committee appointed to determine whether or not Sections 249 and 250 of the Political Code are constitutional and binding upon the Senate respectfully report that from the authorities attached hereto they are of the opinion that said sections are unconstitutional.

GATES, Chairman.
KEHOE.
CAMPBELL.

Regarding the constitutionality of Sections 249 and 250 of the Political Code of the State of California, relating to duties of Judiciary Committee.

The legislative power of this state shall be vested in a Senate and Assembly, which shall be designated "The Legislature of the State of California." (Constitution, Article IV, Section 1.) Each house shall determine the rule of its proceeding. (Article I, Section 9.)

Sections 249 and 250 of the Political Code of the State of California prescribe what shall be the duties of the Judiciary Committee of each house of the Legislature in addition to what duties may be prescribed by the rules of each house. These sections were originally introduced as additions to the code by Assemblyman A. Caminetti (a member of the Judiciary Committee), Assembly Bill No. 416, January 23, 1899. The bill as amended passed by unanimous vote of the Assembly February 24th, and by vote of 25 to 5 in the Senate on March 20th, and was approved by the Governor on March 22d. Of the five who voted against the bill two were members of the Judiciary Committee of the Senate, Messrs. Boyce and Stratton.

This statute as enacted seems to be in violation of that section above quoted of the Constitution which provides that each house shall determine the rule of its proceeding.

"The principle, that each branch of the legislative assembly has a right to determine its own rule, is deemed so important that where it is inserted in the constitution of a state, it has been doubted whether it was competent for the legislature of such state, by law, to provide rules for the government of its respective branches, which should bind them and supersede their authority to make rules for themselves." (Cushing: Law and Practice of Legislative Assemblies.)

In *French vs. Senate* (146 Cal. 608), the court, in discussing the power of the Senate to control procedure said: "The Senate has power to adopt any procedure and to change it at any time and without notice. It can not tie its own hands by establishing rules which, as a matter of power purely, it can not at any time change and disregard. Its action in any given case is the only criterion by which to determine the rule of proceeding adopted for that case."

In *Ex parte D. O. McCarthy* (29 Cal. 465), the court, in considering the power of the Senate to investigate charges of bribery against its members, discusses the parliamentary law as it appears at page 221 of Cushing's Law and Practice of Legislative Assemblies, and says: "A legislative assembly, when established, becomes vested with all the powers and privileges which are necessary and incidental to a free and unobstructed exercise of its appropriate functions. These powers and privileges are derived not from the constitution, on the contrary, they arise from the very creation of a legislative body, and are founded upon the principle of self-preservation. The constitution is not a grant, but a restriction upon the power of the legislature, and hence an express enumeration of legislative powers and privileges in the constitution can not be considered as the exclusion of others not named unless accompanied by negative terms. A legislative assembly has, therefore, all the powers and privileges which are necessary to enable it to exercise in all respects, in a free, intelligent and impartial manner, its appropriate functions, except so far as it may be restrained by the express provisions of the constitution, or by some express law made unto itself, regulating and limiting the same."

On January 5, 1878, a question arose in the House of Representatives (U. S. Congress) under a section of the Act of 1855 which provides that reports and bills from the Court of Claims if not finally acted upon at one Congress shall be continued from session to session until finally acted upon. Mr. Jones, of Tennessee, held that no Congress could pass a law binding a succeeding and Mr. Stephens, of Georgia, held that the bills must begin *de novo*. The Speaker held that the bills shall be resumed and the proceedings commenced *de novo*. (Hind's Precedents, 4: 3298.)

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

Committee on Engrossed and Enrolled Bills,
Senate Chamber, Sacramento, March 25, 1911.

Mr. President: Your Committee on Engrossed and Enrolled Bills reports as follows:

Senate Bill No. 1001—An act declaring all buildings and other structures whereon or upon which work is carried, improvements or constructions are being or about to be erected, and upon the work, equipment and operating for the abatement and prevention of noise, nuisance by locomotives and otherwise.

Assembly Bill No. 1001—An act to regulate the practice of optometry, to provide for the appointment of a board of examiners, define its duties and powers and prescribing a penalty for the violation of the act.

And report that the same have been correctly engrossed.

GRANT, Chairman.

REQUEST FOR ENGROSSMENT OF BILL.

The following request for permission to reconsider a bill was received:

By Senator Cutten: To reconsider a Senate bill—An act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Request referred to Committee on Introduction of Bills.

ADJOURNMENT.

At eleven o'clock and ten minutes a.m., on motion of Senator Thompson, the President put the motion declared the Senate adjourned.

IN SENATE.

Senate Chamber,
Wednesday, March 29, 1911.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ayer, Boynton, Bradley, Burnham, Bunkl, Burnett, Cartwright, Chandler, Cogswell, Curtin, Cutten, Dennett, Flint, Gates, Gerdes, Gerlach, Hatch, Hayes, Holland, Kehoe, Leeds, Lewis, Lukens, Mahin, Owens, Rigdon, Rush, Sanford, Saunders, Stetson, Strobridge, Thompson, Tyrrell, and Wright—40.

Quorum present.

PRAYER.

Prayer by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 28, 1911, the further reading was dispensed with, on motion of Senator Bush.

COMMUNICATION.

The President presented the following telegram to the Senate:

LOS ANGELES, CAL., March 25, 1913.

To the President of the Senate, California State Legislature, Sacramento, Cal.:

The following resolution was unanimously adopted at the session of Church Federation of Los Angeles in regular session assembled today:

Resolved, That we especially urge upon the Legislature the necessity of enacting the anti prizefight Senate Bill No. 735. The vices of commercialized sports should not be permitted to perpetuate the disgraceful conditions at Vernon and other places in this State.

CHURCH FEDERATION OF LOS ANGELES.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said state by said government," approved May 1, 1911.

Also: Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Also: Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the states of sixteenth and thirty-sixth sections and providing the fee therefor.

Also: Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections in accordance with the provisions of Section 3496 of the Political Code," approved May 1, 1911, by amending section one thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1628, 1627, 1626 and 1625 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Also: Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Also: Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 758 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 434 read first time, and referred to Committee on Education.

Assembly Bill No. 747 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 12—A resolution pro-

[illegible]

L. E. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walshe, Assistant Clerk.

Assembly Constitutional Amendment No. 19 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1913.

Mr. Secretary: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1006, An act to amend section [illegible] and thereto five of the Political Code, relating to the office of State Engineer, to the Division of Water Resources and the water districts of Riverside and providing for [illegible] thereof, with amendments and [illegible] concurrence.

Also: Assembly Bill No. 1008, An act providing for the formation of water improvement districts [illegible] and defining the conditions under which such districts [illegible] to the jurisdiction of the Public Utilities Act and the [illegible] commissioners, and the duties of officials.

Also: Assembly Bill No. 1014, An act to amend [illegible] relating to [illegible] and [illegible] the [illegible] of the Underwriting Fund of the State Board of Control, for the sale of [illegible] and the disposition of the proceeds thereof, approved March 11, 1907, and to provide for the disposition of the moneys in the fund remaining to such [illegible].

Also: Assembly Bill No. 1016, An act to amend [illegible] relating to [illegible] and [illegible] the [illegible] of the Underwriting Fund of the State Board of Control, for the sale of [illegible] and the disposition of the proceeds thereof, approved March 11, 1907, and to provide for the disposition of the moneys in the fund remaining to such [illegible].

Also: Assembly Bill No. 1018, An act to amend [illegible] relating to [illegible] and [illegible] the [illegible] of the Underwriting Fund of the State Board of Control, for the sale of [illegible] and the disposition of the proceeds thereof, approved March 11, 1907, and to provide for the disposition of the moneys in the fund remaining to such [illegible].

L. E. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walshe, Assistant Clerk.

Assembly Bill No. 1021 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1022 read first time, and referred to Committee on Corporations.

Assembly Bills Nos. 1023 and 1024 read first time, and referred to Committee on Private and Retrenchment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1025, An act to amend section [illegible] of the Political Code of the State of California, relating to the expenses incurred during the general terms of the Superior Court for the county of [illegible] Court Officers of [illegible] and providing when to [illegible] of United States Court Officers of [illegible] Courts of the counties of [illegible] to [illegible] and [illegible] as [illegible] expenses, and providing that the expenses incurred shall not exceed an amount [illegible] and [illegible] and [illegible] and

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

Also: Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Also: Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River, known as 'Newton jetties,'" and repealing an Act entitled "An Act to authorize the Lauritzer Company of San Francisco, a corporation, to sue the State of California, approved March 23, 1907," approved March 20th, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 698 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1267 read first time, and referred to Committee on Corporations.

Assembly Bill No. 1317 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 7, Approving the charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5th, 1912.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 7 referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Schmitt, Sutherland and Bradford as a Committee on Free Conference to meet a like committee from the Senate for the purpose of considering Senate amendments to Assembly Bill No. 68.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation.

Also: Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Also: Assembly Bill No. 500—An act to appropriate out of the general fund to the Department of Public Works the sum of $1,000 for the purpose of defraying the expenses of the Commission appointed by the Governor to investigate the subject of water supply.

Also: Assembly Concurrent Resolution No. 20—A resolution relative to the adjournment sine die of the fortieth session of the Legislature of the State of California.

Read and ordered printed.

Senate Bill No. 40 and Assembly Bills Nos. 48 and 458 ordered on file for second reading.

Assembly Concurrent Resolution No. 19 ordered on file.

REPORTS OF COMMITTEES.

Senate Chamber, Sacramento, March 26, 1913.

Mr. President: Your Committee on Engrossed and Enrolled Bills has compared the following

Senate Bill No. 1070—An act to amend Section 4300 of the Political Code of the State of California, relative to the compensation of county and township officers in counties of the seventh class.

Also: Senate Bill No. 1080—An act authorizing the appointment and qualification by and for minor persons over fourteen years of age, and providing a penalty for the violation thereof.

Also: Senate Bill No. 1081—An act to amend Section 1846 of the Penal Code, relating to the punishment for the crime of arson.

Also: Senate Bill No. 1082—An act to amend an act entitled "An act to provide for the management and control of the State Agricultural Society by the State," approved April 19th, 1911.

Also: Senate Bill No. 1083—An act authorizing and empowering the Governor of the State Board of Agriculture to sell and deed to the United States of America the Federal land privileges to part of the State Fair grounds at Sacramento, known as the Federal building, or building of other structure as a memorial commemorating the San Joaquin Valley Agricultural Exhibit, and facilities connected therewith, and providing for the disposition of the moneys derived from such sale.

Also: Senate Bill No. 1084—An act to provide for the payment of compensation of employees and to the widow, heirs, or estate of deceased employees of the State.

Also: Senate Bill No. 1085—An act to amend Section 1946 of the Political Code of the State of California, relating to recording California license to use powers of attorney.

Also: Senate Bill No. 1086—An act to amend Section 1953 of the Political Code of the State of California, relating to notary public districts.

Also: Senate Concurrent Resolution No. 18—Relative to the appointment of a committee of five Legislators to request the Secretary of War to direct the Chief of Engineers of the United States Army to make a survey of the Sacramento River, with a view of ascertaining the best and most practicable means of improving the channel of said river, and relative to the expenditure of the funds appropriated by the Congress of the United States for the improvement of the Sacramento River, and requesting the co-operation of the State Engineer in the examination, survey and supervision of all work to be done under said appropriation.

And recommend that the same be duly engrossed.

GRANT, Chairman.

Also:

Senate Chamber, Sacramento, March 26, 1913.

Mr. President: Your Committee on Engrossed and Enrolled Bills has compared Senate Bill No. 1087—An Act to establish municipal courts and to provide for the time and jurisdiction of such courts, to fix the salaries and provide for the duties of the judges and officers thereof, and to repeal all acts and parts of acts inconsistent herewith, and recommend the same to the Governor for his approval, by its proper name.

GRANT, Chairman.

Also:

Senate Chamber, Sacramento, March 26, 1913.

Mr. President: Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 1067—An Act to provide for a plat of Mud Slough (north), have had the same under consideration, and respectfully report the same back, with the recommendation that it do pass as amended.

GRANT, Chairman.

Senate Bill No. 1067 ordered on file for second reading.

ON INTRODUCTION OF BILLS

SENATE CHAMBER, SACRAMENTO, March 26, 1913

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Gates for permission to introduce a bill entitled an Act to provide for the completion of the Armory for the National Guard at Los Angeles, and making an appropriation therefor, have had the same under consideration, and respectfully recommend that the request be granted.

BOYNTON, Chairman.
THOMPSON.
CAMPBELL.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Belshe, Benson, Boynton, Byrd, Breed, Butler, Cammett, Carr, Cartwright, Cassidy, Caldwell, Cogswell, Curtin, Dunn, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Terrell, and Wright—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced:

By Senator Gates: Senate Bill No. 1727—An Act to provide for the completion of the Armory for the National Guard at Los Angeles and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

REQUESTS FOR INTRODUCTION OF BILLS, ETC.

The following requests for permission to introduce bills, etc., were presented:

By Senator Cohn: Permission to introduce a Senate bill—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

By Senator Curtin: Permission to introduce a Senate joint resolution—Relative to the purchase by the United States of the Tioga road.

By Senator Hewitt: Permission to introduce a Senate concurrent resolution—Relative to approving certain amendments to the charter of the city of Los Angeles.

Requests referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 24, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 692—An Act conferring and imposing duties upon certain school districts.

Also: Senate Bill No. 1260—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Also: Senate Bill No. 824—An Act to repeal Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Also: Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Have had the same under consideration and respectfully report the same back, and recommend that they do pass.

AVEY, Chairman.

May

SENATE CHAMBER, SACRAMENTO, March 24, 1913

Mr. President: Your Committee on Education, to which was referred Senate Bill No. 320, An act to amend Section 1540 of the Political Code, relating to the compensation of county high school trustees,

has had said bill under consideration and is unable longer to defer action thereon and begs leave to report that said bill should not pass and recommends its indefinite postponement.

And Senate Bill No. 324, An act to amend Section 1507 of the Political Code, relating to the duties of the county superintendent of schools in relation to county high schools and to repeal conflicting statutes,

And Senate Bill No. 325, An act to amend Section 1540 of the Political Code, relating to the duties of the county superintendent of schools in relation to county high schools and to repeal conflicting statutes,

And Senate Bill No. 326, An act to amend Section 1540 of the Political Code, relating to the duties of the county superintendent of schools in relation to county high schools and to repeal conflicting statutes,

And Senate Bill No. 327, An act to amend Section 1540 of the Political Code, relating to the duties of the county superintendent of schools in relation to county high schools and to repeal conflicting statutes,

have had said bills under consideration and respectfully report the same back and recommend that they do pass as amended.

ANDREW CHANDLER.

May

SENATE CHAMBER, SACRAMENTO, March 24, 1913

Mr. President: Your Committee on Education, to which was referred Senate Bill No. 1000, An act providing for the purchase and proper heating and ventilation of the gas to be consumed in all of the buildings of the educational plants of the State of California, including the State Normal Schools, the State Teachers' Colleges, the State University, the Lick Observatory, the California School for the Deaf, the California School for the Blind, the California State Printing Office, the California State Library, the California State Mining Bureau Museum, the California State Commission of Horticulture, the California State Board of Forestry, the California State Commission of Immigration and Housing, the California State Board of Control, the California State Commission of Viticulture, the California State Board of Agriculture, the California State Board of Health, the California State Fish and Game Commission, the California State Board of Examiners, the California State Board of Architecture, the California State Board of Dental Examiners, the California State Board of Medical Examiners, the California State Board of Pharmacy, the California State Board of Veterinary Medical Examiners, the California State Board of Optometry, the California State Board of Osteopathic Examiners, the California State Board of Chiropractic Examiners, and making appropriation therefor,

has had said bill under consideration, and respectfully reports the same back, with amendments, and recommends that the same pass as amended by the Senate.

ANDREW CHANDLER.

Senate Bills Nos. 320, 1000, and 324, 325, 326, 327 and 328 ordered on the file for second reading.

Senate Bills Nos. 1000 and 328 referred to Committee on Finance.

REPORTS OF COMMITTEES.

SENATE CHAMBER, SACRAMENTO, March 24, 1913.

Mr. President: Your Committee on Judiciary, to which was referred Senate Bill No. 320, An act to amend an act entitled "An act to provide for the duties of notaries, the acknowledgment and proving of deeds, conveyances and other instruments in writing, the powers of notaries, and the authentication of their official acts, and repealing all acts and parts of acts inconsistent herewith," approved February 20, 1905, and repealing a certain section, to be numbered 1189a, of the Political Code of the State of California, relating to the duties of notaries public, has had said bill under consideration and begs leave to report back said bill and recommend that it do not pass.

MARK L. GRAHAM.

Senate Bill No. 320 ordered on the file for second reading.

SPECIAL ORDER SET.

Senator Gerdes moved that Assembly Bill No. 1041 be made a special order for Friday, March 28, at 10:00 a.m.

Motion carried.

RESOLUTION (1) (NOT ON FILE).

The following resolution was introduced:

By Senator Boyd:

Resolved, That the Controller of the State is and he is hereby authorized to draw his warrant in favor of the Sheriffs of the several counties and of the Clerks of the Superior Courts of the several counties, for the purchase of postage stamps to be used by the grand jurors, petit jurors, and the Treasurer is directed to pay the same.

Resolution referred to Committee on Contingent Expenses.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered three hundred ninety-seven c, relating to the sale or disposal of intoxicating liquors between certain hours—for the purpose of determining whether said bill, if enacted, would control the traffic and sale of liquors in said bill described in charter governed and other municipalities in the State, have had the same under consideration, and respectfully report that the said bill, if enacted, will become and be a general law of the State and that no city, whether charter governed or otherwise, will have power to extend the terms thereof but on the other hand such charter governed or other cities may further limit the vending, giving away or delivering of intoxicating that is to say: cities may provide that the vending, giving or delivering of intoxicating liquors may be confined to fewer hours than fixed by the bill, but may not extend or enlarge the hours for such vending, giving or delivering of intoxicating liquors.

Respectfully submitted.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 899—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office, by owners of certificates of purchase or patents from the State, for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3572 of said Political Code.

Also: Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered one thousand eight hundred and seventy-one, relating to the testimony of expert witnesses.

Also: Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 124—An Act to amend Section 791 of the Political Code, relating to notaries public.

Also: Senate Bill No. 517—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Also: Senate Bill No. 631—An Act to amend Section 817 of the Penal Code, relating to peace-officers.

Also: Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon, and to limit the meaning of "conspiracy" in certain cases—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 588—An Act to amend sections four, six, eight and nine of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and

prohibiting the selling or offering for sale of pool by reference to sell some other [illegible] approved March 16, 1907, and repealing conflicting laws; was read the second time, and ordered to a third reading.

Senate Bills Nos. 890, 940, 994, 1117, 1131, 1151, 94 and 144 ordered to file for second reading.

Assembly Bill No. 144 ordered to file for second reading.

PERMISSION TO FILE MINORITY REPORT

Senator Cartwright asked and was granted permission to file a minority report on Senate Bill No. 24.

CONSTRUCTION OF WORDS—CRIMINAL PROCEDURE

Senate Bill No. 303—An act to amend Section 1747 of the Political Code of the State of California, relating to meetings of high school boards.

On motion of Senator Avey, Senate Bill No. 303 was passed to file to retain its place.

Senate Bill No. 305—An act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 426, relating to shipping or transporting abalones out of the State, and providing a penalty for shipping for shipment or transportation, or shipping or transporting any abalones beyond the confines of the State.

On motion of Senator Campbell, Senate Bill No. 305 was passed to file, to go to the foot of the file.

Senate Bill No. 207—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers, and prescribing a penalty for the violation of this Act.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Boyd moved to refer to Senator Avey, as a special committee of one, to amend as follows:

In Section 53, line 21, page 7, after the word "banking" insert the following: [illegible]

In Section 56, line 28, page 7, between the words "not" and "act", insert a semicolon.

Motion carried.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Gerdes, Senator Boyd to act.

Mr. President: Your special committee of one to whom was referred Senate Bill No. 207, duly instructed to amend, respectfully reports the same back amended as per instructions.

AVEY, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

Senate Bill No. 794—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any canal or county highway or boulevard over highways or streets to be incorporated limits of any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and providing wards of

supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highways or boulevard and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Curtin, Senate Bill No. 794 was passed on file.

Senate Bill No. 684.—An Act to amend the Penal Code by adding thereto a new section, to be numbered two hundred seventy-two *a*, relating to the selling, giving away, relinquishing or disposing of children.

In the absence of the author, Senate Bill No. 684 was passed on file, to retain its place.

Senate Bill No. 547—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

On motion of Senator Anderson, Senate Bill No. 547 was passed on file.

Senate Bill No. 1559.—An Act regulating the hours of employment of females in all departments, institutions, establishments and employments of any kind whatever under the management, control or supervision, of, or receiving aid from, the State, or any county, city and county, district, or public corporation of any kind, and providing penalties for the violation thereof.

On motion of Senator Regan, Senate Bill No. 1559 was passed on file.

Senate Bill No. 1070.—An Act to regulate certain scaffolding or staging for the protection of workmen, requiring that in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support such employers shall be subject to the provisions of this Act; fixing penalties for a violation thereof to be the same as provided in Section 402, of the Penal Code, and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1070 passed by the following vote:

AYES—Senators Anderson, Avey, Belan, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cohn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 132.—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Read third time.

On motion of Senator Bryant, Senate Bill No. 132 was ordered re-referred to Committee on Finance.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 1238a, relating to the examination of witness by Master.

On motion of Senator Gerdes, Senate Bill No. 1171 was passed to the Senate Bill No. 894—An Act declaring boxing or sparring exhibitions and prizefights to be nuisances, providing for the abatement thereof, and providing for enjoining the parties who conduct or maintain the same, and the owner, lessee or agent of the building or place where such exhibition or contemplated boxing, sparring or prizefight is to take place, and providing for punishing said violation.

On motion of Senator Gerdes, Senate Bill No. 894 was passed to the Senate Bill No. 795—An Act to amend section eight hundred fifty-seven of the Civil Code, relating to common trusts.

On motion of Senator Curtis, Senate Bill No. 795 was passed to the Senate Bill No. 454—An Act to amend section 473 of the Code of Civil Procedure of the State of California.

Read third time.

On motion of Senator Wright, Senate Bill No. 454 was passed to the Senate Bill No. 694—An Act to amend Section 79 of the Civil Code of California, relating to marriage.

Read third time.

On motion of Senator Cassidy, Senate Bill No. 694 was passed to the Senate Bill No. 1091—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or condemnation thereby of works for the irrigation of lands contained within such districts and also to provide for the distribution of water for irrigating purposes," approved March 31, 1897, by amending section thirty-six thereof, relating to the levying and collection of assessments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1091 passed by the following vote:

AYES—Senators Anderson, Avey, Bills, Burnett, Holohan, Jones, Kent, Kenny, Purkitt, Rigdon, Cassidy, Chamberlain, Curtis, Dunlap, Gates, Gerdes, Gesford, Hatch, Inman, Johnson, Keller, Lewis, Lyon, Price, Saylor, Scott, Stetson, Thomas, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

Senator Owens moved to take up for consideration Senate Bill No. 142, reported out of the Judiciary Committee this day.

Motion carried.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred sixty-seven c, relating to the sale or disposal of intoxicating liquors between certain hours.

On motion of Senator Tyrrell, Senate Bill No. 142 was ordered temporarily passed on file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 487—An Act to amend section forty-two hundred sixty-one of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 487 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto, to be designated and known as Section 4056*b*, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions. Approved April 18, 1911.

On motion of Senator Cohn, Senate Bill No. 1002 was passed on file.

Senate Bill No. 335—An Act to amend section four thousand two hundred and seventy-five of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

On motion of Senator Sanford, Senate Bill No. 335 was passed on file.

Senate Bill No. 488—An Act to amend section four thousand two hundred seventy-nine of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

On motion of Senator Sanford, Senate Bill No. 488 was passed on file.

Senate Bill No. 489—An Act to amend section four thousand two hundred seventy-three of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 489 was passed on file.

Senate Bill No. 1124—An Act to amend section four thousand two hundred and fifty-three of the Political Code of the State of California, relating to salaries of county officers in counties of the 24th class.

On motion of Senator Sanford, Senate Bill No. 1124 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section four and one half of article six thereof, relating to appeals.

On motion of Senator Boynton, Senate Constitutional Amendment No. 12 was passed on file.

Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such

boards; and to authorize such boards to appoint county foresters, and to prescribe the duties and fix the compensation of county foresters, and to empower such boards to enforce all laws and adopt and enforce such and all lawful and reasonable rules for the prevention, planting, regulation, preservation, care and control of said shade and ornamental trees, hedges, lawns, shrubs and flowers" approved April 28, 1909.

Read third time.

REPORT OF BILLS BY SPECIAL COMMITTEE ON ENGROSSED BILLS.

Senator Dean moved to refer to Senator Campbell, as a special committee, Senate Bill No. 1 to amend as follows:

AMENDMENT NO. 1.

On page 1, line 8, strike out the words "three hundred dollars, three and dollars", and insert in lieu thereof the following: "three hundred dollars".

AMENDMENT NO. 2.

On page 1, line 10, strike out the words "four hundred eighty-four dollars", and insert in lieu thereof the following: "three hundred dollars".

AMENDMENT NO. 3.

On page 1, line 12, strike out the words "four hundred eighty-four dollars", and insert in lieu thereof the following: "three hundred dollars".

AMENDMENT NO. 4.

On page 2, strike out all of lines 20, 21, 22 and 23 and the period after the word "disbursement" in line 24 and insert in lieu thereof a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your special committee on engrossed bills to which was referred Senate Bill No. 414, has instructions to report back the same with amendments as per instructions.

CAMPBELL, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossed.

RECESS.

Senator Hewitt moved that Senate Bill No. 999 be taken up for consideration.

Motion carried.

Senate Bill No. 999—An Act to provide for the employment of temporary additional help in the county clerk's office of the fourteen counties throughout the State.

Read third time.

On motion of Senator Hewitt, Senate Bill No. 999 was passed as amended, to regain its place.

THIRD READING OF BILLS—(CONTINUED).

Senate Bill No. 1017—An Act to amend Sections 52 and 53 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option, authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described

in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions, and providing penalties for such offenses," approved April 4, 1911.

On motion of Senator Owens, Senate Bill No. 1017 was passed on file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1113—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith, and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1113 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Burnett, Butler, Campbell, Caminetti, Carr, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Lafferty, Leake, Lyon, Mott, Owens, Regan, Rush, Sanford, Thompson, Tyrrell, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding a new section thereto to be numbered 77*a*, relating to the doing of work and making improvements upon railroad tracks and the roadbed thereof existing upon the streets of municipalities and the proceedings relating thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 68 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Bryan, Burnett, Caminetti, Carr, Cartwright, Chandler, Cogswell, Cook, Curtin, Finn, Flint, Gerdes, Gerrie, Hewitt, Inman, Leavitt, Lewis, Lyon, Mott, Owens, Rogers, Rominger, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 300—An Act to amend section two hundred eighty-four of the Code of Civil Procedure, relating to limitation to practice law.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 300 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Bryan, Burnett, Caminetti, Carr, Cartwright, Chandler, Cogswell, Cook, Curtin, Finn, Flint, Gerdes, Gerrie, Hewitt, Inman, Leavitt, Lewis, Lyon, Mott, Owens, Rogers, Rominger, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1200—An Act to amend section 3691 of the Political Code of the State of California relating to certified copies of assessment book to be furnished police, levee and irrigation districts on request.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1200 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Bryan, Burnett, Caminetti, Carr, Cartwright, Chandler, Cogswell, Cook, Curtin, Finn, Flint, Gerdes, Gerrie, Hewitt, Inman, Leavitt, Lewis, Lyon, Mott, Owens, Rogers, Rominger, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 294—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Senator Breed, Senate Bill No. 294 was passed as follows:

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums and lying-in rooms, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

On motion of Senator Finn, Senate Bill No. 682 was passed as follows:

Senate Bill No. 683—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 683 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Lyon, Metz, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR JUILLIARD IN THE CHAIR.

At twelve m., Senator Juilliard, of the Eighth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

On motion of Senator Gerdes, Senate Bill No. 1172 was passed on file, to retain its place.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

On motion of Senator Anderson, Senate Bill No. 834 was passed on file.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905.

On motion of Senator Gerdes, Senate Bill No. 1169 was passed on file, to retain its place.

Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Regan, as a special committee of one, to amend as follows:

By striking out of Section 1, line 8, the word "headlights," and inserting in lieu thereof the following: "or other headlights".

Also: By inserting in Section 1, line 12, after the word "trains", the following: "*provided, further*, that this Act shall not apply to locomotive engines used exclusively between sun up and sun down, or going to or from repair shops when ordered in for repairs."

Motion carried.

[illegible]

[illegible]

Report read and adopted.
Bill ordered to print and re-engrossment.

[illegible]

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances as follows, for ascertaining low water, as therein prescribed; [illegible]

Read third time.

[illegible]

Senator Lyon moved to refer to Senator Regan, as a special committee of one, to amend as follows:

[illegible]

Motion carried.

[illegible]

Report read and adopted.
Bill ordered to print and re-engrossment.

[illegible]

Senate Bill No. 801—An Act to amend Section 3172 of the Political Code, relating to the disposition of unused portion upon annulment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 801 was passed as follows:

Senate Constitutional Amendment No. 19—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 1½ of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States and in any money domestic or foreign.

On motion of Senator Rogers, Senate Constitutional Amendment No. 19 was passed as follows:

Senate Constitutional Amendment No. 9—Relative to the competence by the United States of the government line of steamers from eastern seaports to Cuba, to the canal zone, and the extension thereof to Pacific seaports, on the western coast of the United States, on the completion of the Panama Canal.

During reading of the constitutional amendment the following amendments were offered by the committee:

Amendment adopted.
Resolution ordered to print and engrossment.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At twelve o'clock and fifteen minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

BILL RE-REFERRED.

Senator Kehoe moved that Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape—be re-referred to Committee on Judiciary, to retain its place on file.

Motion carried.

SECOND READING OF BILLS.

Senate Bill No. 979—An Act to amend an Act entitled "An Act to prevent the propagation by the production of seed, of that certain plant known as *Sorgnum halepense*, otherwise known as Johnson grass," approved March 20, 1903, amended; approved March 22, 1907, relating to the propagation of noxious weeds.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 670—An Act to amend Section 14 of an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 1, of the title of the printed bill, after the word "amend", strike out the words "section fourteen of".

Amendment adopted.

AMENDMENT No. 2.

After the word "thereof", in line 5, of the title, strike out the words "and to appropriate money therefor", and in line 6, of the title, after the numerals "1911", add the following: "to be known as section fourteen *a*".

Amendment adopted.

AMENDMENT No. 3.

After the numeral "1", on line 1 of the printed bill, strike out all of Section 1, down to and including the word "follows" in line 6, and in lieu thereof insert the following: "The Act known as Chapter 655 of the Statutes of 1911, of the State of California, is hereby amended by adding a new section thereto, to be known as 14*a* and to read as follows:"

Amendment adopted.

AMENDMENT No. 4.

In line 11, of the printed bill, after the word "paper", add the following: "sticky fly paper."

Amendment adopted.

AMENDMENT No. 5.

In line 14, of the printed bill, strike out the word "formaldehyde".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 794—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 639g, relative to sea otter.

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 1201—An Act to add a new section to the Penal Code, to be known as Section 1203d, relating to "indeterminate sentences."

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 1202—An Act to repeal Section 1661 of the Penal Code of the State of California entitled "Second term of imprisonment when to commence."

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 1284—An Act entitled an Act to repeal an Act entitled "An Act to regulate and governing the operation of the toll crushing mills at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the moneys derived therefrom," and to provide for the disposition of the moneys in the fund created by said Act.

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 991—An Act to amend Section 219 of the Penal Code of the State of California, relating to larceny.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1114—An Act to amend Sections 1st and 11th of an Act entitled "An Act supporting dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and school therefor, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1297—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 402f, providing that certain buildings shall be provided with fire escapes.

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 442—An Act to amend Section 405 of the Code of Civil Procedure of the State of California, relating to the issuance of alias summons.

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 303—An Act to amend Section 1879 of the Penal Code, relating to witnesses and testimony of deceased persons, etc.

Bill read second time, ordered engrossed and on the file third reading.

Senate Bill No. 308—An Act to amend Section 1272 of the Penal Code of the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 473—An Act providing for the submitting to the electors of the State of California the question of calling a convention to revise the Constitution of the State.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Bill read second time, ordered engrossed and on file for third reading.

SENATOR THOMPSON IN THE CHAIR.

At twelve o'clock and twenty-eight minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 12—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 410*a*, and relating to the forfeiture of the right to do business by any corporation which shall remove or make application to remove actions brought against it, from the state courts to the courts of the United States.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1487—An Act authorizing board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

On motion of Senator Caminetti, Senate Bill No. 1487 was passed on file.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Campbell, the time of recess was extended until the completion of the consideration of the daily file.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 687—An Act to amend Section 1183 of the Political Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1.

On page 1, line 3, of the title of the printed bill, strike out the word "portion" and insert in lieu thereof the word "part."

Amendment adopted.

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the word "portion" and insert in lieu thereof the word "part."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 715—An Act to amend an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California."

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1.

On page 1, line 26, of the printed bill, after the word "Bears", insert a comma.

Amendment adopted.

Amendment No. 2.

On page 1, line 16, after the word "appointed" insert a comma.

Amendment adopted.

Amendment No. 3.

On page 1, line 17, before the word "as" insert the following: "when practicable".

Amendment adopted.

Amendment No. 4.

On page 1, line 17, after the word "the" insert the word "state".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 858—An Act to amend Section 1056 of the Code of Civil Procedure of the State of California, relating to duties of those undertaking on appeal.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 7, of the printed bill, change the period to a comma, and insert the words "provided" and "he" before the following: "appears with a copy of the undertaking."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 992—An Act to amend Section 629 of the Penal Code of California, relating to lotteries.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 4, of the printed bill, strike out the following: "The foregoing section of".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered three hundred and twenty-seven, relating to lotteries and providing a penalty for the violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 5, of the printed bill, strike out the words "or associations".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, strike out the words "or co-partnerships".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 6, strike out the words "or corporations".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, strike out the words "or games".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 10, strike out the words "or articles".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 13, strike out the words "or persons".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 14, strike out the words "or associations".

Amendment adopted.

AMENDMENT No. 8.

On page 1, line 14, strike out the words "or co-partnerships".

Amendment adopted.

AMENDMENT No. 9.

On page 1, line 15, strike out the words "or corporations."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotel keepers on property of guests for charges.

During second reading of the bill, the following amendment was offered by the committee:

Amend by striking out from and inclusive of the word "hotel", line 3, page 1, of the printed bill, to and inclusive of the word "lodgers", line 11, page 1, thereof, and in lieu thereof insert the following: "Hotel, inn, boarding house and lodging-house keepers shall have a lien upon the baggage and other property of their guests, or boarders, or lodgers, brought into such hotel, inn, boarding-house, or lodging house, by such guests, or boarders, or lodgers, and upon any property which has been intrusted to them by the owner thereof, assuming or having person to believe that the persons to whom the same has been entrusted, will be such guests, or boarders, or lodgers, take such property into any hotel, inn, boarding-house, or lodging-house, and which property is brought into such hotel, inn, boarding-house, or lodging house by such guests, or boarders, or lodgers, for the amount charges due from such guests, or boarders, or lodgers, for their accommodation, board and lodging and room rent, and such extras as are furnished at their request, and for all money paid for or

adjusted to such grades, or handled on ledgers, and has all issues paid or adjusted on account of policies and claims on file at said hospital and other property."

Amendment adopted.

Bill read second time, and ordered to grossed, engrossed and third reading.

[illegible] PRIOR PASSED

Senator Jones moved that Senate Bill No. 213 be recalled from joint and re-engrossment for further amendment.

Motion carried.

[illegible] TO PROVIDE FOR MEDICAL TREATMENT OF [illegible]

Senator Jones moved to refer Senate Bill No. 213 to Senator [illegible], as a special committee of one, to amend as follows:

By striking out all Section 2, line 15, the word "and" and inserting in lieu thereof the word "may."

Motion carried.

[illegible] OF [illegible] COMMITTEE ON [illegible]

Salem, Oregon, [illegible], March 25, 1913.

Mr. President: Your special committee to whom was referred Senate Bill No. 213 with instructions to amend, respectfully returns the same duly amended as per instructions.

[illegible], Chairman.

Report read and adopted.

Bill ordered to grossed and re-engrossed.

[illegible] OF [illegible] COMMITTEE

The following report of conference committee was received and read:

Salem, Oregon, March 25, 1913.

Mr. President: We, the Conference Committee appointed by the Senate to confer with a like committee from the House of Representatives on Senate Bill No. 80, An Act to amend an Act entitled "An Act to provide for the establishment and opening of roads by the petition to court of the board of county commissioners of [illegible] county, and to provide for private roads, and [illegible] and to declare an emergency," approved [illegible], 1913, and [illegible] to which the House has refused to concur, the first part of amendment No. 1 and the second amendment, also the first part of amendment No. 2 and the second amendment, also the first part of amendment No. 3 and the second amendment, also the first part of amendment No.

Nebraska its sympathy, and the deep sympathy of all the people of the State of California; and, further, be it

Resolved, That a copy of this resolution be telegraphed by the Secretary of the Senate to the President of the respective Senates of said states.

Resolution read and adopted.

ADJOURNMENT.

At twelve o'clock and forty-five minutes a.m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, March 27, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 26, 1913, the further reading was dispensed with, on motion of Senator Rush.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Kehoe, Benson, and Shanahan as a Committee on Free Conference to meet with a similar committee from the Assembly to consider amendments to Assembly Bill No. 68.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Also: Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Also: Assembly Bill No. 1303—An Act to amend Section 2349 of the Political Code of the State of California, relating to certain streams and waters and the navigability thereof as public ways.

Also: Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing

[illegible]

J. E. MALLORY, Chief Clerk of Assembly.
By Thomas C. Wicker, Assistant Clerk.

Assembly Bill No. 1067 read first time, and referred to Committee on County Government.

Assembly Bill No. 1179 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1203 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bills Nos. 32 and 61 read first time, and referred to Committee on Oil Industries.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 55—An act to provide for relief of soldiers, sailors and marines, who were in the U.S. Civil War, and to provide for relief to such soldiers, sailors and marines under certain circumstances.

J. E. MALLORY, Chief Clerk of Assembly.
By Thomas C. Wicker, Assistant Clerk.

Assembly Bill No. 51 read first time, and referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1000—An act to provide for the issuance of bonds of the State of California, and providing for the submission of such bonds to the people of said State for their approval or rejection, and for the levying annually a tax sufficient to pay the interest on said bonds as the same shall become due, and also to provide a sinking fund for the payment of the principal of said bonds when the same shall become due, and making appropriation for the payment of such interest and principal, and providing for the disposition of moneys received from the sale of said bonds, and providing for the payment of the expenses incurred in the preparation, issuance and sale of said bonds, and providing for the payment of the expenses incurred in the submission of this Act to the people, and providing for the payment of the expenses incurred in the submission of this Act to the people, and providing for the payment of the expenses incurred in the submission of this Act to the people

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 409—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 409 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 232—An Act to amend an Act entitled "Section 6 of an Act of the Legislature of the State of California, conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS CONCURRED IN.

The following Assembly amendments to Senate Bill No. 232 were read:

AMENDMENT No. 1.

On page 1, line 2, of the title, strike out the words "an Act" where they first appear in said line, and insert in lieu thereof the following: "Section 6 of an Act of the legislature of the State of California."

AMENDMENT No. 2.

On page 2, after line 17, add a new section as follows:

"SEC. 7*a*. The governor of the State of California is hereby authorized to receive delivery, on behalf of the state from the city of San Diego any conveyance of tide lands which may be made by the said city to the State of California for an armory for the national guard of California and national guard purposes, the said parcel of tide land not to exceed five acres; also the tide land now occupied by the naval reserve armory and wharf located on the bay of San Diego at the foot of Twenty-eighth street of the city of San Diego, California, for the use of the naval militia of the State of California, said parcel of tide land to be conveyed shall not exceed five acres. For such purposes the said city of San Diego is hereby authorized to recede and convey to the State of California the aforesaid mentioned parcels of tide lands."

Also: On page 2, line 17, strike out all of Section 7*a*.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 232?"

The roll was called, and Assembly amendments to Senate Bill No. 232 concurred in by the following vote:

AYES—Senators Anderson, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Geddes, Grant, Hewitt, Jochard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Stroble, Tyrrell and Wright—29.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller of the State be and he is hereby authorized to draw his warrant in favor of the Secretary of the Senate for $500, payable out of the contingent fund of the Senate, for the purchase of postage stamps to be used by the press mailing department, and the Treasurer is directed to pay the same

[illegible] and the same under consideration, and respectfully report back, with [illegible] and recommend that it do pass.

[illegible], Chairman.

The question being on the adoption of the report and resolution.

The roll was called and the report and resolution adopted by the following vote:

AYES: Senators Anderson, Bingham, Burnett, Black, Brown, Butler, Caldwell, Campbell, Cartwright, Chandler, Cogswell, Curtis, Dennett, Dillon, Finlayson, Flint, Gerdes, Hare, Hayes, Hewitt, Holohan, Johnston, Leavitt, Lee, Lewis, Lukens, Mahan, Mitchell, Purkitt, Rigdon, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, and Wolfe—35.

NOES: None.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Enrollment, to whom was referred Assembly Bill No. 1001—An Act to authorize and declare valid all proceedings on the San Ysidro irrigation district bond [illegible] and respectfully report back, with amendments, and recommend that it do pass as amended.

[illegible], Chairman.

Assembly Bill No. 687 ordered on file for second reading.

IN SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Finance to whom was referred Assembly Bill No. 874—An Act authorizing the purchase of certain real property in the county of San Diego, State of California, and for the appropriation of such additional funds [illegible] and respectfully report back, with amendments, and recommend that it do pass.

[illegible], Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 376—An Act making an appropriation to pay the [illegible] of the Board of Harbor Commissioners of the United States [illegible] and respectfully report back, with amendments, and recommend that it do pass as amended.

[illegible], Chairman.

Assembly Bill No. 734 ordered on file for second reading.

Senate Bill No. 20 ordered on file for second reading.

IN ASSEMBLY AND SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills respectfully report the following:

Senate Bill No. 37—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and fixing maximum salaries and limits.

Also: Senate Bill No. 1178—An Act to amend Section [illegible] of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

Also: Senate Bill No. 923—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the salaries and compensation of officers of counties of the fourth class.

Also: Senate Bill No. 1153—An Act appropriating [illegible] necessary to carry into effect the provisions of an act entitled "An act providing for a system for the operation, control and [illegible] providing [illegible] of counties and cities to be used and used, prescribing penalties for violations of or [illegible] the [illegible] or maintenance, [illegible] the [illegible] of [illegible] providing for the ascertaining of fees and [illegible] in any cause of action or [illegible] [illegible] and providing for [illegible] of the Treasurer of [illegible] [illegible] power to prescribe rules and regulations to carry out the [illegible] and intent of this Act.

Also: Senate Bill No. 792—An Act to make an appropriation of money for the general improvement and extension of the Lake Tahoe wagon road, a state highway

Also: Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Also: Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Also: Senate Bill No. 12—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 410*a*, and relating to the forfeiture of the right to do business by any corporation which shall remove or make application to remove actions brought against it, from the state courts to the courts of the United States.

Also: Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Also: Senate Bill No. 473—An Act providing for submitting to the electors of the State of California the question of calling a convention to revise the Constitution of the State.

Also: Senate Bill No. 338—An Act to amend Section 1272 of the Penal Code of the State of California.

Also: Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

Also: Senate Bill No. 452—An Act to amend Section 408 of the Code of Civil Procedure of the State of California, relating to the issuance of alias summons.

Also: Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 402*f*, providing that certain buildings shall be provided with fire escapes.

Also: Senate Bill No. 1240—An Act to amend sections ten *e* and ten *n* of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Also: Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 1284—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

Also: Senate Bill No. 1201—An Act to add a new section to the Penal Code, to be numbered 1202*a*, relating to "indeterminate sentences."

Also: Senate Bill No. 1202—An Act to repeal Section 669 of the Penal Code of the State of California, relating to "second term of imprisonment, when to commence."

Also: Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 626*q*, relating to sea otter.

Also: Senate Bill No. 979—An Act to amend Sections 1, 2 and 3 of an Act entitled "An Act to prevent the propagation by the production of seed, of that certain plant known as *Sorghum halepense*, otherwise known as Johnson grass," approved March 20, 1903, amended, approved March 22, 1907, relating to the propagation of noxious weeds.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Also: Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410*q*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Also: Senate Bill No. 947—An Act to amend Section 3898 of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold and relating to the execution and delivery of deeds for said property.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 291—An Act to amend Section 700 of the Penal Code, relating to peremptory challenges.

Also: Senate Bill No. 402—An Act to amend the Civil Code of the State of California by adding a new Section thereto, to be numbered 1208b, relating to the rights of the married woman entering upon the duties of a profession that she might select, and declaring certain rights to be the rights of such woman.

Also: Senate Bill No. 403—An Act to amend Section 1241 of the Civil Code, relating to marriage and marriages.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

CARTER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 59—An Act to amend Section 1181 of the Penal Code, relative to the qualifications of jurors, have had the same under consideration, and respectfully report back the same with the recommendation that the bill do pass.

Recommendation concurred in.

CARTER, Chairman.

Senate Bills Nos. 177, 342, 347, 357, 472, and 487 ordered re-referred for second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1067—An Act to amend Section 3 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations doing the business of savings banks and to repeal certain Acts relating thereto," approved March 23, 1907.

Also: Senate Bill No. 1086—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of moneys received in trust by any bank, and to repeal all Acts and parts of Acts in conflict with the provisions of this Act," approved February 27, 1907, and amended by an Act approved March 24, 1911.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

Also: Senate Bill No. 970—An Act to amend Section 7 of and to add a new section to be known as "Section 7a" to an Act entitled "An Act to provide for the creation and duties of the Housing and Town Planning Commission, and to provide for the appointment and compensation of the members of said Commission, and to define its powers and duties," approved June 16, 1911.

Have had the same under consideration, and respectfully report the same back with the recommendation that the bill do pass.

TERRY, Chairman.

Senate Bills Nos. 1027 and 1061 ordered on the list for second reading. Senate Bill No. 870 ordered re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Investigation of Bills to which was referred the request of Senator Curtis to investigate a bill entitled an Act to provide for the compilation of the reports that have existed for the National Guard of California, and making an appropriation therefor, upon the request of Senator Curtis to investigate a Senate concurrent resolution introduced by Senator Curtis providing for the adjournment of the city of Los Angeles and a request for Assembly Chamber to meet there a Senate joint resolution relative to the purchase by the United States of the Yerba Buena Island for the same, have had the same under consideration, and beg leave to report as follows:

BOYNTON, Chairman.
THOMPSON
CAMINETTI.

The question being on the report of the committee

The roll was called, and the report of the committee adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Cammetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Cohn: Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Curtin: Senate Joint Resolution No. 27—Relative to the purchase by the United States of the Tioga road.

Resolution referred to Committee on Federal Relations.

By Senator Hewitt: Senate Concurrent Resolution No. 21—Relative to approving certain amendments to the charter of the city of Los Angeles.

Resolution referred to Committee on Federal Relations.

RUSH ORDER TO PRINTER.

On motion of Senator Hewitt, the Secretary was directed to issue a rush order for printing Senate Concurrent Resolution No. 21.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and read:

SENATE CHAMBER, SACRAMENTO, CAL., March 27, 1913.

MR. PRESIDENT: Your committee appointed under resolution of March 11, 1913, "to investigate all phases of the so-called 'social evil' or 'white slavery' and the relation of the same to the wages of the working women in California, to report its finding to the Senate at the earliest practical date upon the conclusion of such investigation," begs leave to report as follows:

That your committee has given thorough and careful consideration to the matter of said resolution and the duties to be performed thereunder, that it is the sense of the committee that it would be impossible to even cursorily or perfunctorily investigate the said "social evil" or "white slave traffic" in all its phases, much less to investigate the relationship of said evil and traffic to the wages of the working women in this State, or the relationship of the wages of working women to said "social evil."

That in the opinion of your committee the scope of the resolution is so wide and comprehensive that the time at the disposal of your committee and the appropriation made for such investigation are altogether inadequate to the end to be reached; that to investigate the question of wages alone would require much more time than the remainder of this session of the Legislature, even if your committee were to devote its entire time to said subject, to the time of adjournment. That to investigate the question of the so-called "social evil" with its attendant "white slave traffic," in all its phases, would also require many months of patient, thorough and unremitting attention and the expenditure of a large sum of money, entirely beyond the scope of time and money allowed to this committee.

Your committee further declares its full sympathy with the object to be obtained and it urgently recommends that an investigation, either by a committee of the two houses of this Legislature, armed with plenary powers and equipped with an appropriation adequate for the purpose, or, by a commission created by law with like powers and equipment, be authorized by this Legislature to convene and sit at the

[illegible]

[illegible]

On motion of Senator [illegible] the report was ordered printed in the Journal and the committee was discharged.

[illegible]

At ten o'clock and forty minutes a.m., Senator Thompson of the Thirty-fifth District, in the chair.

[illegible]

The following requests for permission to introduce bills, etc., were presented:

By Senator Chesnutt: Permission to introduce a [illegible] resolution relative to passing funds for the relief of flood sufferers in the East.

By Senator Castle: Permission to introduce a Senate joint resolution relative to a special message by the President of the United States to Congress at a special session urging banking and currency reform legislation.

By Senator Finn: Permission to introduce a Senate bill—An Act to amend Sections 3836, 3838, and 3839 of the Code of Civil Procedure of the State of Oklahoma, relating to the duty of the clerk upon appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts, to the Supreme Court or the District Courts of Appeal.

Requests referred to Committee on Introduction of Bills.

[illegible]

The following resolutions were introduced:

By Senator Stockbridge:

Resolved, That L. C. Bates be and he is hereby dropped from the list of members of the Senate.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Avey, Benson, Bland, Bryant, Butler, Campbell, Chesnutt, Cone, Cunningham, Cupshi, Duncan, Elder, Finn, Gossett, Green, Hall, Hewitt, Jones, Lankford, Kelso, Lackey, Lane, Mott, Owens, Penn, Reed, Sanford, Simmons, Stockbridge, Thompson, Tyree, and Wright—32.

Noes—None.

Also:

Resolved, That W. H. Dewey be transferred from the position of Bill Clerk to that position on the pending of Assistant Journal Clerk, at his present pay.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Avey, Benson, Bland, Bryant, Butler, Campbell, Chesnutt, Cone, Cunningham, Cupshi, Duncan, Elder, Finn, Gossett, Green, Hall, Hewitt, Jones, Lankford, Kelso, Lackey, Lane, Mott, Owens, Penn, Reed, Sanford, Simmons, Stockbridge, Thompson, Tyree, and Wright—32.

Noes—None.

50—ASC

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 502—An Act to amend Section 1674 of the Political Code of the State of California, relating to union school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 502 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Butler, Campbell, Carr, Cartwright, Cassidy, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Stockbridge, Thompson, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1559—An Act regulating the hours of employment of females in all departments, institutions, establishments and employments of any kind whatever under the management, control or supervision of, or receiving aid from, the State, or any county, city and county, district, or public corporation of any kind; and providing penalties for the violation thereof.

On motion of Senator Regan, Senate Bill No. 1559 was re-referred to Committee on Finance.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426*a*, relating to the complaint in actions for divorce.

On motion of Senator Gerdes, Senate Bill No. 1171 was passed on file.

Senate Bill No. 343—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 343 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Butler, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Stockbridge, Thompson, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven—397*a*, relating to the sale or disposal of intoxicating liquors between certain hours.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Regan, as a special committee of one, to amend as follows:

In Section 1, line 8, [illegible] following: "This Act shall not apply to any city and county, organized or existing under a freeholders' charter adopted by the voters of such city."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your special committee of one to whom was referred Senate Bill No. 581, with instructions to amend, respectfully reports the same back amended as per instructions.

EDGAR, Committee.

The question being on the adoption of the report,

The ayes and noes were called for by Senators Dennett, Chandler and Hewitt.

The roll was called, and the report ordered adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Bonnheim, Boynton, Brown, Burnett, Campbell, Carpenter, Chandler, Cogswell, Curtin, Dennett, Edgar, Finn, Flint, Gerdes, Gesford, Hans, Hatch, Hayes, Hewitt, Holohan, Inman, Jones, Kehoe, Leavitt, Lewis, Lukens, Mott, Owens, Rigdon, Roseberry, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed, Wolfe, Young and Mr. President—40.

NOES—Senators Anthony, Aram, Bonelli, Bridgett, Burnham, Brown, Bryson, Caminetti, Campbell, Carr, Cunningham, Cutten, Edwards, Elliott, Finn, Flint, Gates, Hatch, Hayes, Holohan, Kehoe, Leavitt, Lewis, Mott, Owens, Rigdon, Roseberry, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed, Wolfe, Young, Senator Wright and Mr. President—40.

MOTION, RE-SENDING BILL BACK TO COMMITTEE OF ONE.

Senator Hayes moved to refer to Senator Finn, as a special committee of one, to amend as follows:

By striking out of Section 1, line 7, the words "one cent (1c), and by striking out of line 8 the words "Two cents (2c)" and inserting in lieu thereof the following: "Two cents (2c) and one cent (1c)."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 647, with instructions to amend, respectfully reports the same back amended as per instructions.

FINN, Committee.

The question being on the adoption of the report,

The ayes and noes were called for by Senators Kehoe, Dennett and Wright.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Campbell moved a call of the Senate.

Motion carried.

Time under a Call and four minutes fix.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following responded to their names:

Senators Anderson, Avey, Benson, Bonnheim, Boynton, Brown, Bryson, Burnett, Burnham, Caminetti, Campbell, Carpenter, Chandler, Cogswell, Curtin, Cutten, Dennett, Edgar, Finn, Flint, Gates, Gerdes, Gesford, Hans, Hatch, Hayes, Hewitt, Holohan, Inman, Jones, Kehoe, Leavitt, Lewis, Lukens, Mott, Owens, Rigdon, Roseberry, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed, Wolfe, Young, Senator Wright and Mr. President—40.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and eight minutes p. m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Campbell.

The roll of absentees was called, and the report refused adoption by the following vote:

AYES—Senators Belan, Bryant, Cartwright, Cassidy, Gerdes, Hans, Larkins, Owens, Regan, Tyrrell, and Wright—15.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Rush, Sanford, Shanahan, and Thompson—21.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Curtin, Finn, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—29.

NOES—Senators Belan, Birdsall, Bryant, Cartwright, Cassidy, Gerdes, Hans, Juilliard, and Regan—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Finn gave notice that he would on the next legislative day move to reconsider the vote by which Senate Bill No. 142 was passed.

PRIVILEGE OF THE FLOOR.

On request of Senator Benson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter G. Mathewson, of San Jose.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 320—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

On motion of Senator Grant, Senate Bill No. 320 was passed on file.

Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Cartwright, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On line 15, page 1, of the bill, after the word "appeal," insert the following: "certified by the clerk."

[illegible]

Motion carried.

[illegible]

Report read and adopted.
Bill ordered to [illegible]

Senate Bill No. 304—An Act to amend Section 1669 of the Political Code of the State of California, relating to meetings of high school boards.

[illegible]

Senator Avey moved the bill be laid over by Senator Rinaldi, as a special committee of one, be amended as follows:

[illegible]

Motion carried.

[illegible]

Report read and adopted.
Bill ordered to [illegible]

[illegible]

At twelve o'clock and thirty minutes p.m., on motion of Senator Wright, the time of recess was extended until one o'clock p.m.

[illegible]

Senate Bill No. 354—An Act to amend Section 76 of the Civil Code of California, relating to marriages.

On motion of Senator Cassidy, Senate Bill No. 354 was passed to the Senate Bill No. 1078—An Act to amend Section 1669 of the Political Code of the State of California, relating to including California history in the course of study.

Read third time on its passage.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1078 passed by the following vote:

[illegible]

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 1259—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1259 passed by the following vote:

AYES—Senators Anderson, Boynton, Breed, Brown, Butler, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

On motion of Senator Hewitt, Senate Bill No. 919 was passed on file.

Senate Bill No. 1017—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors, within such territory, with certain exceptions; and providing penalties for such offenses." approved April 4, 1911.

On motion of Senator Owens, Senate Bill No. 1017 was passed on file.

RECESS.

At one o'clock and fifty-five minutes p.m., on motion of Senator Tyrrell, the acting President declared the Senate at recess until four o'clock and thirty minutes p.m.

RECONVENED.

At four o'clock and thirty minutes p.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up for consideration the second-reading file of Senate bills.

Senate Bill No. 1487—An Act authorizing board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

In the absence of the author, Senate Bill No. 1487 was passed on file, to retain its place.

BILL RECALLED FROM ENGROSSMENT.

On motion of Senator Wright, Senate Bill No. 452 was ordered recalled from enrollment.

NOTICE OF MOTION TO RECONSIDER.

Senator Wright gave notice that he would, on next legislative day move to reconsider the vote by which the Senate concurred in Assembly amendments to Senate Bill No. 192.

SENATE BILLS ON FINAL PASSAGE.

Senate Bill No. 28—An Act to amend Section 41 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges and providing for the appointment of four additional superior judges in and for the city and county of San Francisco, and providing for their compensation.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 3, of the printed bill, after the word "four," insert the words "Monroe after the four."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 140—An Act to provide for a day of rest from labor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 6 of the amended bill, after the word "emergency," add the following: "or in the case or construction of permanent road structure or in the care of live stock, or in connection or in household necessity."

Amendment adopted.

AMENDMENT No. 2.

In line 9 of the printed bill, strike out the word "no."

Amendment adopted.

AMENDMENT No. 3.

In line 9 of the printed bill, after the word "case" insert the following: "of by piece work."

Amendment adopted.

AMENDMENT No. 4.

In line 10 of the printed bill, correct the spelling of the word "enforcement."

Amendment adopted.

AMENDMENT No. 5.

In line 12 of the printed bill, strike out the words "shall be deemed," and insert in lieu thereof the word "is."

Amendment adopted.

AMENDMENT No. 6.

In line 20 of the printed bill, after the word "repeal," insert the following: "but nothing in this Act shall be construed as repealed or limited as [illegible] by limiting the hours of labor to [illegible] [illegible] and approved on March 22, 1909."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 692—An Act confirming and validating the organization of school districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1260—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 873—An Act to provide for cooperation between the University of California, the California State Library and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 691—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2 of the printed bill, line 15, between the words "bonds" and "to", insert the word "other".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 17, between the words "of" and "payment", insert the words "to make them".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 1, between the words "district" and "high", insert the word "or".

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out all of Section 2, and insert in lieu thereof the following:

SEC. 2. For the purpose of paying the interest on such bonds as it becomes due and the principal thereof at maturity, the assessors, treasurers, boards of supervisors, and other officers of the respective counties shall have the same powers and shall perform the same duties as are conferred or imposed by law relative to the assessment, levy, and collection of taxes and custody of funds, for the payment of the principal and interest of bonds of school districts and high school districts of every kind or class, respectively.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 694—An Act to amend Section 1597 of the Political Code, relating to the time that polls shall be open at elections in school districts.

During second reading of the bill the following amendment was offered by the committee:

On page 2, lines 4 and 5, strike out the words "At retirement or such election the public shall furnish" and insert in lieu thereof the following: "At retirement or such election the person shall be entitled to receive from the retirement system a monthly benefit which shall be the actuarial equivalent of the accumulated contributions at the time of retirement, unless the person has elected that the public shall furnish or cause to be furnished a life annuity with a cash refund or installment refund, or a joint and survivor annuity, based upon such accumulated contributions and the person's estimated lifetime, or a joint and survivor annuity based on the person's estimated lifetime and the lifetime of a beneficiary designated by the person, payable throughout life and having the same actuarial equivalent as the benefit payable to the person. At retirement the public shall furnish or cause to be furnished a life annuity"

Amendment adopted.

Bill read second time and ordered to print, engrossed and third reading.

Senate Bill No. 1807—An act to amend Section 1753 of the Political Code of the State of California, relating to the schools of the building high schools and to make additional charges.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1.

On page 2, line 20, strike out the quotation "(" between the words shall and the

Amendment adopted.

Amendment No. 2.

On page 2, line 21, following the word "department" strike out the period "." and insert in lieu thereof the following: "; provided, however, that such pupil shall not receive instruction in such high school in any subject in which he has received credit for graduation from the elementary school."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 451—An act to amend Section 1540 of the Political Code, relating to the duties of teachers.

During second reading of the bill the following amendments were offered by the committee:

Amendment No. 1.

On page 1, line 9, strike out the word "of" and insert in lieu thereof the following: "Code".

Amendment adopted.

Amendment No. 2.

On page 1, line 10, strike out the figure "(" and insert in lieu thereof the following: "Section".

Amendment adopted.

Amendment No. 3.

On page 2, line 8, strike out the words "Code," and insert in lieu thereof the following: "Code".

Amendment adopted.

Amendment No. 4.

On page 2, line 13, strike out the figure "(" and insert in lieu thereof the following: "Section".

Amendment adopted.

Amendment No. 5.

On page 2, line 20, strike out the figure "(" and insert in lieu thereof the following: "Code".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 32, strike out the figure "6", and insert in lieu thereof the following: "Sixth".

Amendment adopted.

AMENDMENT No. 7.

On page 3, following line 7, insert the following: "Seventh. Make such other reports as may be required by the superintendent of public instruction, county superintendents, board of school trustees, or city boards of education."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 233—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered section two *a*, relating to the dissolution of such districts where they have no assets and have no indebtedness, not barred by the statute of limitations, and have ceased to be going concerns.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered one thousand eight hundred seventy-one, relating to the testimony of expert witnesses

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 899—An Act to amend section thirty-five hundred seventy-one of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office, by owners of certificates of purchase or patents from the State, for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificates and also as to the issuance of warrants by county auditors and the State Controller as provided in section thirty-five hundred seventy-two of said Political Code.

Bill read second time, ordered engrossed and on file for third reading.

SENATOR CAMINETTI IN THE CHAIR.

At four o'clock and forty minutes p.m., Senator Caminetti, of the Tenth District, in the chair.

SECOND READING OF BILLS — RESUMED.

Senate Bill No. 124—An Act to amend section seven hundred ninety-one of the Political Code, relating to notaries public.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 6, of the printed bill, strike out the words "cities and".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the word "section" and insert in lieu thereof the word "act".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 411.—An Act to amend Section 438 of the Penal Code of the State of California, relating to burglary.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 6, of the printed bill, strike out the words "store house".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, of the printed bill, strike out the words "or down cellar of a house," and insert in lieu thereof the following: "or any underground portion thereof".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 441.—An Act to amend Section 417 of the Political Code, relating to peace officers.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 4, of the printed bill, strike out the word "and".

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 4 and 5, of the printed bill, strike out the words "or deputies" and insert in lieu thereof the word "deputies".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 7, of the printed bill, change the period to a comma and insert the following: "and according unto to Caesar".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1411.—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 20, of the printed bill, strike out the word, "permanent" and insert in lieu thereof the word "incurable".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 10, of the printed bill, after the word "period", insert the following: "and has been confined in any asylum for the insane for a period of at least five years previous thereto".

Amendment adopted.

AMENDMENT NO. 3.

On page 1, line 15, of the printed bill, strike out the words "second unless" and insert in lieu thereof the following: "and unless second"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SENATOR THOMPSON IN THE CHAIR

At four o'clock and forty-five minutes p. m., Senator Thompson, of the Thirty-fifth District, in the chair.

MINORITY REPORT SUBMITTED.

Senator Cammetti, in accordance with permission previously granted by the Senate, presented the following:

SENATE CHAMBER, SANTA FE, NEW MEXICO, March 26, 1913.

MR. PRESIDENT: The undersigned members of the Senate Judiciary Committee, to which committee was referred Senate Bill No. 54, beg leave to report that said bill was considered at several meetings of said committee, but that the members thereof fail to agree on recommendation to be submitted to the Senate on said bill.

The majority of the committee, having agreed that said Senate Bill No. 54 be reported out with the recommendation that it do not pass, and the undersigned minority of the committee, being opposed to such recommendation, do herein recommend that said Senate Bill No. 54 do pass.

We herewith submit extracts of the argument of Andrew Dunseath, Esq., made before the Judiciary Committee, in support of the said bill:

"The modern use of the writ of injunction, especially in labor disputes, is revolutionary and destructive of popular government.

"Our government was designed to be a government by law, said law to be enacted by the legislative branch, construed by the judiciary and administered by the executive.

"An injunction is 'an extraordinary writ, issued out of equity, enjoining a threatened injury to property or property rights, where there is not a plain, adequate and complete remedy at law.'

"The definition of equity is 'the application of rule and justice to the legal adjustment of differences where the law, by reason of its universality, is deficient,' or, 'that system of jurisprudence which comprehends those matters of fact for which the common law provides no remedy * * * springing originally from the royal prerogative, moderating the harshness of the common law according to good conscience.' In other words, it is the exercise of power according to the judgment and conscience of one man.

"It was for this reason that in Great Britain, whence the United States derives its system of equity as well as of law, the equity power was limited to the protection of property or property rights, and in such cases only where there was no remedy at law; the words 'adequate and complete' have been added here.

"When the courts of equity take jurisdiction, enter and issue injunctions in labor disputes, they do so to protect business, which, under late rulings by several courts, is held to be property. These rulings are disputed and condemned by other courts, which hold that relations between employers and employees—between buyer and seller—are personal relations, and as such, if regulated at all, are regulated by statute or common law only. If the latter contention be right, and of this we believe there can be no question, the ruling that makes business property, or the right to carry on or continue in business a property right is revolutionary and must lead to a complete change, not only in our industrial, but in our political life. If the court of equity be permitted to enjoin personal relations, it will gradually draw to itself all legislative power. If it be permitted to set aside or to enforce law, it will ultimately arrogate to itself construction now held by the law courts, and abolish trial by jury.

"The constitution, rather grants power upon the courts by stating that they shall have jurisdiction, as now and as exercised in the mother country, that it makes it their duty to issue the writ of habeas corpus and it authorizes the same writ as it provides for trial by jury. Equity power can be no more exercised in England at the time of the adoption of our constitution, and it can be granted and denied by English authorities that our courts could not adopt consideration of labor disputes except by the adoption of a ruling that business is property. It becomes property in the case of a strike or a boycott, and can therefore be protected by the equity court against diminution of its usual income, caused by a strike or boycott conducted by the working people, then it becomes property at other times, and therefore entitled to be protected against loss of income caused by competition from other

all, he was but a man. Are we going to permit the growing up of a despotic government by the judges? Are not they also men?

"The despotism of one can in this sense be no better than the despotism of another. If we are to preserve 'government of the people, by the people, and for the people,' any usurpation by the judiciary must be as sternly resisted as usurpation by the executive.

"What labor is now seeking is the assistance of all liberty-loving men in restoring the common law definitions of property and in restricting the jurisdiction of the equity courts in that connection to what it was at the time of the adoption of the constitution."

All of which is respectfully submitted.

A. CAMINETTI.
A. E. CAMPBELL.
G. W. CARTWRIGHT.
EDWARD J. TYRRELL.
T. W. H. SHANAHAN.
L. W. JUILLIARD.
WM. KEHOE.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 588—An Act to amend Sections 4, 6, 8, and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

During second reading of the bill, the following committee substitute was offered by the committee.

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 588.

An Act to amend Sections 1, 2, 3, 4, 6, 8, and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

SECTION 1. Section 1 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, is hereby amended to read as follows:

Section 1. Whenever any tract or subdivision of land shall be laid out into lots for the purpose of sale, the owner or owners thereof shall cause to be made out and filed with the county recorder of the county in which the same is situated, an accurate map or plat thereof on cloth, drawn and attested to by a civil engineer or licensed surveyor from an actual survey of the ground. Said engineer or surveyor shall, in making the survey, place sufficient permanent monuments so that another surveyor or engineer may retrace his work. The nature and location of these monuments shall be plainly shown on the map. The map shall also particularly set forth and describe:

First—All parcels of ground, within said tract or subdivision used for public purposes or offered for dedication to public uses, stating the purposes intended for public highways, parks, parkways, squares or other public uses and their dimensions and boundaries and the courses of their boundary lines.

Second—All lots intended for sale or reserved for private purposes and not offered for dedication to the public use, giving the numbers of lots, and their dimensions and boundaries and the courses of their boundary lines. All parcels of land offered for dedication as private streets and not accepted as the property of the county upon prosecution to [illegible]

Third—The exact position of such tract or subdivision of land with reference to adjacent subdivisions of land into lots, the maps or plats of which have been previously recorded, if any, or if none, then with reference to corners of a United States survey, or to some natural or artificial monument.

SEC. 8. An Act entitled "An Act requiring the recording of maps of cities, towns, additions to cities or towns or subdivisions of land into small lots or tracts for the purpose of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions, or additions thereto, before such maps are filed and recorded," approved March 9, 1893, and all Acts and parts of Acts in conflict with this Act, are hereby repealed.

Bill read second time, and ordered to print, engrossment and third reading.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section four and one half of article six thereof, relating to appeals.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer to Senator Carr, as a special committee of one, to amend as follows:

By striking out lines numbered 1 to 6, inclusive, and inserting in lieu thereof the following: "The legislature of the State of California, at its regular session commencing on the [illegible] day of January, in the year one thousand nine hundred thirteen, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof; hereby proposes an amendment to the Constitution of the State of California, by amending section four and one half of article six thereof, to read as follows:".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 12, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and adopted.

Constitutional amendment ordered to print and engrossment.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred ninety-seven and section two thousand six hundred ninety-eight, relating to the abandonment of highways.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

Strike out all of lines 5 to 18, inclusive, on page 1, and lines 1 to 16, inclusive, on page 2, of the printed bill, and insert in lieu thereof the following:

"2697. Any ten freeholders, two of whom must be residents of the road district in which some part of the property affected is situated, and who are taxable therein for road purposes, may petition the board of supervisors in writing to vacate, discontinue, abandon and abolish any public highway, road, street, avenue, alley, lane or place which may have been dedicated to the public for public use or which may have been offered for dedication to the public for public use, by the recording or filing in the office of the county recorder of a map upon which any such highway, road, street, avenue, alley, lane or place may be delineated as such.

2698. Upon filing such petition, the board of supervisors must by order fix a day for hearing the same and give notice to all freeholders in said road district of the time and place fixed for the hearing of said petition by publication in some newspaper published in the county to be designated in said order by the board of supervisors, for at least two successive weeks prior to the day fixed for said hearing. The board of supervisors must, on the day fixed for the hearing, or on the day to

[illegible]

Mr. CHAIRMAN: Your [illegible] Bill No. 1[illegible] Bill be [illegible] recommended [illegible]

[illegible]

Report read and adopted.

Bill ordered to print and to engrossment.

[illegible] BOARD OF FORESTRY BILLS.

On motion of Senator Stockslager the [illegible] was ordered to be read a second time by its title.

Assembly Bill No. 1[illegible]—An Act making an appropriation for printing for the State Board of Forestry for the balance of the sixty-fourth fiscal year.

Bill read second time and ordered on the [illegible] reading.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Bill read second time, and ordered on the [illegible] reading.

COMMUNICATIONS.

The following communication was received and ordered printed in the Journal:

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.
SAN FRANCISCO, March 26, 1911.

To the Honorable the Senate of the State of California:

GENTLEMEN: The undersigned is in receipt of a communication, dated at [illegible] March 24, 1911, from W. N. Pierce, enclosing a copy of resolution adopted by [illegible] relative to [illegible] The said matter was duly considered [illegible] by the commission, and the following Senate Bills:

No. 982, relating to station facilities.
No. 1153, relating to [illegible] passenger trains.
No. 1250, relating to carrying and weighing coal.
No. 1478, regulating the [illegible] of logs [illegible]
No. 243, relating to the [illegible] of railroad crossings.
No. 88, relating to [illegible] and [illegible] and
No. 847, relating to the [illegible] of railroad trains.

The commission begs leave to thank the Senate for [illegible] and we will be the last of our wishes, and [illegible] on the [illegible]

Senate Bill No. 982, introduced by Senator [illegible] requires that [illegible] agreements within [illegible] of this Act, [illegible] shall be granted by the Railroad Commission of California on a showing made [illegible] the [illegible] of such railroad corporation to comply with the provisions of this Act. [illegible] to equip all locomotives engaged [illegible] power, mechanical [illegible] the application [illegible] used in switching of cars, and provides a penalty for violation.

This commission has already been investigating the question here involved, and our engineering department advises us that all main line engines should be equipped with headlights of the candle power provided in the bill. We, however, deem it inadvisable to have the matter limited to electric headlights, because we are advised that there are improved types of headlights now coming into use, and it may be that even better headlights can be provided than the ones set out in the bill. It would also seem that the roads should not be put to the expense of installing headlights on engines that are only used in daylight, and we would suggest that branch lines handling schedule trains which leave after daylight and arrive before dark should be exempt from the necessity of having the engines used thereon equipped with electric headlights. The same exemption should be made in favor of some of the small roads of the State that run no trains at night.

We believe that this commission has ample authority under the Public Utilities Act to provide the relief which is sought to be secured by means of this statute, but inasmuch as the statute represents the maximum relief which we could give and is in line with what we are advised should be done, and the further fact that the safety of the employees and the public is of much more consequence than any amount of money involved in additional safety facilities, we see no reason why it should not be passed, particularly when by so doing this commission would probably be relieved of the necessity of consuming considerable amount of time in further hearings in these questions. We suggest, however, that a provision could easily be inserted which would make this Act much more flexible and bring about the same desired result by allowing this commission to pass in special cases upon the kind of headlights to be installed.

Therefore, we see no reason why this bill should not be passed, provided it is amended in the respects we have suggested.

Since our attention was drawn to this bill we understand certain amendments have been added along the line we have suggested, but we are not advised as to the exact form of such amendments.

Senate Bill No. 1103. This is an Act the import of which is to require railroads operating trains between points 25 miles apart when the schedule time exceeds 40 minutes, to install toilet facilities. It is undoubtedly aimed at some of the interurban electric lines, and we believe its intent is entirely proper, but we call attention to the fact that it is not of great or general importance, such as the Act just discussed, and inasmuch as this commission has undoubted authority under Section 42 of the Public Utilities Act, and such authority has been well sustained by the courts, we do not believe that the bill is necessary. By bringing complaint before this commission, the matter could be disposed of, even before a statute could be passed and its effective date reached.

No complaint has reached the commission respecting this matter, else it would have had attention heretofore.

Senate Bill No. 1256. This bill attempts to regulate the carriage of coal and to impose the losses upon the carrier. The carrier is now responsible, under the rules of negligence, for any losses which may be occasioned after the commodity has been accepted for transportation and before its delivery. Under our view of the law, the bill would not add anything to the liability which now attaches to a carrier and would simply designate the method of procedure which should be followed by the court in applying the general rules of law which cover the same subject.

Over the question of weighing, this commission has ample jurisdiction at the present time under the Public Utilities Act, and if abuses along this line are brought to our attention, we will attempt to correct them. We would call attention to the fact however, that it is our belief that this bill goes somewhat too far in requiring coal to be weighed at each connecting point between carriers. If this bill is necessary, similar legislation would be insistable for many other commodities. The shippers, of course, should be protected and we believe the present laws are ample to protect them.

Senate Bill No. 1473. The design of this bill is to make it a duty incumbent upon the railroads to furnish invalids transportation accommodations when traveling in baggage or mail cars. The rest of the bill is a re-enactment of Section 490 of the Civil Code as it now stands.

We are clearly of the opinion, that under Section 42 of the Public Utilities Act, the commission could give this relief. The railroads have urged the objection heretofore, that in many of their trains there is danger, particularly in case of wrecks, of the baggage falling upon the injured person. It is our belief, however, that some facility, either in the baggage car or elsewhere, should be provided for the carrying of injured or invalid passengers. The bill, at least, ought to be amended so as to provide in addition to the language, "baggage or mail car," "or elsewhere upon said train," giving the railroads the option to provide alternative accommodations. There are instances on record where sudden stopping of trains has caused baggage to fall upon invalid passengers in baggage cars, causing their death.

Senate Bill No. 243. We have no hesitancy in saying that if the Public Utilities Act is a good Act this bill is dangerous. While the [illegible] defeats the important main defect with this more or less unimportant amendment is used for a basis to re-enact the entire statute, which being re-enacted subsequent to the passage of the Public Utilities Act, of course supersedes the Public Utilities Act.

and to that extent repeals that portion of the Act which is inconsistent with this Senate Bill No. 847. It is intended by enacting this Act to [illegible] so as to [illegible] that this bill is a very dangerous experiment, and will prove to be [illegible] corporations to [illegible] [illegible] [illegible]

the portions of such highways within their corporate limits, and to issue and sell bonds therefor," approved March 19, 1907, and providing for the filing est, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Also: Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the State of counties, of cities, of cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

L. B. MALLORY, Chief Clerk of Assembly.
By F. TRUDE, Assistant Clerk.

Assembly Joint Resolution No. 24 referred to Committee on Municipal Corporations.

Assembly Bill No. 1732 read first time and referred to Committee on Elections.

Assembly Bill No. 1647 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 163 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

Also: Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By F. TRUDE, Assistant Clerk.

Assembly Bills Nos. 1090 and 35 read first time, and referred to Committee on Judiciary.

COMMUNICATIONS.

The following communications were received:

BOARD OF STATE HARBOR COMMISSIONERS
SAN FRANCISCO, CAL., March 24, 1913.

To his Excellency, HIRAM W. JOHNSON, Governor of the State of California; to the Honorable, the Senate of the State of California; to the Honorable, the Assembly of the State of California, Sacramento, California.

GENTLEMEN: We have the honor to invite you most cordially to the celebration of the completion of the State Belt Railroad around the harbor front of San Francisco, to be held on Saturday, March 29, 1913.

The program will include an inspection of the water front from the bay side on board the United States steamer "Sheoma", an inspection of the extensive new docks in course of construction, an inspection of the Belt Railroad in a train operated by the state force; an inspection of the proposed tunnel under Fort Mason military reservation, through which it is proposed to run the belt line to the United States transport docks and the military reservations; and an inspection of the site and works of the Panama-Pacific Exposition.

The Exposition Company has asked to be joined as hosts on the occasion, and it gives us great pleasure to combine with them in extending you an earnest request to accept the invitation.

The program will cover the time from about 11.30 a.m. on the arrival of the Sacramento train, till 7.30 p.m.

Lunch will be served to our invited guests on board the steamer; and a dinner will be tendered to them by the Panama-Pacific Exposition Company at the San Francisco Commercial Club from 5.30 p.m. to 7.30 p.m.

We have the honor to be,
Yours very truly.

THE BOARD OF STATE HARBOR COMMISSIONERS.
By LEO V. MERLE, JR., Secretary.

Also,

[illegible]

Also,

[illegible]

Senator Bingham moved that the invitation be accepted.

Motion carried.

Senator Hare moved that a committee of three be appointed to arrange transportation.

Motion carried.

[illegible]

The following request of standing committee was received and read.

[illegible]

Mr. President: Your committee on Municipal Corporations to which was referred Senate Bill No. 1201—An act to amend Section 2124 of the Revised Code of the State of California, relating to cities consolidating adjoining cities, townships and to the annexation of adjacent territory entirely.

Also: Senate Bill No. 1201—An act to repeal an act entitled "An act to provide for the payment from the general government of certain claims of counties growing out of the duties performed by officers of said counties in the apprehension and detention of persons charged with the commission of public offenses against the United States, and to provide for the allowance and payment of such claims," approved March 18, 1880.

Also: Senate Concurrent Resolution No. 20—Relative to memorializing the Congress of the United States to take such action as may be necessary to the end that the Secretary of War may be authorized to grant permission to the Board of Supervisors of the County of San Diego, State of California, to use certain lands in the vicinity of San Diego Bay for the purpose of a municipal airport, and to lease the same to the City of San Diego, State of California, for such purpose, on the 17th day of January, 1933.

Also: Assembly Bill No. 1036—An act to amend Section 562 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, and to repeal Section 563 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, passed the Assembly March 14, 1933.

Also: Assembly Bill No. 1036—An act to amend Section 562 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, and to repeal Section 563 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, passed the Assembly March 14, 1933.

Also: Assembly Bill No. 1036—An act to amend Section 562 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, and to repeal Section 563 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, passed the Assembly March 14, 1933.

Also: Assembly Bill No. 1036—An act to amend Section 562 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, and to repeal Section 563 of the Code of Civil Procedure relating to the duties of the clerk of the Supreme Court of the State of California, passed the Assembly March 14, 1933.

Also: Assembly Concurrent Resolution No. 1—Approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter.

Also: Assembly Bill No. 482—An Act to amend Sections 3 and 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Also: Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Have had the same under consideration, and respectfully report the same back, without recommendation, and suggest that they be referred to the Railroad Commission under conditions referred to in the resolution adopted March 24th.

CARR, Chairman.

Senate Bills Nos. 521 and 525 ordered on file for second reading.

Senate Concurrent Resolution No. 20 ordered on file.

Assembly Bills Nos. 148, 326, 328, 329 and 33 ordered on file for second reading.

Assembly Concurrent Resolution No. 1 ordered on file.

Assembly Bills Nos. 255, 482, 50 and 53 ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Cammetti for permission to introduce a Senate concurrent resolution, relative to the flood sufferers in the East.

Also: The request of Senator Curtin for permission to introduce a Senate joint resolution, relative to a special message by the President of the United States to Congress, at a special session, urging banking and currency reform legislation.

Also: The request of Senator Finn for permission to introduce a Senate bill—An Act to amend Sections 953a, 953b and 953c of the Code of Civil Procedure of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or to the District Courts of Appeal.

Have had the same under consideration, and respectfully recommend that the several requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Bryant, Butler, Cammetti, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Metz, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Caminetti: Senate Concurrent Resolution No. 11—Relative to raising funds for the relief of flood sufferers in the east.

By Senator Curtin: Senate Joint Resolution No. 25—Relative to special message by the President of the United States to Congress at a special session, urging banking and currency reform legislation.

Joint resolution referred to Committee on Federal Relations.

By Senator Finn: Senate Bill No. 1179—An Act to amend sections nine hundred fifty-three, and nine hundred fifty-three-b, and nine hundred fifty-three-d of the Code of Civil Procedure of the State of California, relating to the time of the clerk using appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Courts of Appeal.

Bill read first time, and referred to Committee on Judiciary.

CONCURRENT RESOLUTIONS CONSIDERED.

Senator Caminetti asked and was granted unanimous consent that the rules be suspended and that Senate Concurrent Resolution No. 11 be taken up for immediate consideration.

SENATE CONCURRENT RESOLUTION NO. 11.

Relative to raising funds for the relief of flood sufferers in the East.

WHEREAS, The call for help now coming from our unknown fellow citizens in many states of the east is an appeal that Californians deem not good or patriotic Americans to ignore; and for the Senate, the Assembly concurring, That a committee of ten, three to be appointed by the President of the Senate and seven by the Speaker of the Assembly, be authorized to confer with the Governor, and council as the Legislature, the best means of raising funds to succor such sad and just cause in what way the State of California can lend its aid.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Anderson, Ayer, Boyce, Brenton, Broad, Bryant, Butler, Caminetti, Campbell, Carr, Chrisler, Copeland, Curtin, Finn, Flint, Hahn, Holohan, Hans, Hewitt, Jones, Justin, Leake, Leavell, Mott, Owens, Regan, Shoemaker, Stanton, Strobridge, Thompson, Tyrrell and Wright—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES, ETC. (not on calendar).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 22, requesting certain matters relative to the grading of Los Angeles, in the county of Los Angeles, State of California, would respectfully report that the municipal charter of said city of Los Angeles as a special municipal charter had nothing to do with said matter, and have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

CARR, Chairman.

Assembly Concurrent Resolution No. 24 referred to the

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States,' approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by amending section four thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BEBAN, Chairman.

Senate Bill No. 413 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 1036—An Act to amend an Act entitled "An Act to provide for the organization and management of county hay associations," approved April 1, 1897, by amending Sections 1, 2, 3, 5, 6, 7 and 8 thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BRYANT, Chairman.

Senate Bill No. 1036 ordered on file for second reading.

SPECIAL APPOINTMENT OF COMMITTEE.

The acting President announced the appointment of Senators Hans, Finn, and Juilliard as the committee to arrange transportation to San Francisco on Saturday, March 29th.

ADJOURNMENT.

At five o'clock and twenty-five minutes p.m., on motion of Senator Hans, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Friday, March 28, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 27, 1913, the further reading was dispensed with, on motion of Senator Strobridge.

PRESIDENT PRO TEM

On request of Senator Lanning the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. E. H. Carlton, of Visalia.

REQUEST FOR WITHDRAWAL OF BILL

The following request for permission to withdraw a bill was presented:

By Senator Slater: Permission to withdraw a memorial to the 73rd Congress, 1st Session, memorializing the State Water Commission to consider or cause to be examined and report to the Legislature on all private lands belonging to the State and to which said lands riparian rights or rights of any kind or character of sufficient value to warrant the state in withdrawing or withholding from sale any portion or portions of said lands, following the State Engineer's report, the State Engineer, the State Reclamation Board and the State Forester to cooperate with the State Water Commission in said examination, engineering survey for the purpose of carrying out the provisions of this law, providing all fees or parts of fees in conflict herewith.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF SENATE BILLS—THIRD READING OF BILLS

Senate Bill No. 58—An act to amend Section 263 of the Penal Code, relating to the punishment for the crime of rape.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 58 passed by the following vote:

AYES: Senators Anderson, Ayer, Beban, Benson, Bidwell, Brandt, Breed, Brown, Burns, Carpenter, Chapman, Chrisman, Cline, Cowan, Crowley, Dennett, Dennis, Dockweiler, Dorn, Dyer, Finn, Fitts, Garrison, Gerlach, Gesmer, Hewitt, Holland, Hollingsworth, Hornblower, Howard, Inman, Lanning, Leavitt, Lee, Lewis, Lyon, Mathews, McAdoo, McCarthy, McDonald, Meek, Metcalf, Mitchell, Moore, Nelson, Nielsen, Nutter, Parkman, Peek, Pendleton, Pierce, Rattigan, Rhodes, Rigdon, Roseberry, Rush, Sanborn, Sanford, Scott, Shearer, Shelley, Shoemaker, Slater, Smith, Stanton, Stetson, Stewart, Strother, Swing, Tarr, Tenney, Thomas, Tickle, Tyrrell, Voorhis, Wagner, Warne, Weeks, Welch, Wilson, Wolfe, Young and Zenke—80.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 144—An Act to amend Section 79 of the Civil Code of California, relating to marriage.

On motion of Senator Cassidy, Senate Bill No. 144 was passed on file, to retain its place.

Senate Bill No. 15—An Act to amend Section 4458 of the Political Code of the State of California, relating to the compensation of officers of counties of the 54th class and their assistants, deputies and clerks.

In the absence of the author, Senate Bill No. 15 was passed on file, to retain its place.

Senate Bill No. 473—An Act to amend Section 4202 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 473 passed by the following vote:

AYES: Senators Anderson, Ayer, Beban, Benson, Bidwell, Brandt, Breed, Brown, Burns, Carpenter, Chapman, Chrisman, Cline, Cowan, Crowley, Dennett, Dennis, Dockweiler, Dorn, Dyer, Finn, Fitts, Garrison, Gerlach, Gesmer, Hewitt, Holland, Hollingsworth, Hornblower, Howard, Inman, Lanning, Leavitt, Lee, Lewis, Lyon, Mathews, McAdoo, McCarthy, McDonald, Meek, Metcalf, Mitchell, Moore, Nelson, Nielsen, Nutter, Parkman, Peek, Pendleton, Pierce, Rattigan, Rhodes, Rigdon, Roseberry, Rush, Sanborn, Sanford, Scott, Shearer, Shelley, Shoemaker, Slater, Smith, Stanton, Stetson, Stewart, Strother, Swing, Tarr, Tenney, Thomas, Tickle, Tyrrell, Voorhis, Wagner, Warne, Weeks, Welch, Wilson, Wolfe, Young and Zenke—80.

NOES: None.

Grant, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Read third time.

On motion of Senator Lyon, Senate Bill No. 1413 was passed on file.

Senate Bill No. 1173—An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

On motion of Senator Gerdes, Senate Bill No. 1173 was passed on file.

Senate Bill No. 752—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

On motion of Senator Birdsall, Senate Bill No. 752 was ordered re-referred to Committee on Finance, to retain its place on file.

Senate Bill No. 1172—An Act to amend an Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

On motion of Senator Gerdes, Senate Bill No. 1172 was passed on file.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905.

On motion of Senator Gerdes, Senate Bill No. 1169 was passed on file.

Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3*a*.

In the absence of the author, Senate Constitutional Amendment No. 66 was passed on file, to retain its place.

Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the acceptance and maintenance thereof.

In the absence of the author, Senate Bill No. 957 was ordered passed on file, to retain its place.

Senate Bill No. 1065—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

In the absence of the author, Senate Bill No. 1065 was ordered passed on file, to retain its place.

Senate Constitutional Amendment No. 13—A resolution proposing to the people of the State of California an amendment of the Constitution of the State by amending Section 194 of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States and in any money domestic or foreign.

In the absence of the author, Senate Constitutional Amendment No. 13 was passed on file to retain its place.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 420a, relating to the complaint in action for divorce.

On motion of Senator Gerdes, Senate Bill No. 1171 was passed on file.

Senate Bill No. 520—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

On motion of Senator Grant, Senate Bill No. 520 was passed on file.

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

In the absence of the author, Senate Bill No. 919 was passed on file.

Senate Bill No. 1017—An Act to amend Sections 17 and 18 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare void contracts to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions, and providing penalties for such offenses," approved April 4, 1911.

On motion of Senator Owens, Senate Bill No. 1017 was passed on file.

Senate Bill No. 340—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 474a, relating to shipping or transporting abalones out of the State, and prescribing a penalty for shipping for shipment or transportation, or shipping or transporting any abalones beyond the confines of the State.

On motion of Senator Campbell, Senate Bill No. 340 was ordered to the foot of the third reading file.

Senate Bill No. 794—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of gas mains or mains high-

way or boulevard over highways or streets in its incorporated limits, of any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highways or boulevard and providing the manner in which the cost and expense thereof shall be paid.

In the absence of the author, Senate Bill No. 794 was passed on file, to retain its place.

Senate Bill No. 684—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

In the absence of the author, Senate Bill No. 684 was passed on file, to retain its place.

Senate Bill No. 547—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

On motion of Senator Anderson, Senate Bill No. 547 was passed on file.

Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

On motion of Senator Gates, Senate Bill No. 286 was passed on file.

PRIVILEGE OF THE FLOOR.

On request of Senator Hans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to N. Ruevardi, Ella J. O'Connell, professor of history, in charge Oakland High School; E. C. Keyes, principal in charge; J. R. Sutton, vice-principal, and Miss Frazier, history teacher, and 80 pupils of the John C. Fremont High School of Oakland, and 170 from the Oakland High School.

THIRD READING OF BILLS — RESUMED.

Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto, to be designated and known as Section 4056b, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, approved April 18, 1911.

In the absence of the author, Senate Bill No. 1002 was passed on file, to retain its place.

SPECIAL ORDER POSTPONED.

Senator Grant moved that the special order heretofore set for ten o'clock and thirty minutes be postponed until eleven o'clock.

Motion carried.

RECONSIDERATION OF VOTE.

In compliance with his notice given on the preceding day, Senator Wright moved that the vote whereby the Senate concurred in Assembly amendments to Senate Bill No. 232 be reconsidered.

The question being on the motion to reconsider.

The roll was called, and the vote whereby the Senate concurred in Assembly amendments to Senate Bill No. 758 was ascertained by the following vote:

AYES: Senators Anderson, Ayer, Beard, Brown, Burnett, Burns, Burns, Byrne, Chamberlin, Christensen, Cline, Cowan, Crittenden, Dilworth, Fleury, Fulton, Gaffey, Gerdes, Hatch, Hollingsworth, Jacobsen, Jones, Kuchel, Lagomarsino, Lanterman, Lee, Luckel, Mahoney, Marshall, Meek, Miller, Nelson, Nisbet, Nourse, Regan, Rich, Roseberry, Sanborn, Shelley, Shoemaker, Slater, Stanford, Stanton, Swing, Tenney, Thomas, Tyrrell, Voorhis, Warne, Weaver, Wenig, Whetmore, Whitsell, Williams, Wilson, Wollenberg, Wood, Woodrow, Young and Zenovich—50.

NOES: None.

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 758?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 758 by the following vote:

AYES: None.

NOES: Senators Anderson, Ayer, Beard, Brown, Burnett, Burns, Burns, Byrne, Chamberlin, Christensen, Cline, Cowan, Crittenden, Dilworth, Fleury, Fulton, Gaffey, Gerdes, Hatch, Hollingsworth, Jacobsen, Jones, Kuchel, Lagomarsino, Lanterman, Lee, Luckel, Mahoney, Marshall, Meek, Miller, Nelson, Nisbet, Nourse, Regan, Rich, Roseberry, Sanborn, Shelley, Shoemaker, Slater, Stanford, Stanton, Swing, Tenney, Thomas, Tyrrell, Voorhis, Warne, Weaver, Wenig, Whetmore, Whitsell, Williams, Wilson, Wollenberg, Wood, Woodrow, Young and Zenovich—50.

SECOND READING OF BILLS

On motion of Senator Tyrrell the Senate took up the consideration of the second reading file of Senate bills.

Senate Bill No. 1487—An Act authorizing board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts also to levy taxes for the purpose of erecting monuments in memory of California pioneers.

Bill read second time, ordered engrossed and on the file for third reading.

Senate Bill No. 29—An Act making an appropriation to pay the town of Suisun City for rights of way heretofore conveyed thereby to the United States of America for a cut off to facilitate and improvement of the channel and navigation of Suisun Slough.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

Amend title by striking out all after the word "the", at line 3, and insert in lieu thereof the following: "claim of the city of Suisun City against the State of California."

Amendment adopted.

AMENDMENT NO. 2.

On page 1, strike out all of line 3 following the word "the" and all of lines 4, 5 and 6, and insert in lieu thereof the following: "claim of the town of Suisun City against the State of California."

Amendment adopted.

Bill read second time and ordered to print engrossment and third reading.

Senate Bill No. 577—An Act to amend section fifteen hundred fifty-seven of the Penal Code, relating to the amounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 11, of the printed bill, strike out the word "examiners", and insert in lieu thereof the word "control".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered one thousand four hundred ten *a*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 10, of the printed bill, between the words "any" and "byways", insert the word "natural".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, of the printed bill, strike out the word "does", and insert in lieu thereof the word "carry".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 947—An Act to amend section three thousand eight hundred ninety-eight of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 16, of the printed bill, after the word "taxes", strike out the comma and insert the words "on said property,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1410*a*, relating to the water of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1027.—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1030.—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this state, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1905, and amended by an Act approved March 24, 1911.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 521.—An Act to amend Section 1575 of the Political Code of the State of California, relating to city consolidating separate districts and to the annexation of additional territory thereto.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 524.—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles, to prescribe the conditions of such dedication, to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 415.—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in the State who may become the subject of public charity, and to defray burial expenses," approved March 16, 1897, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States,' approved March 25, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 28, 1911, by amending section four thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1086.—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire patrol companies," approved April 3, 1907, by amending sections one, two, three, five, six, seven and eight thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by striking out all after the word "secs.", and insert the following: "eight and ten thereof."

Amendment adopted.

AMENDMENT No. 2.

In Section 3, line 31, page 2, strike out all after the word "of" down to and including the word "business", in line 16, page 3, and insert the following: "one year or until their successors are elected and qualified. The annual meeting of the members shall be held on the second Monday in January of each year and may be held anywhere in the county in which such company is organized. One fourth of the members shall constitute a quorum for the transaction of business."

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 10, strike out the word "of", and insert the word "in".

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 24, after the word "dollars", insert the following: "unless the excess which shall in no case exceed three hundred dollars be reinsured in some other county mutual fire insurance company."

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 35, after the word "provision", insert the following: "*and provided, further*, that such companies may reinsure a part of any risk not to exceed fifty per cent thereof in one or more other county mutual fire insurance companies organized under the laws of the State of California."

Amendment adopted.

AMENDMENT No. 6.

On page 5, line 6, strike out the word "of" following the word "rules", and insert the word "and".

Amendment adopted.

AMENDMENT No. 7.

Add a new section, to be known as Section 8, to read as follows:

"SEC. 8. Section ten of said Act is hereby amended to read as follows:

Section 10. No such company shall insure any property beyond the limits of the county wherein the said company is organized, except that a company may insure in any county next adjoining the county wherein such company is organized. Nor shall any such company issue policies on property situated within the corporate limits of any city or town unless such risk be not less than one hundred feet from any business property and the amount of the insurance shall not exceed seventy-five per cent of the value of the property, but if seventy five per cent of the value be not written by such company, additional insurance shall be allowed to that extent."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Tyrrell, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 687.—An Act to organize and declare valid all proceedings in the San Ysidro Irrigation District.

During second reading of the bill, the following amendment was offered by the committee.

On page 1, after line 5, add a new section, as follows:

"SEC. 2. The boundaries of said district are hereby declared to be as follows: Beginning at a point 1330.14 ft. west of the ¼ cor. to section 1, Tp. 19 S., R. 2 W., and section 6, Tp. 19 S., R. 1 W., San Bernardino meridian, thence north along the subdivision line of said section 1, 2640 ft. more or less to the line between Tps.

18 and 19 S., R. 2 W.; thence north along the [illegible] line of section [illegible] [illegible] more or less to the northerly line of the right of way of the San Diego Southern Railway; thence [illegible] along the northerly line of said right of way [illegible] California; [illegible] to the [illegible] place of beginning."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Assembly Bill No. [illegible]—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to amend Section [illegible] of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to repeal Sections [illegible] and [illegible] of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to amend Section [illegible] of the Act entitled "An Act to provide for organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to amend Sections [illegible] and [illegible] of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to amend Section [illegible] of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to amend Section [illegible] of the Political Code, relating to the government of school districts by municipal charter.

During second reading of the bill the following amendment was offered by the committee:

On page 2, line 14, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 482—An Act to amend sections three and five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

During second reading of the bill, the following amendments were offered by the committee.

AMENDMENT No. 1.

On page 1, title, line 4, strike out the word "munical," and insert in lieu thereof the word "municipal".

Amendment adopted.

AMENDMENT No. 2.

On page 1, title, line 6, strike out the word "approved," and insert in lieu thereof the words "which became a law".

Amendment adopted.

AMENDMENT No. 3.

On page 1, title, line 5, strike out the word "approved," and insert in lieu thereof the words "which became a law".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the municipal corporations by water companies.

On motion of Senator Carr, Assembly Bill No. 50 was passed on file.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

On motion of Senator Carr, Assembly Bill No. 63 was passed on file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 28, 1913

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 361—An Act to amend Section 1236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Also: Senate Bill No. 393—An Act to amend Section 1322 of the Penal Code, relating to witnesses and testimony of husband and wife.

Also: Senate Bill No. 580—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the trade in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Also: Senate Bill No. 1546—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 63c, relating to the sale, giving away or serving of intoxicants on a legal holiday and prescribing a penalty therefor.

Also: Senate Concurrent Resolution No. 22—Relative to raising funds for the relief of flood sufferers in the East.

And report that the same have been correctly engrossed.

GRANT, Chairman.

CONSIDERATION OF BILLS, ETC.—(OUT OF ORDER).

Senator Wright moved that the Senate take up for consideration Senate Concurrent Resolution No. 29, Assembly Concurrent Resolu-

tion No. 10 Assembly Bill No. 107 Assembly Amendment Resolution No. 1 Assembly Concurrent Resolution No. 18 and Assembly Bill No. 48

Motion carried.

Senate Concurrent Resolution No. 26

Authorizing filing certain amendments to the charter of the city of San Diego, in the county of San Diego, state of California, voted for and ratified by the qualified electors of the said city at their regular or a primary election held pursuant to the provisions of the charter thereof on the fifth day of February, 1914.

Whereas, In accordance with the provisions of section eighty of article seven of the Constitution of the state of California, the city of San Diego, a municipal corporation in the county of San Diego, state of California, framed a charter which was duly ratified by a vote of the electors of said city at a regular election held for that purpose on the 5th day of March, 1913, which charter was thereafter duly approved by the Legislature of the state of California on the 23rd day of March, 1915, and is a duly operative charter; and, whereas, Since framing the said charter the electors of the city of San Diego, in the county of San Diego, California, voted for and ratified by the necessary majority of qualified electors thereof, at a regular election held for that purpose on the second day of February, 1914, certain amendments to said charter; now, therefore, be it

Resolved, That the said charter of the said city of San Diego, ratified and approved as aforesaid, but with the said amendments thereto, which amendments were duly submitted to the electors of said city at the said election held on the second day of February, 1914, and voted for by a majority of the qualified electors of said city at said election, be and the same is hereby approved; and be it further

Resolved, That the proper authority is hereby given the common council of said city to transmit forthwith to said charter board on the 23rd day of January, 1914, authentic certified copies of said amendments to said charter of the qualified electors of said city for approval; and

Whereas, The said Legislature of the state of California by its action on the said charter has fully complied with the provisions of section eighty of article seven of the Constitution of the state of California, and has approved the said charter, and has transmitted the same to the common council of the said city of San Diego, which said common council has duly published the said charter for the period required by law, and has duly submitted the said charter to the qualified electors of the said city of San Diego at a regular election held on the second day of February, 1914, and

Whereas, Said proposed amendments were published for the time and in the manner and manners required by law prior to the said election, and at said election the said amendments were duly submitted to the qualified electors of said city of San Diego

"Section 2*d*. The common council shall levy annually, in addition to all other taxes provided in this charter, not less than one cent, nor more than two cents, on each one hundred dollars valuation of property, for the purpose of supporting and maintaining the public playgrounds of the city.

Amend said charter by the addition of a new chapter to Article III, which shall be entitled, "Chapter 7½. Of City Playgrounds," and which shall read as follows:

CHAPTER 7½.

OF CITY PLAYGROUNDS.

SECTION 1. There shall be created a board of five (5) commissioners, to be known as the board of playground commissioners.

SEC. 2. The members of the board of playground commissioners shall be appointed by the mayor, subject to a confirmation by a majority of the council. All such appointments shall be made so that not more than three of said commissioners shall be of the same sex. The members of said board shall serve without compensation, and shall hold office for four years, and until their successors are appointed and qualify. If any vacancy occur, the mayor shall fill the same for the unexpired term, subject to confirmation by a majority of the council.

SEC. 3. The board of playground commissioners shall organize by electing a president and a secretary, each of whom shall hold office for one year, and until his successor is elected. The board shall maintain an office for the transaction of business. Said board shall hold regular meetings at least once a month.

SEC. 4. All appointments, suspensions and removals of employees of the children's playgrounds and recreation centers, shall be made by the board of playground commissioners, subject to such civil service regulations as are now or may hereafter be in force.

SEC. 5. All children's playgrounds and recreation centers and the design, construction, maintenance and use of all buildings and improvements thereon shall be under the exclusive control and management of the board of playground commissioners.

SEC. 6. The board of playground commissioners may, for and on behalf of the city of San Diego, receive donations, legacies or bequests for the improvement or maintenance of said playgrounds, or for the acquisition of new playgrounds, and all moneys derived from such donations, legacies or bequests shall unless otherwise provided by the terms thereof, be deposited in the treasury of the city of San Diego to the credit of the playground fund. The same may be drawn therefrom and paid out only in the manner as is provided in the charter for the payment of money from other funds. If the moneys derived from such gifts, bequests or legacies shall at any time exceed in amount the sum necessary for immediate expenditure on said playgrounds, the board may invest all or a part of the surplus in interest-bearing bonds of the United States or of the State of California, or of any county, municipality or school district thereof. As to all of such property the board of playground commissioners shall be deemed and considered to be a special trustee thereof for the city of San Diego.

SEC. 7. The council shall have power, by ordinance, to set aside for playground purposes, any lands now or hereafter owned or controlled by the city, and not held for or devoted to any public use.

SEC. 8. The council shall for the acquisition, development and maintenance of children's playgrounds, appropriate annually, not less than one cent, nor more than two cents, on each one hundred dollars of assessed valuation as a special tax independent of the general tax levied, and the amount so appropriated shall be credited to the playground fund.

SEC. 9. Said board of playground commissioners shall have power to employ and fix the compensation of such employees as may be necessary for the proper care and improvement of said playgrounds, to expend the moneys appropriated by the council, or received from any other source, for the purpose of managing and improving said playgrounds and recreation centers.

SEC. 10. The board of playground commissioners shall have further powers and perform such other duties as may be granted or imposed by ordinance.

Now, therefore, be it

Resolved by the Legislature of the State of California, being the Senate and Assembly of said State (a majority of all the members elected to each house voting for and concurring therein), That said amendments to said charter of the said city of San Diego, as proposed and submitted to, and adopted and ratified by, the qualified electors of said city, be, and the same are, and each one of them is, hereby approved as a whole, without amendment or alteration, for and as amendments to, and as part of the charter of the said city of San Diego.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

Ayes—Senators Ayer, Boyle, Breed, Burnett, Bush, Elsner, Evans, Gates, Gerdes, Hatch, Holohan, Jones, Kehoe, Leavitt, Lewis, Lukens, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Stetson, Thompson, and Wright—25.

Noes—None.

Resolution ordered engrossed and transmitted to the Assembly.

SPECIAL ORDER SET.

Senator Kehoe moved that the consideration of Assembly Concurrent Resolution No. 10 be made a special order for Monday, March 31, 1913, at twelve o'clock m.

Motion carried.

THIRD READING OF BILLS—(CONTINUED).

Assembly Bill No. 500. An Act making an appropriation for paying for the State Board of Forestry for the balance of the expiring fiscal year.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 500 passed by the following vote:

Ayes—Senators Ayer, Boyle, Breed, Burnett, Bush, Elsner, Evans, Gates, Gerdes, Hatch, Holohan, Jones, Kehoe, Leavitt, Lewis, Lukens, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Stetson, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 4.

Assembly concurrent resolution relative to the charter of the city and county of San Francisco, State of California, which was read and ordered to be printed.

Whereas, The city and county of San Francisco, State of California, operates a municipal railway system and owns terminal properties, and has long been given the right of priority in the construction of such railways and terminal properties; and

Whereas, The city and county of San Francisco, State of California, is now engaged in the construction of a municipal railway system and has expended large sums of money in the acquisition of terminal properties and in the construction of such railways, and has issued bonds to the amount of [illegible] dollars for the purpose of acquiring and constructing such railways and terminal properties, and has pledged the faith and credit of said city and county of San Francisco, State of California, for the payment of said bonds and the interest thereon; and

Whereas, The said city and county of San Francisco, State of California, has heretofore, by the terms of its charter, been prohibited from operating its railways for the transportation of passengers for hire; and

Whereas, The said city and county of San Francisco, State of California, is desirous of operating its railways for the transportation of passengers for hire; and

Whereas, The said city and county of San Francisco, State of California, has heretofore, by the terms of its charter, been prohibited from operating its railways for the transportation of passengers for hire; and

Whereas, The said city and county of San Francisco, State of California, is desirous of

Charter Amendment No. 2.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new subdivision to Section 1 of Chapter II of Article II, designated as No. 37, and adding a new section to Article XIV, designated as Section 13, relating to the use of the streets and Lobos Square by the Panama-Pacific International Exposition Company."

Charter Amendment No. 3.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Sections 1, 2, 5, 8, 9, 11, 12, 17 and 19 of Article XIII, and adding a new section designated as Section 7½ to Article XIII, relating to the civil Service Commission, its powers and duties and appointments to be made and regulations for the employees serving under the civil service laws."

Charter Amendment No. 4.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 of Chapter IV of Article IV, Sections 1 and 2 of Chapter VI of Article IV, Section 1 of Chapter VII of Article IV, Sections 1 and 2 of Chapter V of Article V, Sections 1 and 2 of Chapter VI of Article V, and adding a new section to Article XVI designated as Section 42, relating to the election, term of office and compensation of certain county officers, and of their deputies and employees."

Charter Amendment No. 5.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 and adding a new section to be known as Section 2 of Chapter IV of Article IX, relative to establishing a two-platoon or two-shift system in the San Francisco fire department, increasing the number of officers and members, and creating shifts and watches therefor."

Charter Amendment No. 6.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Article XII by adding thereto Chapter I to consist of Sections 1 to 16 inclusive of said Article XII, Chapter II and Chapter III, relating to public utilities, the acquisition and construction thereof, the appointment, organization and powers of a public service commission and the appointment, organization and powers of a board of water construction."

Charter Amendment No. 7.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Sections 2, 3 and 4 of Chapter I of Article XI and adding a new section to Article XVI designated as Section 42, relating to the qualifications and salaries of the employees of the department of elections."

Charter Amendment No. 8.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 of Chapter III of Article IV, Sections 1 and 2 of Chapter II of Article IV, Section 1 of Chapter V of Article IV, Section 1 of Chapter II of Article V and adding a new section to Article XVI designated as Section 42, relating to and increasing the salaries of the officers and employees in the offices of the treasurer, auditor, tax collector and increasing the salary of the city attorney."

Charter Amendment No. 9.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by amending Sections 1, 2 and 3 of Chapter IX of Article IX, adding new sections to Chapter IX of Article IX designated as Sections 7, 8 and 9, and adding a new chapter to Article IX designated as Chapter X, relating to the department of electricity, the compensation of its deputies and employees, providing for a relief fund and increasing its powers."

Charter Amendment No. 10.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 6 of Chapter V of Article VIII, and adding a new section to Article XVI designated as Section 42, relating to the increase of the detective force of the police department and the salaries thereof."

Charter Amendment No. 12.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 8.401 of Article VIII, and adding a new section to Article XVI, designated by Section 8A, relating to the salary of the chief of police.

Charter Amendment No. 13.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 8.401 of Article VIII and adding Section 8A thereto, relating to appropriations for the enforcement of ordinances."

Charter Amendment No. 14.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by providing Section 8.401 of Article VIII relating to the enforcement of ordinances and employees of said city and county."

Charter Amendment No. 15.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by providing Section 8.401 of Article VIII relating to the chief of police, relative to promotions, demotions."

Charter Amendment No. 16.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 12 of Article XII thereof, relating to salaries and wages."

Charter Amendment No. 17.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 11 of Article XII thereof, relating to the appointment of agents, clerks and employees."

Charter Amendment No. 18.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 11 of Article XII thereof, relating to the appointment of agents, clerks and employees."

Charter Amendment No. 19.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 11 of Article XII thereof, relating to the appointment of agents, clerks and employees."

Charter Amendment No. 20.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 11 of Article XII thereof, relating to the appointment of agents, clerks and employees."

Charter Amendment No. 21.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 11 of Article XII thereof, relating to the appointment of agents, clerks and employees."

Charter Amendment No. 22.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to Article XVI, designated as Section 40A, relating to the establishment of a recreation farm for juvenile and adult delinquents."

Charter Amendment No. 23.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and

county by adding a new section to Chapter II of Article II, to be designated Section 10, relating to exchange of a portion of relief home tract."

Charter Amendment No. 23.

"Describing and setting forth an amendment to the charter of the city and county of San Francisco, State of California, by adding a new section to Article XVI thereof, to be numbered Section 1½, relating to the qualification of officers."

Charter Amendment No. 24.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 3 of Chapter V of Article IV, relating to duties of city attorney."

Charter Amendment No. 25.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 of Chapter VII of Article V thereof, relating to justices' courts and justices of the peace."

Charter Amendment No. 26.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 4 of Chapter X of Article VIII and Section 5 of Chapter VII of Article IX thereof, relating to the pensioning of any family of any officer, member or employee of the police or fire departments who may be killed while in the performance of his duty."

Charter Amendment No. 27.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new chapter to Article XI, designated as Chapter VI, relating to local option for districts."

Charter Amendment No. 28.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Sections 1, 2 and 4 of Chapter II of Article VIII; Sections 1 and 2 of Chapter I of Article IX, adding a new section to Chapter II of Article IX, to be designated Section 5; Sections 1, 2, 3 and 4 of Article X, and repealing Sections 6, 7, 8, 9, 10 and 11 of Article X, relating to the organization, membership and powers of the police, fire and health departments."

Charter Amendment No. 29.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Chapter I of Article XI by adding a new section thereto, to be known as Section 6, relating to additional power for the Board of Election Commissioners."

Charter Amendment No. 30.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding four subdivisions to Section 1 of Chapter II of Article II, designated as Subdivisions 38, 39, 40 and 41, relating to the powers of the board of supervisors.

Charter Amendment No. 31.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new subdivision to Section 1 of Chapter III of Article VIII, designated as Subdivision 8, relating to the power of the police commissioners to conduct investigations affecting the police department."

Charter Amendment No. 32.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding to Article XIV thereof, relating to the park and the park commissioners, a new section, to be known as Section 6a."

Charter Amendment No. 33.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city

and insert: (c) no other provision of this act shall be construed as limiting the powers granted to the commission by section 1 of article XI, and adding a new section to Chapter I of Article IV, authorizing an increase in salaries to the commissioners, secretaries and agents of the board of public works.

Charter Amendment No. 12.—Franchises.

Describing and setting forth a proposed to the qualified electors of city and county of San Francisco, State of California, an amendment to section [illegible] of Article [illegible] of the charter of said city and county, and to add a new section to Chapter [illegible] of Article [illegible] of said charter, all relating to the granting of franchises for steam railways and other public utilities over and upon the streets and highways of said city and county, and to add a new section to Chapter [illegible] of Article [illegible] of said charter, relating to the granting of franchises for steam railways and other public utilities over and upon the streets and highways of said city and county, and providing for the submission of said amendments to the qualified electors of said city and county, and providing for the manner of publishing this ordinance.

Charter Amendment No. 13.

Describing and setting forth a proposed to the qualified electors of city and county of San Francisco, State of California, an amendment to section [illegible] of Article [illegible] of the charter of said city and county, and providing for the submission of said amendment to the qualified electors of said city and county, and providing for the manner of publishing this ordinance.

Charter Amendment No. 14.

Describing and setting forth a proposed to the qualified electors of city and county of San Francisco, State of California, an amendment to section [illegible] of Article [illegible] of the charter of said city and county, and providing for the submission of said amendment to the qualified electors of said city and county, and providing for the manner of publishing this ordinance.

Charter Amendment No. 15.

Describing and setting forth a proposed to the qualified electors of city and county of San Francisco, State of California, an amendment to section [illegible] of Article [illegible] of the charter of said city and county, by adding a new section thereto, to be known as section [illegible], relating to the sale of [illegible] lands by [illegible] and providing for the submission of said amendment to the qualified electors of said city and county, and providing for the manner of publishing this ordinance.

Charter Amendment No. 16.

Describing and setting forth a proposed to the qualified electors of city and county of San Francisco, State of California, an amendment to section [illegible] of Article [illegible] of the charter of said city and county, by adding a new section thereto, to be known as section [illegible], relating to the sale of [illegible] lands by [illegible] and providing for the submission of said amendment to the qualified electors of said city and county, and providing for the manner of publishing this ordinance.

Whereas, Said [illegible] [illegible] [illegible]

Charter Amendment No. 1.

That a new section be added to Chapter II of Article II of the charter, to be known as Section 10 and to read as follows:

Section 10. The board of supervisors may acquire land in the district bounded by Market street, Golden Gate avenue and Franklin street, for the purpose of establishing a civic center, and when it appears to the advantage of the city and county so to do it may acquire land in excess of the actual requirements, and may dispose of any such excess in exchange for other lands within such district or for the purpose of acquiring additional lands or for the erection of structures thereon. It may convey to the State of California a parcel of land in such district for the purpose of the erection of a state building thereon and in consideration therefor may receive from the State any parcel of land in such district now owned by the State; and with the consent of the board of trustees of the public library and reading rooms it may exchange parcels of land with the said board of trustees, and upon such exchange said board of trustees is hereby authorized to relinquish control of such land as may have been heretofore set apart for its use. It may authorize the erection of an auditorium by the Panama-Pacific International Exposition Company, or of an opera house, museum, or other structure, provided the ownership of such structure shall always be vested in the municipality.

Charter Amendment No. 2.

To amend Section 1 of Chapter II of Article II by adding a new subdivision to Section 1, to be numbered 37, to read as follows:

The board of supervisors shall pass such ordinances governing the use and closing of streets, the erection, use, alteration, demolition and control of buildings and structures of every nature and description; the installation, use and control of plumbing, water, gas, steam, sewerage and other pipes and instrumentalities; the use and control of electric light, power, and other wires, conduits, generating, transmitting and other apparatus; the erection and maintenance of steam boilers, steam, gas, and other engines and apparatus; the maintenance and control of fire and police protection, and governing any and every other matter necessary, proper or expedient for the safety, convenience and welfare of the public within that portion of the city and county of San Francisco which has been or may be selected as the site for the holding of the Panama-Pacific International Exposition. The provisions hereof, and the ordinances passed hereunder, shall supersede all conflicting provisions of this charter, and all conflicting provisions of any ordinance heretofore passed, so far as the same apply to the site herein specified, until the first day of January, 1917; *provided*, that no ordinance passed by virtue of any provision herein contained shall be operative except as to the term of the said exposition as specified.

To amend Article XIV by adding thereto a new section to be known as Section 13, and to read as follows:

Section 13. Notwithstanding anything in this article contained, the Board of Park Commissioners are hereby authorized and directed to transfer to the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California, March 22 1910, the exclusive possession, use, management and control of Lobos Square and Marina, control, possession and use to be for the purpose of the Panama-Pacific International Exposition and to terminate not later than one year after the closing of such exposition.

Charter Amendment No. 3.

That Section 1 of Article XIII is hereby amended to read as follows:

APPOINTMENT AND REMOVAL OF COMMISSIONERS.

Section 1. The mayor shall appoint three persons as civil service commissioners, who shall constitute the civil service commission. The persons so appointed shall before taking office, make under oath, and file in the office of the county clerk, the following declaration: "I am opposed to appointments to the civil service as a reward for political activity, and will execute the duties of civil service commissioner in the spirit of this declaration." The term of one commissioner shall terminate at twelve o'clock noon, July 1, 1915; the term of another shall terminate at twelve o'clock noon, July 1, 1917, and the term of another shall terminate at twelve o'clock noon, July 1, 1919. On the expiration of the term of any such commissioner the mayor shall appoint a successor with like qualifications to serve as a commissioner for a term of six years. Each of the commissioners shall receive an annual salary of twelve hundred dollars. The commissioners may be removed from office in the same manner as are elective officers of the city and county and not otherwise. The commissioners shall appropriate not less than twelve thousand five hundred dollars for the expenses of the commission and not less than five thousand dollars additional for the inspection service provided in Section 14 of this article.

That Section 2 of Article XIII is hereby amended to read as follows:

Accounting system.

Section 5. The commissioners shall classify, in accordance with forms prescribed, all property of corporations in the service of railroads and telegraph companies, and persons and companies engaged in the transportation of oil, coal, or other articles by means of pipe lines, and shall prescribe the accounts, receipts, and expenditures of such railroads, telegraph companies, and persons and companies engaged in the transportation of oil, coal, or other articles by means of pipe lines, and the manner in which such accounts shall be kept. The commissioners may, in their discretion, prescribe the accounts in which particular outlays and receipts shall be entered, charged, or credited. The commissioners may also, after hearing, determine the question of fact whether particular outlays and receipts have been properly entered, charged, or credited. And the commissioners are hereby authorized to make such modifications from time to time in the accounts, receipts, and expenditures prescribed by them as they may consider necessary. The commissioners may employ such experts and other assistants as may be necessary in the execution of the duties imposed upon them by this section, and may make such examinations of the accounts, receipts, and expenditures of such railroads, telegraph companies, persons and companies as they may deem necessary. The commissioners may prescribe such rules and regulations as may be necessary for the execution of the functions imposed upon them by this section, and may conduct such investigations, public or private, as they may think necessary to determine whether any person, company, or corporation has violated or is about to violate any provision of this section or any lawful requirement of the commissioners made under authority thereof. Any railroad company, telegraph company, person, or company which shall fail to keep its accounts, receipts, and expenditures in the manner prescribed by the commissioners, or which shall refuse to submit its accounts, receipts, and expenditures for examination by the commissioners or their duly authorized agents, or which shall refuse to submit reports when required by the commissioners, or which shall refuse to answer fully, within such reasonable time as the commissioners may prescribe, any inquiries contained in the forms prescribed by the commissioners, shall be liable to a penalty of not more than five thousand dollars for each offense.

That Section 3 of Article XII is hereby amended to read as follows:

Attachment.

Section 3. The commissioners shall exercise all jurisdiction and have all powers in relation to oil pipe lines, telegraph and telephone companies necessary to enable them to put in full effect all the provisions of this section relating to such companies, and all the powers herein granted to the commissioners in regard to railroads shall apply to such companies; and the commissioners may, from time to time, make such orders, rules, and regulations as may be necessary to enforce the provisions of this section. The commissioners may employ such experts and other assistants as may be necessary in the execution of the duties imposed upon them by this section, and may make such examinations of the accounts, records, and memoranda of such companies as they may deem necessary. Any railroad company, telegraph company, person, or company which shall fail to keep its accounts, records, and memoranda in the manner prescribed by the commissioners, or which shall refuse to submit its accounts, records, and memoranda for examination by the commissioners or their duly authorized agents, or which shall refuse to submit reports when required by the commissioners, or which shall refuse to answer fully, within such reasonable time as the commissioners may prescribe, any inquiries contained in the forms prescribed by the commissioners, shall be liable to a penalty of not more than five thousand dollars for each offense.

That Section 4 of Article XII is hereby amended to read as follows:

Attachment.

Section 4. The commissioners shall execute all powers and perform all duties necessary to the complete carrying out of the full intent of this section, including the power to require by order or subpœna the attendance of witnesses and the production of books, papers, and documents, to administer oaths, to take testimony, and to make such orders and regulations as may be necessary to enforce the due observance of the provisions of this section. Any railroad company, telegraph company, person, or company which shall fail to obey any such order or subpœna, or which shall refuse to testify as to any matter regarding which he may be interrogated by the commissioners or any of their duly authorized agents, shall be liable to a penalty of not more than five thousand dollars for each offense.

That Section 5 of Article XII is hereby amended to read as follows:

Attachment.

Section 5. The commissioners shall have power, and it shall be their duty, to hear and determine complaints against railroads, telegraph companies, persons and companies engaged in the transportation of oil, coal, or other articles by means of pipe lines, and against express companies, as hereinafter provided for, and to establish reasonable rates, tolls, charges, classifications, and regulations to be observed and applied by railroads, telegraph companies, persons and companies engaged in the transportation of oil, coal, or other articles by means of pipe lines, and express companies, subject to change from time to time, whether the same shall have been complained of or not, and to make reparation awards in favor of complainants and against railroads, telegraph companies, persons and companies engaged in the transportation of oil, coal, or other articles by means of pipe lines, and express companies, found to have been guilty of unjust discrimination, undue preference or prejudice, or unreasonable charges, in violation of any of the provisions of this section, or of any lawful order, rule, or regulation made or established by the commissioners hereunder, and to enforce the same by the infliction of such penalties as are provided in this section. The commissioners may, in their discretion, prescribe the time within which carriers, telegraph companies, persons and companies subject to the provisions of this section shall make reports and answers to any inquiries, orders, or requirements of the commissioners.

That Section 6 of Article XII is hereby amended to read as follows:

Procedure, rules, &c.

Section 6. The commissioners shall provide for the inspection of the operation and records of railroads, telegraph companies, persons and companies engaged in the transportation of oil, coal, or other articles by means of pipe lines, and express companies, as hereinafter provided for, and shall prescribe the accounts, receipts, and expenditures of such railroads, telegraph companies, persons and companies engaged in the transportation of oil, coal, or other articles by means of pipe lines, and express companies, as hereinafter provided for, and shall prescribe the manner in which such accounts shall be kept. The commissioners may also prescribe the time within which the carriers, telegraph companies, persons and companies subject to the provisions of this section shall make reports and answers to any inquiries, orders, or requirements of the commissioners.

That Section 9 of Article XII is hereby amended to read as follows:

Duty of officers of railroads, &c., in case of the pendency of proceedings.

Section 9. Whenever a complaint shall be made to the commissioners concerning any matter with respect to which any power is given to them by this section, it shall be the duty of the commissioners to notify in writing such railroad company, telegraph company, person or company, of the matter complained of, and to require the same to be answered in writing within such reasonable time as the commissioners may prescribe; and it shall be the duty of such railroad company, telegraph company, person or company, within the time so prescribed, to make answer in writing to the complaint, but no railroad company, telegraph company, person or company shall be required to give evidence upon any matter which may tend to criminate himself or itself; and it shall be the duty of such railroad company, telegraph company, person or company, within such time, to cause to be satisfied the complaint made, or to answer the same in writing, and to make such report in the premises as required by the commissioners. And in case such railroad company, telegraph company, person or company shall refuse or neglect to make such answer or report within the time prescribed, or shall refuse to satisfy the complaint, the commissioners may proceed to hear and determine the matter complained of in the same manner as if such answer had been received.

and address of one or more candidates in the discretion of the commission, but not exceeding three, standing highest upon the register for the class or grade to which the position belongs. In making any selection, for employment as shall be discontinued, except when some statute, the rules of the commission, or the appointing power specifies sex. The commission shall not certify the name of any person who in the judgment of the commission is not of good moral character or who has secured a place upon the eligible lists by fraud, concealment of fact, or by violation of the rules of the commission; and having certified such person shall cancel such certification, and the commission shall remove the name of any such person from all civil service registers.

That Section 11 of Article XIII is hereby amended to read as follows:

DEPARTMENTS GOVERNED BY THIS ARTICLE.

Section 11. Subdivision A. The provisions of this article shall apply to the following offices and departments of the city and county: The county clerk, the assessor, the tax collector, the sheriff, the auditor, the recorder, the treasurer, the coroner, the clerks and stenographers of the justices' and police courts, the board of public works, the police department, the fire department, the board of election commissioners, the board of health, the department of electricity, the board of supervisors, the civil service commission, and all boards and departments controlling public utilities, but the following deputies, clerks and employees in said offices and departments shall be exempted therefrom: the chief deputy of the county clerk; the chief deputy and the deputy designated as the cashier of the assessor; the chief deputy and the cashier of the tax collector; four deputies of the sheriff designated as the under sheriff, the chief bookkeeper, the attorney, and the cashier; the deputy auditor; the chief deputy of the recorder; four employees of the treasurer designated as the cashier, the chief deputy, one assistant deputy designated as bond deputy, and one clerk; the chief deputy and the attorney [illegible] of the coroner; the city engineer; the secretary of the board of public works; the city architect; the registrar of the board of election commissioners; the justices' clerk; the chief of police; the chief engineer and secretary of the fire department; the chief of the department of electricity; the clerk of the board of supervisors; all physicians appointed by the board of health; persons appointed by the mayor, under the authority of this charter; the chief deputy and the head of any [illegible] or department created by this charter or by ordinance; the chief executive and secret[illegible] appointed by the civil service commission, and persons employed by the commission to exercise the authority conferred by Section 11 of this article; the [illegible] of each public utility; attorneys and physicians employed [illegible] learned in their profession; persons employed by the board of supervisors for temporary service in positions requiring high technical skill; persons employed in positions having a confidential relation to the head of the department in which the employment is held, but not more than one such position shall be established in any department; persons employed on public works outside the city and county. Any person who has served in any position in the office of the assessor, the coroner, the recorder, the county clerk, the sheriff, the office of the justices' clerk, the board of supervisors or the treasurer for a period of one year continuously prior to the approval of this amendment and who shall be actually employed in any of said offices at such time is hereby declared to be appointed within the provisions of Article XIII of this charter to the position to which he may be assigned and shall be entitled to all the benefits of said article thereafter.

PREFERENCE FOR CERTAIN EMPLOYEES.

Subdivision B. The following persons securing standing on the eligible lists in examinations shall be preferred for appointment:

1. Persons employed in the operating service of the Geary Street Park and Ocean Railroad Company on May 5, 1912, such preference to be solely for employment in the municipal railroad service.

2. Persons employed in the operating service of any public utility acquired by the city who have been so employed for not less than one year; and such persons so employed at the time a public utility is acquired by the city shall become in their positions. All officers, courts, boards or heads of departments vested in this charter with the power to appoint deputies, clerks [illegible] or other employees of any designation whatsoever shall make appointments only in accordance with the provisions of this article and the rules adopted thereunder and any appointment not so made shall be void.

That Section 12 of Article XIII is hereby amended to read as follows:

DISMISSALS FOR CAUSE ONLY—TRIALS AND SUSPENSIONS.

Section 12. No person employed in the classified civil service shall be removed or discharged except for cause upon written charges and [illegible] opportunity to be heard in his own defense. Pending the hearing of such charges the appointing officer or department may suspend the person so accused, but such suspension shall not be valid for more than thirty days upon any charge unless the hearing thereon shall be

[illegible]

[illegible]

[illegible]

Charter Amendment No. 18.

That Sections 1, 2 and 14 of Chapter III of Article VI be amended so as to read as follows:

Section 1. Whenever the public interest or convenience may require, the supervisors shall have full power and authority to order the extending, widening, straightening or closing up, in whole or in part, of any street, avenue, lane, alley, court or place within the city and county and shall have further full power and authority to order the opening of any new street, avenue, lane, alley, court or place within the city and county, and to condemn and acquire all and all lands and property necessary for any of the foregoing purposes, and shall have further full power and authority to order to be done in the same proceeding and as a part thereof any and all street work and street improvement in and on any street, avenue, lane, alley, court or place which the supervisors shall, under the powers conferred upon said supervisors in this chapter and article, order to be extended, widened, straightened or opened. The cost, damage and expense of such opening, extending, curbing, straightening and closing up of any street, avenue, lane, alley, court or place and of said street work and street improvement may be assessed in whole or in part on property benefited or may be paid in whole or in part out of the revenues of the city and county. Two or more streets, avenues, lanes, alleys, courts or places laid out in pursuance of one general plan may be opened under one proceeding, and all street work and street improvement therein and thereon may be done under the same proceeding and the property benefited may be assessed according to the benefit from such general plan for the cost, damage and expense thereof.

The supervisors are further empowered to provide by ordinance, or ordinances, passed by twelve members of the board, the procedure for fully and completely exercising the powers conferred in this section and the procedure provided for in the following sections of this chapter shall not be deemed exclusive. In such ordinance or ordinances if said board deems it expedient, provision may be made for the payment of an assessment levied in pursuance of the provisions thereof in annual installments covering a term not to exceed ten years upon such conditions as to such board may seem reasonable and just, the rate of interest to be made on such payments not to exceed seven per cent per annum. Or the supervisors may by resolution, as in the following sections provided, declare that any such opening, extending, widening, straightening or closing up of any street, avenue, lane, alley, court or place and said street work and street improvement shall be done or made in the manner and in accordance with the following provisions of this chapter or as said supervisors may be hereafter amended, in which case the proceedings set out in the following sections of this chapter shall be taken and had.

Section 2. Before ordering such opening, extending, widening, straightening or closing up of any street, avenue, lane, alley, court or place and said street work and street improvements to be made or done the board of supervisors shall pass a resolution declaring their intention so to do and further declaring that the same shall be done or made in the manner and in accordance with the provisions of this section and the following sections of this chapter. Said resolution shall describe the same and the work to be done and the land and property deemed necessary to be taken therefor, and shall specify the exterior boundaries of the district to be affected or benefited by the improvement and work, and to be assessed to pay the damages, costs and expenses thereof.

In case said damage, cost and expense or any proportion thereof, is to be paid out of the revenues of the city and county the supervisors in such resolution may so declare or at any time thereafter and before the completion of said damages, costs and expenses, said board may declare and determine that any part or the whole thereof remaining unpaid shall be paid out of the revenues of the city and county.

Section 14. The said board of public works shall thereafter proceed to advertise and collect the various sums delinquent and the whole thereof, including the cost of advertising, which last shall not exceed the sum of fifty cents for each lot, piece or parcel of land separately assessed by the sale of the assessed property in the manner hereinafter specified; and after the date of said delinquency and before the time of such sale herein provided for, no assessment shall be received unless at the same time the ten per cent added thereto as aforesaid, together with the costs of advertising then already incurred, shall be paid therewith. The said property shall be sold and when sold shall be subject to redemption in the manner following, to wit:

1st. The board of public works shall, within ten days from date of such delinquency, begin the publication of a list of the delinquent assessments, which list must contain a description of each parcel of property delinquent, and opposite or against each description the name of the owner as stated in the assessment roll, and the amount of the assessment, penalty and costs due, including the cost of advertising, which last shall not exceed the sum of fifty cents for each lot, piece or parcel of land, separately assessed. The board of public works shall append to and publish with said delinquent list a notice that unless each assessment delinquent, together with the penalty and costs thereon, is paid, the property upon which such assessment is a lien, will be sold at public auction at a time and place

treasurer all moneys collected by the board on account of any assessments made under the provisions hereof. The county treasurer shall on receipt thereof, place the same in a special fund, designating such fund by the name of the street, avenue, square, lane, alley, court or place for the widening, opening or other improvements for which the assessment was made. Payment shall be made from said fund to the parties entitled thereto upon warrants signed by the members of the board of public works. With respect to all matters provided for or prescribed by this section to be done or performed by said board of public works, the majority of said board may act.

Charter Amendment No. 19.

That Chapter VIII of Article VI be amended so as to read as follows:

CHAPTER VIII.

TUNNELS, SUBWAYS AND VIADUCTS.

Section 1. The board of supervisors are hereby empowered to order the construction of and construct any tunnel, subway or viaduct in, on, under or over any accepted or unaccepted open public street, avenue, lane, alley, place or court within the city and county, or any other land of the city and county, or in, on, under or over any land or water in which and where the city and county may then have an easement or right of way therefor, and to levy the damages, cost and expenses thereof upon private property in the manner and under the procedure and powers in Chapter II of this article provided for street work and street improvement. Said method of procedure shall not be deemed exclusive, but the board of supervisors may, by an affirmative vote of at least twelve of its members, adopt an ordinance which may from time to time be revised or amended, providing a method of procedure for such improvement, work and assessment and for the ascertainment and payment of damages and for the manner in which protests against such assessments and damages awarded may be heard and determined, and for the manner in which such assessment may be collected and paid and property delinquent thereunder may be sold, and for the procedure for fully and completely exercising the powers conferred in this section; and in such ordinance, if said board deems it expedient, provision may be made for the payment of any assessment levied in pursuance of the provisions thereof in annual installments covering a term not to exceed ten years upon such conditions as to the said board may seem reasonable and just, the rate of interest to be paid on such payments not to exceed seven per cent per annum.

Section 2. The board of supervisors are hereby empowered to authorize the acquisition, by purchase or condemnation and to acquire by purchase, or to condemn and acquire, any and all land, or any easement or right of way thereon, thereon, thereunder or thereover, and any property necessary and convenient for any purpose mentioned in Section 1 of this chapter, and to levy the damages, costs and expenses thereof upon private property, in the manner and under the procedure and powers in Chapter III of this article provided, for the opening, extending, straightening and closing up, in whole or in part, of any street, avenue, lane, alley, court or place. But said method of procedure shall not be deemed exclusive, but the board of supervisors may by an affirmative vote of at least twelve of its members, adopt an ordinance, which may from time to time be revised or amended, providing a method of procedure for such acquisition and for the ascertainment and payment of damages and for the manner in which protests against such assessments and damages awarded may be heard and determined, and for the manner in which such assessment may be collected and paid and property delinquent thereunder may be sold, and for the procedure for fully and completely exercising the powers conferred in this section; and in such ordinance, if said board deems it expedient, provision may be made for the payment of any assessment levied in pursuance of the provisions thereof in annual installments covering a term not to exceed ten years upon such conditions as to the said board may seem reasonable and just, the rate of interest to be paid on such payment not to exceed seven per cent per annum. Lands or property which the supervisors deem necessary to take the place of such portion of the street or streets as may be used in the construction of the tunnel, including its portals and approaches, and to restore to the street surface travel thereon are hereby declared to be necessary and convenient lands or property for the purposes mentioned in Section 1.

Section 3. If the board of supervisors deems it expedient, the construction and acquisition mentioned in Sections 1 and 2 of this chapter may be initiated and completed in one proceeding; and in exercising the power to provide, by ordinance for methods of procedure hereinbefore provided for such ordinances may provide for a single procedure for the work mentioned in Section 1 and the acquisition mentioned in Section 2 of this chapter. Any existing ordinance providing a method of procedure for the work mentioned in Section 1 of this chapter may be amended so that it may also provide a method of procedure for the acquisition mentioned in Section 2 of this chapter. But the supervisors may, in any case, determine to proceed with the work mentioned in Section 1 hereof and with the acquisition mentioned in Section 2 hereof in separate proceedings.

Section 4. The board of supervisors may, in its discretion, order that the whole or any part of the costs and expenses of any of the work or acquisitions in

Section 1 and 2 of this chapter shall not be construed as to prevent the [illegible] of any [illegible] of the city and county from [illegible] of [illegible] of [illegible] [illegible] [illegible]

full faith and credit of the city and county shall be pledged for the punctual payment of the principal and interest. Such indebtedness shall be no part of the debt limited by Section 9 of Article XII of the charter. The maximum rate of interest shall not exceed five per centum per annum and the principal shall be payable at any time after ten years and within twenty years from their date, as may be determined by the board of supervisors. If more than two thirds of the voters voting at such election shall vote in favor of the incurring of the indebtedness, then such bonds may be issued as herein provided. The bonds so authorized shall be sold in such amounts and at such times as the supervisors may direct and the proceeds arising from such sale shall be placed in a special fund known as the public work revolving fund. The moneys in such fund shall be used to pay the cost of any public improvement, the cost of which or any portion thereof has been or may be assessed against private property benefited thereby, or may be used to pay the principal or interest on the bonds issued as herein provided. All sums paid on account of such assessments shall be placed to the credit of such fund. Interest shall be charged on all such assessments at the rate of six per cent per annum, from the date of the acceptance of the work for the payment of which the assessments were imposed. Such assessments when exceeding $25 may be paid in not more than ten annual installments. The supervisors shall, by proper legislation provide for the carrying into effect the provisions of this section.

Charter Amendment No. 22.

That a new section be added to Chapter II of Article II to be numbered Section 10, to read as follows:

Section 10. The board of supervisors in the manner provided in the preceding section, may sell a portion of the Relief Home tract not adapted to public use, being a portion of the Rancho San Miguel and generally described as lying southerly and westerly from the lands of the Spring Valley Water Company. The proceeds arising from such sale shall be used exclusively for the purchase of other lands adjoining such Relief Home tract.

Charter Amendment No. 23.

That a new section be added to Article XVI thereof, to be numbered Section 14, to read as follows:

Section 14. No political, religious or partisan qualification shall hereafter be required for election or appointment to any office under the city and county. The right to hold any office or position shall not be limited by sex. Any provision of this charter in conflict with this section is hereby repealed.

Charter Amendment No. 24.

That Section 3 of Chapter V of Article IV be amended so as to read as follows:

Section 3. On request of the assessor or the tax collector the city attorney shall commence and prosecute actions for the collection of taxes.

Charter Amendment No. 26.

That Section 4, Chapter X, Article VIII be amended to read as follows:

The commissioners shall, out of the police relief and pension fund, provide as follows for the family of any officer, member or employee of the department who may be killed or injured while in the performance of his duty, and who shall have died within one year from the date of such injury, and the receipt by such officer, member or employee of any relief under this chapter, during his life time shall not bar the said family from the benefits of this section.

First—Should the decedent be married, his widow shall as long as she may remain unmarried be paid a monthly pension equal to one half of the salary attached to the rank held by the decedent at the time of his death.

Second—Should the decedent leave no widow, but leave an orphan child or children under the age of sixteen years, such children shall collectively receive a pension equal to one half the salary attached to the position held by their father at the time of his death until the youngest attains the age of sixteen years.

Third—Should the decedent leave no widow and no orphan child or children, but leave a parent or parents dependent wholly or in part upon him for support, such parents, so dependent, shall collectively receive a pension equal to one half the salary attached to the position held by the deceased at the time of his death, during such time as the commissioners may unanimously determine its necessity.

That Section 5, Chapter VII, Article IX, be amended to read as follows:

Section 5. The commissioners shall, out of the firemen's relief fund, provide as follows for the family of any officer, member or employee of the fire department who may be killed or injured while in the performance of his duty, and who shall have died within one year from the date of such injury, and the receipt by such officer, member or employee of any relief under this chapter, during his life time shall not bar the said family from the benefits of this section.

First—Should the decedent be married his widow shall as long as she may remain unmarried be paid a monthly pension equal to one half of the salary attached to the rank held by the decedent at the time of his death.

Section. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years, and children over compulsory school age, physically unable to comply with the provisions of the laws, shall be employed in any factory, workshop, or mercantile establishment.

Fourth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment unless the parent or guardian of such child shall have first obtained a certificate from the school authorities of the district in which such child resides, which certificate shall state the name, age, and place of birth of such child, and that the parent or guardian of such child is employed in such factory, workshop, or mercantile establishment, and that such employment is necessary for the support of such parent or guardian.

Fifth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment more than eight hours in any one day, or more than six days in any one week.

Sixth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment between the hours of seven o'clock p. m. and seven o'clock a. m.

Seventh. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any employment dangerous to life or limb, or injurious to the health or morals of such children.

Eighth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Ninth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Tenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Eleventh. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twelfth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirteenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fourteenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fifteenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Sixteenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Seventeenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Eighteenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Nineteenth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twentieth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-first. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-second. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-third. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-fourth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-fifth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-sixth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-seventh. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-eighth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Twenty-ninth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirtieth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-first. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-second. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-third. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-fourth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-fifth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-sixth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-seventh. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-eighth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Thirty-ninth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fortieth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-first. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-second. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-third. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-fourth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-fifth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-sixth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-seventh. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-eighth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Forty-ninth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fiftieth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fifty-first. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fifty-second. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fifty-third. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fifty-fourth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fifty-fifth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Fifty-sixth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

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One hundredth. Should the foregoing laws be adopted, said laws may provide that no children under the age of fifteen years shall be employed in any factory, workshop, or mercantile establishment in any occupation or in the operation of any machine or device which is not properly guarded or fenced.

Charter Amendment No. 36.

That a new section be added to Article XII, to be known as Section 10a, and to read as follows:

Section 10a. The board of supervisors is hereby authorized to sell certain bonds authorized at an election held September 29, 1903, and described as "Library Bonds," dated July 1, 1904, below the par value thereof, such price, however, not to be less than that which will net the purchaser four and one half per cent per annum according to the standard table of bond values. The signatures of the officers in office at the time such bonds were dated affixed to such bonds shall be sufficient to establish their validity.

Charter Amendment No. 37.

That a new subdivision be added to Section 1 of Chapter II of Article II, designated as Subdivision 42, to read as follows:

Subdivision 42. To provide by ordinance for the establishment of a city planning commission, which shall devise plans for the improvement and beautification of San Francisco. Members of said planning commission shall receive no compensation and shall not be subject to any prohibition forbidding officials from holding more than one office or position. The board of supervisors shall prescribe the duties of said commission, the number and qualifications of the members thereof, and in general shall enact all legislation not expressly forbidden by this charter or by general law necessary or incident to carrying into execution the propositions for which said city planning commission is instituted.

STATE OF CALIFORNIA, }
CITY AND COUNTY OF SAN FRANCISCO. } ss.

This is to certify that we, James Rolph, Jr., mayor of the city and county of San Francisco, and J. S. Dunnigan, clerk of the board of supervisors of said city and county, have engrossed the foregoing proposed and ratified amendments to the charter of the said city and county of San Francisco with the original proposals, submitting the same to the electors of said city and county at a special municipal election held on Tuesday, the tenth day of December, one thousand nine hundred and twelve, and find that the foregoing is a full, true, correct and exact copy thereof; and we further certify that the facts set forth in the preamble preceding said amendments to said charter are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of said city and county of San Francisco, this 3d day of January, one thousand nine hundred and thirteen.

JAMES ROLPH, JR.,
[SEAL] Mayor of the City and County of San Francisco.

J. S. DUNNIGAN,
Clerk of the Board of Supervisors of the
City and County of San Francisco.

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all the members elected to each house voting therefor and concurring therein), That said amendments to the charter of the city and county of San Francisco, as proposed to and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same are, and each of them is, hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the city and county of San Francisco.

The question being on the adoption of the resolution,

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Avey, Belan, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shumate, Strobridge, Thompson, Tyrrell, and Wright—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 24.

Approving thirteen certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Los Angeles at a special municipal election held therein on the 24th day of March, 1913.

WHEREAS, The city of Los Angeles in the county of Los Angeles, State of California, contains a population of over one hundred thousand (100,000) inhabitants and has been ever since the year 1889 and is now organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the

Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 20th day of October, 1888, and approved by the Legislature of the State of California on the 31st day of January, 1889 (Statutes of 1889, p. 455); and

Whereas, The city council of said city of Los Angeles did, by ordinance designated as Ordinance No. [illegible] (new series), adopted by said city council on the [illegible] day of February, 1913, and approved by the mayor of said city on the [illegible] day of February, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of Los Angeles [illegible] certain amendments, hereinafter set forth, to the charter of said city, to be submitted to said qualified electors at a special municipal election to be held in said city on the 24th day of March, 1913; and

Whereas, Said [illegible] proposed amendments hereinafter set forth, and each of them, was published for ten times in a daily newspaper printed and published in said city and of general circulation therein, to wit: The Los Angeles Daily Journal, said publication ending on the 1st day of March, 1913; and

Whereas, Thereafter the city council of said city did by an ordinance designated as Ordinance No. [illegible] (new series), which was duly adopted on the [illegible] day of February, 1913, provide for the holding of a special municipal election in said city of Los Angeles on the 24th day of March, 1913, which date so appointed was not less than twenty days nor more than forty days after the completion of the publication of said [illegible] proposed amendments hereinafter set forth, for ten times in said daily newspaper of general circulation in said city of Los Angeles, to wit, the Los Angeles Daily Journal, and did provide in said ordinance for the submission of said [illegible] proposed amendments to the said charter to the qualified electors of said city for their ratification at said special municipal election, which said ordinance was approved by the mayor of said city on the [illegible] day of March, 1913, and was published for at least five times prior to the time appointed for the holding of said election in the Los Angeles Daily Journal, a daily newspaper printed and published in said city; and

Whereas, At said election a majority of the qualified electors voting thereon voted in favor of the ratification of each and every one of all of said [illegible] proposed amendments hereinafter set forth to said charter; and

Whereas, The city council of said city of Los Angeles at a regular meeting thereof held within ten days after said election, duly canvassed the returns of said special election and duly found, determined and declared that a majority of such qualified electors voting thereon had voted for and ratified each and all of the said [illegible] proposed amendments to said charter; and

Whereas, The mayor and city clerk of said city of Los Angeles did, on the 28th day of March, 1913, duly certify to the submission to the electors of said city of Los Angeles of said [illegible] proposed amendments to said charter and to the ratification of said [illegible] amendments and did further certify to a copy of said proposed amendments, authenticated by the seal of said city of Los Angeles, which said certificate is in words and figures following, to wit:

State of California,
County of Los Angeles, } ss.
City of Los Angeles.

CERTIFICATE OF RATIFICATION OF PROPOSED CHARTER AMENDMENTS BY THE ELECTORS OF THE CITY OF LOS ANGELES.

We, the undersigned, Geo. Alexander, mayor of the city of Los Angeles, State of California, and Charles L. Wilde, city clerk of said city, do hereby certify as follows, to wit:

That the city of Los Angeles, in the county of Los Angeles, State of California, contains a population of more than one hundred thousand (100,000) inhabitants, and has been such since the year 1888, and is now organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 20th day of October, 1888, and approved by the Legislature of the State of California on the 31st day of January, 1889 (Statutes of 1889, p. 455).

That the city council of said city of Los Angeles did, by Ordinance No. [illegible] (new series), adopted by said council on the [illegible] day of February, 1913, approved by the mayor of said city on the [illegible] day of February, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of Los Angeles certain amendments to the charter of said city, to be submitted to the qualified electors at a special municipal election to be held in said city on the 24th day of March, 1913, which said amendments were and are in words and figures as follows, to wit:

CHARTER AMENDMENT NUMBER ONE.

That Subdivision (7) of Section 2 of Article I of the charter be amended to read as follows:

(7) To acquire by purchase, condemnation, lease, gift or otherwise, or to construct, extend, maintain and operate within or without the city limits, any and all plants

and property necessary or convenient for furnishing the city and its inhabitants, or other municipal corporations or territory outside the city, and the inhabitants thereof, with transportation, communication, telephones, telegraph service or connections, terminal facilities, water, light, heat, power, refrigeration, storage, or any other public service; to sell the products or service of any such utility, and to acquire lands, rights and property necessary or convenient for extending such products or service; and for the purpose of such acquisition, construction, extension, maintenance or operation of any such public utility or service, the city shall have power to do any, all, or any number of the following:

(*a*) To acquire any such utility subject to outstanding bonds against the same, in an amount not to exceed the total price or consideration at which the city shall acquire such utility.

(*b*) To issue, without regard to the debt limit, bonds in an amount not to exceed the total price or consideration at which the city shall acquire any utility, such bonds to be a lien upon the property of such utility alone and the city otherwise not to be liable on account thereof, and to grant a security for the operation of such utility in case of default in the payment of such bonds.

(*c*) To issue bonds against its general credit within the debt limit prescribed by law; but whenever such public utility shall, upon application by the city be determined by the Railroad Commission of the State of California to be self-sustaining, then the bonds so issued may by ordinance approved by a majority of the voters voting thereon at an election, be excluded from the debt limit.

(*d*) To enter into a contract with the owner of any public utility held or operated under franchise rights acquired prior to the adoption of this charter, by the terms of which contract the city may acquire an option or right to purchase, upon such notice as may be prescribed in such contract, or may agree to purchase all or any part of the property of such utility, upon paying therefor a price to be fixed in accordance with the terms of the contract. Such contract may provide that the city may acquire the utility subject to all or any portion of the outstanding indebtedness against the same, within the limitations above prescribed but no such contract shall be valid until it is approved by a majority of the qualified electors of the city voting thereon at an election. The financial obligation assumed by the city under any such contract shall not be subject to the debt limitation until the purchase is actually consummated, and then may be exempted by ordinance, approved by a majority of the electors voting thereon at an election, from such limitation, if the State Railroad Commission shall determine that the utility is self sustaining. The provisions of the contract in this paragraph (*d*) mentioned need not include any, and the sale contract shall not be subject, as to the price to be paid thereunder, to any limitation prescribed in Section 2 of this charter, of which section this paragraph (*d*) is a part. Nothing in any such contract contained shall operate to extend the term of any franchise of any utility therein mentioned.

(*e*) To acquire all necessary land, rights and property, either within or without the city limits, or both within and without such limits.

No public utility, plant or property owned by the city, except as herein otherwise provided, shall ever be leased for private operation for a longer period than ten years.

That Subdivision (8) of Section 2 of Article I of the charter be amended to read as follows:

(8) To provide for supplying surplus water, gas or electricity belonging to the city, or the surplus product or service of any public utility constructed or operated by the city, to other municipal corporations, and to consumers and users outside of the city limits; *provided*, that the supplying or distribution of water, light or power, for use outside of the city as aforesaid, shall, in every case, be subject to the paramount right of the city at any time to discontinue the same, in whole or in part, and to take and hold, or to distribute such water, light and power, or either thereof, for the use of the city and its inhabitants.

Charter Amendment Number Two.

That Subdivision (30) of Section 2, Article I of the charter be amended to read as follows:

(30) To fix the rates to be charged and collected by any person, firm or corporation for water, gas, heat, light, power, refrigeration, storage, telephone, telegraph service, or telephone connections, or the conveyance of passengers or freight by means of ferries, street or interurban railway cars, hacks, cabs, or other cars or vehicles for hire, or for the products of or service by any other public utility operated or conducted within the city limits, and to regulate and prescribe the extent, character and quality of any public utility service and the method of and charges for making connections with the property of patrons and consumers, to regulate the construction and operation of works or plants for the production, transmission or distribution of such service, and the terms of plans of any other public utility, to prescribe, regulate and control the system of account of any such public utility, to require the construction, operation and maintenance of extensions or receipts for the accommodation of the public and the inhabitants of the city, or to acquire or construct such extensions, or cause the same to be constructed, and require the owner or

That Subdivision (21) of Section 2, Article I of the charter be amended to read as follows:

(21) To license and regulate, under general and uniform laws, any lawful business or calling; to fix the amount of license tax thereon, and to prescribe the manner of enforcing the same: *provided*, that no discrimination in the amount of license tax shall be made between persons engaged in the same business, otherwise than by proportioning the tax to the amount of business done. To license, regulate, restrain, suppress, or prohibit any or all laundries, livery and sale stables, cattle and horse corrals, slaughterhouses, butcher shops, brickyards, dance halls or academies, public billiard or pool halls or tracks, bowling and tenpin alleys, boxing contests, sparring or other exhibitions, shows, circuses, games and amusements. To license, regulate or prohibit the construction and use of billboards, signs and fences.

That Subdivision (42) of Section 2, Article I of the charter be amended to read as follows:

(42) The bed of the Los Angeles River, as now or hereafter defined and located, shall not, nor shall any part thereof, ever be sold, granted, leased, transferred or alienated in any way; but the whole thereof shall be kept at all times for municipal purposes, and no franchise or right to use the same, or any part thereof, shall ever be granted, sold, leased or given away: *provided*, that this section shall not prevent the granting, by ordinance, of franchises or rights to cross said river bed, or to take sand or gravel therefrom, or to prevent the transportation by the city over any municipal railroad constructed by said city upon, across or along said bed of the Los Angeles River, of the motors, engines, cars or trains of any private person, firm or corporation operating any other line or system of railroad, or to prevent the city from permitting any such person, firm or corporation to run or operate motors, engines, cars or trains over such municipal railroad, the movement or handling of which motors, engines, cars or trains shall be subject at all times to the control of the city under such terms and conditions, and under such rules and regulations as may be prescribed by ordinance; such transportation by the city over a municipal railroad, of the motors, engines, cars or trains of any private person, firm or corporation, and permits to any such person, firm or corporation to run or operate motors, engines, cars or trains over such municipal railroad to be provided for only under a general ordinance authorizing such transportation and permit and allowing equal rights therein and thereto, without discrimination, to all such persons, firms and corporations applying for the same in a manner to be prescribed in such ordinance.

That a new subdivision be added to Section 2, Article I of the charter, to be known as Subdivision (48), and to read as follows:

(48) To acquire private property by excess condemnation when the same shall be permitted by the Constitution or laws of the State.

That a new subdivision be added to Section 2, Article I of the charter, to be known as Subdivision (49), and to read as follows:

(49) To permit and control the construction and maintenance of passageways or structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Charter Amendment Number Four.

That a new subdivision be added to Section 2, Article I of the charter, to be known as Subdivision (50), and to read as follows:

(50) The city of Los Angeles shall have and it is hereby given and it hereby reserves unto itself, and the people of the city hereby reserve unto it, and the people of the State of California hereby grant unto it, and said city may hereafter exercise, each and every of the powers which a municipal corporation might or could exercise under the Constitution of the State of California; and said city may hereafter acquire, own, hold, sell, deal in, manage, operate, or control any office, department, business, enterprise, utility or property which might or could be acquired, owned, held, sold, dealt in, managed, operated or controlled by any person, firm or corporation whatsoever: *provided*, that under the authorization of this subdivision the city of Los Angeles shall not engage in any strictly commercial or industrial enterprise not now engaged in by the city, except on the approval of a majority of the electors voting thereon at an election. By the insertion in this charter of the sentence next preceding the present sentence, the city of Los Angeles and the people thereof intend, and the people of the State of California, acting by and through the Legislature thereof in ratifying this charter, intend that the said sentence shall be, and is hereby declared to be, an express grant of the powers referred to therein, without a more specific enumeration or designation.

Charter Amendment Number Five.

That a new section be added to Article II of the charter, to be known as Section 11a, and to read as follows:

SEC. 11a. The council shall have power, by ordinance, to issue instructions to any appointive administrative board, commission or officer of the city, except to the board of civil service commissioners; provided, that such instructions shall relate to and not be inconsistent with the duties, as prescribed by the charter or otherwise by law, of the board, commission or officer so instructed and shall not be in conflict with or restraint of any instructions or delegation of authority made to any such board, commission or officer by any ordinance approved by a majority vote of the electors of the city heretofore or hereafter voting thereon at an election. The failure of any board, commission or officer to obey any instruction issued by the council

under the provisions of this section shall, in addition to any other powers provided for such commissioners under the Code of the District of Columbia, be invested with all the powers of police officers of said District.

Immediately after the first Monday in July, 1914, and of the successors of the commissioners of the District of Columbia appointed to succeed such commissioners, and each member of the council shall be appointed in like manner for the term of three years, except that the members of the first board of such council appointed under the provisions of this act shall classify themselves by lot so that one member of the council shall be appointed for a term of one year, one member of the council for a term of two years, and one member of the council for a term of three years, and the successors of each shall be appointed for terms of three years, so that one member of the council may be appointed every year. Each member of the council shall receive a salary of $5,000 per annum, payable monthly. Each member of the council shall, before entering upon the duties of his office, take the oath of office prescribed by section 1757 of the Code of Law for the District of Columbia, and the commissioners of the District of Columbia shall administer the said oath of office to the members of the council. Each member of the council shall be entitled to the privileges of the floor of the Senate and House of Representatives.

Executive Assistants Appointed, etc.

That Section 66, Article VI of the charter is amended to read as follows:

Sec. 66. The officers of the city shall consist of the commissioners, the city assessor, a corporation counsel, a secretary to the commissioners, a treasurer, a collector of taxes, a superintendent of water, a superintendent of streets, a superintendent of the workhouse, a superintendent of the reformatory, a superintendent of the police force, a superintendent of the fire department, a superintendent of the health department, a superintendent of the poor department, a superintendent of the department of charities, a superintendent of the department of public buildings and grounds, a superintendent of the department of public parks, a superintendent of the department of playgrounds, a superintendent of the department of recreation, a superintendent of the department of public schools, a superintendent of the department of public libraries, a superintendent of the department of public markets, a superintendent of the department of weights and measures, a superintendent of the department of vital statistics, a superintendent of the department of inspection of buildings, a superintendent of the department of inspection of gas and electric light, a superintendent of the department of inspection of steam engines and boilers, a superintendent of the department of inspection of plumbing, a superintendent of the department of inspection of markets, a superintendent of the department of inspection of food and drugs, a superintendent of the department of inspection of animals, a superintendent of the department of inspection of dairies, a superintendent of the department of inspection of weights and measures, a superintendent of the department of inspection of boilers, a superintendent of the department of inspection of oils, a superintendent of the department of inspection of illuminating gas, a superintendent of the department of inspection of electric light, a superintendent of the department of inspection of steam engines

directly or indirectly financially interested. No city official shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the city is a party and which comes before said official, or the department of the government with which he is connected, for official action. If any officer of the city shall, during the term for which he was elected or appointed, be found guilty of a violation of this section, he shall, upon conviction thereof, forfeit his office and be punished by imprisonment. Any contract or transaction hereinbefore mentioned in which any officer of the city shall be or become financially interested shall become void at the election of the city, to be declared by resolution of the council.

That paragraph (a) of Section 186a of Article XIX of the charter be amended to read as follows:

(a) The petition for the removal of the incumbent of an appointive office shall be signed by qualified electors equal in number to at least fourth per centum of the entire vote cast for the office of mayor at the last preceding general municipal election at which a mayor was elected and shall contain a prayer for the submission to the electors of the city of the question whether the incumbent of such appointive office shall be removed by vote of such electors.

Charter Amendment Number Nine.

That Section 169 of Article XVI of the charter be amended to read as follows:

SEC. 169. The members of the board of harbor commissioners shall be appointed by the mayor, subject to confirmation by a majority of the council. No person shall be appointed a harbor commissioner who is not a qualified elector of the city of Los Angeles. The council may, by ordinance, provide for, and fix the amount of salaries for the members of said board or any thereof.

That Section 176 of the charter is hereby amended to read as follows:

SEC. 176. There is hereby established a district in the city of Los Angeles to be known as the harbor district, which shall comprise, among other lands, the tide lands and submerged lands within the limits of said city, which said lands were granted to the city of Los Angeles in trust for public uses by an Act of the Legislature of the State of California, approved May 1, 1911. Until otherwise provided by ordinance said district shall consist of that portion of the said city included within the following described boundaries:

Beginning at the intersection of the westerly boundary line of the city of Los Angeles with the line of ordinary high tide of the Pacific Ocean; thence easterly and northerly following the said line of high tide to its intersection with the northerly line of the United States reservation; thence northwesterly in a direct line to the intersection of the northerly line of Twenty-second street, in that portion of the city of Los Angeles comprised within the limits of the former city of San Pedro and the westerly line of Crescent avenue; thence northerly and northeasterly along the westerly and northwesterly line of Crescent avenue and its prolongation to the easterly line of Beacon street; thence northerly along the easterly line of Beacon street to the northerly line of Wall street; thence easterly along the northerly line of Wall street to the westerly line of Front street; thence northerly along the westerly line of Front street to the southerly line of Fourth street; thence northeasterly in a direct line to the intersection of the northerly line of Fourth street with the westerly line of that certain highway known as the Harbor boulevard; thence northerly and northwesterly along the westerly line of said Harbor boulevard to its intersection with the southwesterly line of Bay street; thence northwesterly along the said southwesterly line of Bay street and its prolongation to the westerly line of Palos Verdes street; thence northerly along the westerly line of Palos Verdes street and its prolongation to its intersection with the southerly line of that certain highway known as the Wilmington and San Pedro road; thence northwesterly, westerly, southwesterly, northwesterly, northeasterly, northwesterly and northeasterly along the southwesterly, southerly, southeasterly, southwesterly, northwesterly, southwesterly and northwesterly line of said Wilmington and San Pedro road to its intersection with the westerly prolongation of the center line of West First street in that portion of the city of Los Angeles comprised within the limits of the former city of Wilmington; thence easterly along the center line of West First street to the center line of "E" street; thence southerly along the center line of "E" street to the center line of Front street; thence easterly along the center line of Front street and its easterly prolongation to the center line of East street; thence northerly along the center line of East street to the center line of East First street; thence easterly along the center line of East First street to the center line of Banning street; thence northerly along the center line of Banning street to the center line of East Second street; thence easterly along the center line of East Second street to the center line of Downey street; thence northerly along the center line of Downey street to the center line of East Third street; thence easterly along the center line of East Third street to the center line of Dominguez street; thence northeasterly along the center line of Dominguez street to the center line of East Fourth street; thence easterly along the center line of East Fourth street to the center line of Sanford street; thence northerly along the center line of Sanford street to the center line of East Fifth street; thence easterly along the center line of East Fifth street to the center line of Carson street; thence northerly along the center line of Carson street to the center line of East Sixth street; thence easterly along the center line of East Sixth street to the center line of Wat-

Angeles; *provided, however*, that more than three thousand feet of such water frontage, but not exceeding five thousand feet thereof, may be so granted whenever authorized by ordinance adopted or approved by a majority of the qualified electors of the city voting upon the question of the adoption or approval of such ordinance at an election.

(c) Of the water frontage of Los Angeles harbor, ten thousand feet thereof, linear measurement, along the United States harbor lines, measured as aforesaid, together with such coterminous and adjacent tide and submerged lands fronting thereon, as may be determined by ordinance, owned or held by the city of Los Angeles, is hereby forever reserved for public purposes by said city, for uses to be improved, constructed, owned, controlled, maintained and operated by said city. The city shall not grant, and shall not have granted at any time, to all persons, firms or corporations to whom such grants may be made, any such franchises, leases, privileges or permits exceeding in the aggregate one half of the total water frontage owned or held by the city at such time, exclusive of the aforesaid ten thousand feet of such frontage, to wit, one half of the water frontage in that portion of Los Angeles harbor northerly of an east and west line passing through a point in the center of the Turning Basin easterly of Smith's Island, also known as Deadman Island, and one half of the water frontage in that portion of Los Angeles harbor southerly of said line; and said one half of the total water frontage so owned or held by the city of Los Angeles, located as aforesaid in the portions of Los Angeles harbor above described, and in addition to said ten thousand feet of water frontage so reserved, as aforesaid, is also hereby reserved for public purposes by said city, for uses to be improved, constructed, owned, controlled, maintained, and operated by said city: *provided, however*, that the city may make such grants of, in or upon such water frontage owned by the city in excess of one half thereof, linear measurement, but not exceeding three fourths thereof, exclusive of said ten thousand feet of such frontage, whenever authorized by ordinance adopted or approved by a majority of the qualified electors of the city voting upon the question of the adoption or approval of such ordinance at an election.

(d) In any case where a franchise, lease, privilege or permit pertaining to such water frontage or such tide or submerged lands is granted, the same shall be so granted for a rental or payment to the city to be prescribed therein as hereinafter provided. In case of any such grant, the same shall be made only upon the condition, whether expressed therein or not, that the construction of the wharves, docks, warehouses or other works or structures provided for therein shall, if the same be not already constructed, be commenced within ninety days from the date of such grant, and be prosecuted diligently to completion under such further terms and conditions as may be prescribed therein.

(e) Every such grant shall provide for the payment to the city as compensation therefor of either, any or all of the following: (a) A specified rental; or (b), a percentage of the gross receipts derived from or arising out of the use, operation or possession thereof, or of the lands included therein and improvements, if any, made thereunder; or (c), a percentage of the valuation of such lands and improvements, such payment to be made in such manner, at such times and upon such basis or scale, either fixed or variable, as shall be prescribed therein; *provided, however*, that nothing herein contained shall be construed to prevent the city from making such grants to the highest regular responsible bidder after receiving competitive bids therefor.

(f) Every such grant shall provide that in case the same, or any improvements made thereunder, or any part thereof, shall be assigned, transferred or subleased, or the control thereof be given or granted to any person, firm or corporation, so that such person, firm or corporation shall then own, hold or control under any such franchises, leases, privileges or permits more than the length of water frontage permitted or authorized under this section, then such grant, and all rights thereunder, shall thereupon and thereby be absolutely terminated, nor shall any such assignment, transfer, sublease, gift or grant of control be valid for any purpose unless first approved by the board of harbor commissioners.

(g) Every such grant shall be subject to such rights of way over tide or submerged lands on, through or in for such public sewers, pipe lines, conduits, or for such public telephone, telegraph, light, heat or power lines as may from time to time be determined by the council, and the same shall also be subject to such rights of way for public streets and other highways, and for such public street or public railroads, or other public means of transportation as shall have been duly established, or as shall be reserved in such grant. No such grant shall ever be made that shall provide for any use of the property or for the construction or placing of any structure, building or other improvement thereon that shall interfere with any plan approved or adopted by the city for harbor improvements or for the development of facilities for commerce or navigation in Los Angeles harbor, or for providing railroad or other terminal facilities at said harbor.

(h) Every such grant shall provide for a readjustment of rental or compensation every ten years during the term thereby created. The procedure for such readjustment shall be specified in such grant, but in no case shall such readjustment decrease the amount of rental or compensation. At the expiration of any such grant the

said municipal corporation, bonds in the following sums, respectively, conditioned for the faithful discharge by them of the duties of their respective offices, to wit:

The bond of the city auditor is fixed at $10,000.
The bond of the city tax and license collector is fixed at $100,000.
The bond of the city assessor is fixed at $10,000.
The bond of the city treasurer is fixed at $150,000.
The bond of the city engineer is fixed at $10,000.
The bond of the city attorney is fixed at $5,000.
The bond of the chief of police is fixed at $5,000.
The bond of the health commissioner is fixed at $2,000.
The bond of the city clerk is fixed at $5,000.
The bond of the city sealer of weights and measures is fixed at $5,000.

The premium on any official bond furnished under the provisions of this section and executed by a corporate surety shall be paid by the city.

That Section 62 of Article V of the charter be amended to read as follows:

SEC. 62. Each such official bond shall be executed by a corporation authorized by law to become a surety upon bonds or undertakings, or by two or more personal sureties, who shall each be a resident of the city or county of Los Angeles, and the owner of real estate therein valued, over and above all incumbrances, upon the last city or county assessment roll, at not less than the aggregate amount for which he becomes responsible upon such official bonds. Each personal surety shall be approved as hereinafter set forth, and shall bind himself in a sum not less than $1,000.

The aggregate amount of the sums which the sureties on any of such bonds shall respectively bind themselves to pay, shall be at least double the sum in which the principal on such bond binds himself.

No such surety shall be held liable on such bond for a larger sum of money than that which he specifically binds himself to pay, together with such costs of action as may be allowed by the court on the recovery of judgment against him on such bonds.

Section 963 of the Political Code shall apply to the official bonds given under the requirements of this charter.

Each personal surety on any bond given under the provisions of this charter shall justify in double the amount for which he binds himself on such bond.

The bonds of all officers, after approval by the city attorney, as to form, shall be approved by the mayor and the council, and, after such approval, shall be filed with and remain in the keeping of the city auditor, provided that the bond of the city auditor shall be filed with and remain in the keeping of the city clerk.

Charter Amendment Number Eleven.

That Section 207c of Article XX be amended to read as follows:

SEC. 207c. Any real property owned by the city of Los Angeles may, subject to the limitations and exceptions elsewhere prescribed in this charter, be sold either in whole, or in part, in accordance with the provisions of this section. Whenever the public interest or convenience may require the council is hereby authorized to order the sale, and to sell any such real property, either at public auction, or to the highest bidder for cash, or on terms after advertising for bids; *provided, however*, that the council shall prescribe the minimum price for which the same will be sold and that at least one third of the selling price shall be payable in cash, and if the price offered at such auction, or the amount bid by the highest bidder at such sale, shall be less than such minimum price, such property shall not be sold. Before ordering the sale of any such real property the council shall, by a two thirds vote of all its members, pass an ordinance declaring its intention to sell the same, describing the property proposed to be sold in such manner as to identify the same, specifying the minimum price and terms for which it will be sold, and stating whether such sale shall be at public auction or to the highest responsible bidder after advertising for bids. Such ordinance shall be subject to the provisions of this charter providing for a referendary vote. Unless a petition demanding the submission of such ordinance to a vote of the qualified electors of the city be filed with the city clerk within thirty days after the passage thereof, the council may, in its discretion, after the expiration of such time, cause notice of the sale of the property described in such ordinance to be published for ten days in one or more daily newspapers printed and published in said city. In the case of any sale of any real property after advertisement for bids all such bids shall be sealed and filed in the office of the city clerk on or before a time to be specified by the notice of the sale. The city clerk shall present all bids received by him to the council at its next regular meeting after the expiration of the time for the submission of bids. The council shall thereupon, in public session, open, examine and declare all bids received. At the time of opening the bids, any person who desires may bid for such property a sum exceeding the highest bid by not less than one per cent. and such bid so made may be raised by any other person or persons until the property shall either be sold or withdrawn from sale. No bid shall be considered unless accompanied by a cash deposit or check certified by a responsible bank in the city of Los Angeles in an amount not less than ten per centum of the amount of such bid. The council may in its discretion in all cases where property is offered for sale reject any or all bids, or

days nor more than forty days after the completion of the publication of said proposed amendments, for ten times in said daily newspaper of general circulation in said city of Los Angeles to wit: *The Los Angeles Daily Journal* and did provide in said ordinance for the submission of said thirteen proposed amendments to said charter to the qualified electors of said city for their ratification at said special municipal election, which ordinance was approved by the mayor of said city on the 4th day of March, 1913, and was published for at least ten times prior to the time appointed for the holding of said election in *The Los Angeles Daily Journal*, a daily newspaper printed and published in said city.

That at said special election a majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify each and all of said thirteen proposed amendments to said charter.

That the city council of said city of Los Angeles at a regular meeting thereof held within ten days after said election duly canvassed the returns of said election, and duly found, determined and declared that a majority of such qualified electors voting thereon had voted for and ratified each and all of the said thirteen proposed amendments to said charter.

In witness whereof, We have hereunto set our hands and affixed the corporate seal of the city of Los Angeles this 25th day of March, 1913.

[SEAL]

GEO. ALEXANDER,
Mayor of the City of Los Angeles.
CHAS. L. WILDE,
City Clerk of the City of Los Angeles.

AND WHEREAS, The said thirteen proposed amendments so ratified as hereinabove set forth have been duly presented and submitted to the Legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the said thirteen proposed amendments to the said charter of the city of Los Angeles, hereinabove set forth, as presented and as submitted to and adopted and ratified by the qualified electors of said city be and the same are hereby approved as a whole and as amendments to the said charter of the city of Los Angeles.

The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. 24 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Burnett, Caminetti, Chandler, Curtt, Cutten, Flint, Gaffey, Gerdes, Gesford, Finn, Gates, Geddes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Leale, Mott, Owens, Regan, Sanford, Shumate, Stanford, Thompson, Tyrrell, and Wright—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Read third time.

On motion of Senator Larkins, Assembly Bill No. 48 was passed on file.

CONSIDERATION OF SPECIAL ORDER.

The hour of eleven o'clock having arrived, the Senate took up the consideration of the special order set for this time:

Assembly Bill No. 353—An Act declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise.

Read third time.

The question being on the passage of the bill.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Wright, the President declared the Senate at recess until two o'clock p.m.

AFTERNOON.

At two o'clock p.m., the Senate reassembled.

Lieutenant Governor Albert B. Watkins, President of the Senate in the chair.

The question being on the passage of Assembly Bill No. 164.

The roll was called, and Assembly Bill No. 164 passed by the following vote:

AYES—Senators Aveilhe, Ayer, Brown, Bidwell, Black, Brown, Butler, Dangberg, Campbell, Cobb, Cornwall, Dodge, Dow, Gans, Gedney, Hardy, Hawkins, Kelly, Larkins, Lunt, Mary Gertin, Rhodes, Roberts, Simmons, Woodridge, Thompson, and Tyrrell—20.

NOES—Senators Bethel, Bonnifer, Bonnel, Cartwright, Cowan, Dow, Hess, Hollister, Rogers, and Wright—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

MR. PRESIDENT: I have this day voted against Assembly Bill No. 164, but would like my reasons for so doing appear in the Journal.

Because of the fact that the money now in the hands of the commissioners for the purposes intended, are likely to be expended before the next session of the legislature, and there is no assurance that the commissioners will ever be appointed under the provisions of this bill, that is, the commissioners appointed by the governor, and because of the fact that the money in the hands of the commissioners now appointed by the governor, and because of the fact that the money in the hands of the commissioners now appointed by the governor, and because of the fact that the money in the hands of the commissioners now

not be accepted and, therefore, I voted for it, appreciating that if I was in error on either point, I erred on the side of a good purpose. I doubt if this bill will accomplish what is desired for this reason: Section 3479 of the Civil Code ever since 1872 has provided that "Anything which is injurious to the health or is indecent, or offensive to the senses * * * * is a nuisance." Section 3480 defines a public nuisance. Section 3491 provides that a public nuisance may be abated in a civil action and by Section 3493 it is provided that: "A private person may maintain an action for a public nuisance if it is specially injurious to himself but not otherwise." That a private person owning property next to a house of prostitution is specially injured, will not be seriously denied. Under Section 316 of the Penal Code the conducting of a house of prostitution is made a crime; therefore, every remedy necessary to abate a nuisance, public or private, is now and for years has beem amply provided for by law.

But when, in any action where an injunction or restraining order is sought (except in actions between husband and wife) the court must require an undertaking in such sum to be fixed by the court to be first filed. This is provided for in Section 529 of the Code of Civil Procedure. Now by none of the sections of the Civil Code referred to and which provide for the abatement of nuisances, is there any provision requiring an undertaking, and therefore, the requirement for the undertaking is provided for in Section 529 of the Code of Civil Procedure above referred to, and as that section is not in conflict with any of the provisions of any of said sections of the Civil Code mentioned above, and therefore, the repealing section of the bill under consideration can be construed as not repealing the Section 527 of the Code of Civil Procedure as repeals by implication are not favored, and if so construed, then what the proponents of this bill claim as its particular virtue will not be found therein.

Now if that virtue is contained therein and an action under this bill is to be commenced and an injunction issued without the requirement of a bond, then the bill is likely to fall under the inhibition of Subdivision 3 of Section 25 of Article IV of the Constitution which prohibits the passage of a law regulating the practice of the courts of justice, and that it so regulates the practice of courts will not be seriously denied, and for those two reasons I fear the value or the validity of the bill, and, therefore, voted for it with some hesitancy.

J. B. CURTIN.

MOTION TO RECONSIDER.

In accordance with notice given on the previous day, Senator Finn moved that the vote whereby Senate Bill No. 142 -An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven (397c), relating to the sale or disposal of intoxicating liquors between certain hours—was passed, be reconsidered.

CONSIDERATION POSTPONED.

On motion of Senator Finn, the consideration of the motion to reconsider the vote whereby Senate Bill No. 142 was passed was continued until the next legislative day.

INVITATIONS EXTENDED.

The following telegrams were received:

OAKLAND, CAL., March 28, 1913.

Hon. P. C. Cohn, Sacramento, Cal.:

The city of Oakland invites the members of the Legislature and their wives to be its guests on Saturday night and Sunday. We want to show you the East Bay districts on Sunday. Your accommodations for Saturday night will be arranged for.

MERCHANTS' EXCHANGE OF OAKLAND,
By A. G. TAFT, President.
OAKLAND COMMERCIAL CLUB,
By HARMON BELL, President.
FRANK K. MOTT, Mayor of the City of Oakland.
OAKLAND CHAMBER OF COMMERCE,
By W. E. GIBSON, President.

Also:

OAKLAND, CAL., March 28, 1913.

Hon. Edw. J. Tyrrell, Senate Chamber, Sacramento, Cal.:

Members of the Legislature and wives who accept the invitations of the city of Oakland for Saturday night and Sunday are cordially invited to be guests of

Hotel Oakland Saturday night, with reception Sunday morning. There for their subsequent entertainment have been arranged. Kindly accept this invitation as members of the Senate.

VICTOR METTER, Manager.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Strobridge:

Resolved, That the following named person be appointed and is hereby appointed to the position for services rendered the Senate, Camp Meeker Creek, as one [illegible]:

J. Leroy Joseph, Committee Clerk, 9 days at $4.00 per day $36.00

The question being on the adoption of the resolution,

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benson, Boynton, Bread, Brown, Burnett, Campbell, Carr, Cartwright, Chandler, Colton, Dudley, Flint, Gates, Gerdes, Gibson, Hans, Hewitt, Jones, Kehoe, Leon, Mott, Rigdon, Rush, Sherman, Strobridge, and Thompson—29.

NOES—None.

Also:

Resolved, That Samuel Knight be and he is hereby appointed to the position of Committee Clerk at $4.00 per day, payable weekly, and the Controller is hereby directed to draw his warrants for such amounts that the Treasurer is directed to pay the same.

The question being on the adoption of the resolution,

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benson, Boynton, Bread, Brown, Burnett, Burnett, Campbell, Carr, Cartwright, Chandler, Colton, Dudley, Flint, Gates, Gerdes, Gibson, Hans, Hewitt, Jones, Kehoe, Leon, Mott, Rigdon, Rush, Sherman, Strobridge, and Thompson—29.

NOES—None.

MESSAGE FROM THE ASSEMBLY—CONCURRENT RESOLUTION.

On motion of Senator Cartwright, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, MARCH 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 22—Relative to raising funds for the relief of flood sufferers in the East.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WALKER, Assistant Clerk.

Senate Concurrent Resolution No. 22 ordered to engrossment.

APPOINTMENT OF COMMITTEE.

The President announced the appointment on the special committee provided for by Senate Concurrent Resolution No. 22 of Senators Chandler, Birdsall and Mott.

USE OF SENATE CHAMBER GRANTED.

Senator Benson asked and was granted unanimous consent for the use of the Senate Chamber for a meeting of the Committee on Drainage, Swamp and Overflowed Lands for a public hearing at seven p. m. on Thursday, April 3d.

ADJOURNMENT.

At five o'clock and fifty minutes p.m. on motion of Senator Gates, the President declared the Senate adjourned until Monday, March 31, 1913, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
Monday, March 31, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 28, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Lyon was, on motion of Senator Thompson, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Jones, granted leave of absence for this day.

Senator Owens was, on motion of Senator Caminetti, granted leave of absence for this day.

Senator Cassidy was, on motion of Senator Finn, granted leave of absence for this day.

PETITIONS.

Senator Shanahan presented petitions protesting against the enactment of Senate Bill No. 713 from Wm. P. Basham and others of Trinity Center, California. Also, from W. B. Espey and others of French Gulch, California.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code relating to the challenging of voters.

Also: Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Also: Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1735 read first time, and referred to Committee on Elections.

Assembly Bill No. 1736 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 402 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible] entitled:

An Act to amend the [illegible] relating to [illegible] and to repeal [illegible] thereof.

Also: Assembly Bill No. [illegible]—An Act [illegible].

Also: Assembly Bill No. [illegible]—An Act [illegible].

Also: Assembly Bill No. [illegible]—An Act [illegible].

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Also: Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Also: Assembly Bill No. 341—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Also: Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter, any street in any incorporated city or town, lying adjacent to or upon the property of any such county and providing for the payment thereof.

Also: Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter, any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district, and providing for the payment thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 371 and 195 read first time, and referred to Committee on Finance.

Assembly Bill No. 341 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 955 and 954 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1876—An Act to authorize and empower the commission constituted by an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor, and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 4, 1911, to dispose of lands heretofore purchased or agreed to be purchased by said commission for a site for said California reformatory and directing it to select another site.

Also: Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893."

Also: Assembly Bill No. 506—An Act to provide for the care, management and protection of state highways and to repeal an Act entitled "An Act to provide for the care, management, and protection of state highways," approved March 24, 1903, and all Acts or parts of Acts amendatory thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1876 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1878 read first time, and referred to Committee on Elections.

Assembly Bill No. 506 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Also, Assembly Bill No. 972—An Act to amend the Code of Civil Procedure of the State of California, providing for the granting of letters of administration on the estate of a non-resident of the state, and to repeal the statutes of which it is amendatory, and to declare the effect of such repeal upon pending proceedings, and to provide for the publication of notice of the application for such letters, and for the administration of the estates of such absent persons.

Also, Assembly Bill No. 407—An Act to amend Section 346 of the Political Code of the State of California, relating to offices and employees of the Assembly and Senate.

Also, Assembly Bill No. 1273—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3041, and to provide for the payment of the expenses of the commissioners appointed by the governor to represent the State of California at the Panama-California Exposition to be held at San Diego, California, during the year 1915.

I. B. MALLORY, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Assembly Bills Nos. 1547, 972, and 407 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1273 read first time, and referred to Committee on County Government.

Assembly Bill No. 75 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day refused to concur in the amendments to Senate Bill No. 232, and has appointed Assemblymen Graham, Shearer, and Drew a Committee on Conference to meet with a like committee on the part of your honorable body to consider said amendments.

I. B. MALLORY, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred with Senate Concurrent Resolution No. 10, appointed Assemblymen Dillon, Stephens, and Scott, a committee to act with a like committee from the Senate to confer with the Governor relative to the Red Bluff Reservation.

I. B. MALLORY, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

CONFERENCE COMMITTEE APPOINTED.

The President announced the appointment of Senators Caminetti, Flint, and Sanford as the Committee on Conference on Assembly amendments to Senate Bill No. 232.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

Mr. President: Your Committee on County Government to whom was referred Senate Bill No. 1158—An Act to amend Section 4209 of the Political Code of the State of California, providing for the appointment of assistants, stenographers, clerks and attendants of the county officers of counties of the third class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, assistants and employees of said counties.

Also, Senate Bill No. 414—An Act to amend Section 4204 of the Political Code of the State of California relating to salaries of officers in counties of the fourth class.

Also, Senate Bill No. 870—An Act to amend Section 4207 of the Political Code of the State of California relating to salaries and fees of officers and fees and mileage of jurors in counties of the seventh class.

Also: Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building intercounty bridges.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BREED, Chairman.

Senate Bills Nos. 1128, 414, 679 and 967 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 880—An Act to repeal Sections 1923, 1935 and 1966 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1934½, 1955, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928*a*, 1928*b*, 1928*c*, and 1928*d* all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Also: Senate Bill No. 889—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of the State Land Office, by owners of certificates of purchase or patents from the State, for the purpose of securing possession of leases for lands sold by the State but not owned by it and said section, as amended thus providing for the waiver by the State of any statute of limitations as to the issuance of said certificate and also as to the issuance of warrants to county auditors and the State Controller as provided in Section 3572 of said Political Code.

Also: Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1871, relating to the testimony of expert witnesses.

Also: Senate Bill No. 233—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts on the payment and discharge of their indebtedness and the distribution of their property" approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2*a*, relating to the dissolution of such districts when they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns.

Also: Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library, and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Also: Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Also: Senate Bill No. 1260—An Act to amend Section 1758 of the Political Code, the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Also: Senate Bill No. 692—An Act confirming and validating the organization of school districts.

Also: Senate Concurrent Resolution No. 20—Approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose on the 27th day of February, 1913.

Also: Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State, who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States,' approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by amending Section 1 thereof.

Also: Senate Bill No. 525—An Act to amend an Act entitled "An Act to provide for the dedication to public use by state normal schools of portions of lands of the state normal school at Los Angeles, to prescribe the conditions of such dedication, to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school, arising out of such dedication," approved April 15, 1909.

Also, Senate Bill No. 922—An Act to amend Section 2121 of the Political Code of the State of California, relating to the boundaries of supervisorial districts and to the redistricting of additional territory thereto.

Also, Senate Bill No. 1026—An Act to repeal Section 1 of an Act entitled "An Act to authorize the deposit of moneys received by county officers and to amend an Act to which said Act is an amendment, entitled 'An Act [illegible] February 22, 1907,' and approved by the Governor March 28, 1911.

Also, Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for such portion of the deposit of county and municipal moneys as remain unclaimed, including that deposited to special accounts, their disposition, and providing a penalty for the failure, neglect and duty thereof," approved March 28, 1911.

Also, Senate Bill No. 1047—An Act to amend Section 1 of the Penal Code, relating to swindling and false representations.

Also, Senate Bill No. 1048—An Act to amend Section 294 of the Political Code, relating to notaries public.

Also, Senate Bill No. 1049—An Act appropriating [illegible] of appropriations of any moneys in the State Treasury not otherwise appropriated, out of any moneys applicable to the State of California by the Federal Government, heretofore [illegible] and after the same shall be received by the proper officers of the State of California.

Also, Senate Bill No. 1050—An Act to amend the Civil Code of the State of California, relating to [illegible] and providing for the [illegible] of [illegible] into any other state, and defining [illegible] liable to the seizure of such creditors.

And reports that the same have been severally engrossed.

GRAVES, Chairman.

Senate Chamber, Sacramento, March 27, 1913.

Mr. President: Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 1050—An Act to provide for the creating and regulation of business and mutual insurance companies in the State of California.

Also, Senate Bill No. 1049—An Act to amend Section 1 of an Act entitled "An Act appropriating [illegible] of appropriations of any moneys in the State Treasury not otherwise appropriated, out of any moneys applicable to the State of California by the Federal Government, heretofore [illegible] and after the same shall be received by the proper officers of the State of California."

Also, Senate Bill No. 1048—An Act to amend Section 294 of the Political Code, relating to notaries public.

Also, Senate Bill No. 1047—An Act to amend Section 1 of the Penal Code, relating to swindling and false representations.

Also, Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for such portion of the deposit of county and municipal moneys as remain unclaimed, including that deposited to special accounts, their disposition, and providing a penalty for the failure, neglect and duty thereof," approved March 28, 1911.

Also, Senate Bill No. 1026—An Act to repeal Section 1 of an Act entitled "An Act to authorize the deposit of moneys received by county officers and to amend an Act to which said Act is an amendment, entitled 'An Act [illegible] February 22, 1907,' and approved by the Governor March 28, 1911.

Also, Senate Bill No. 922—An Act to amend Section 2121 of the Political Code of the State of California, relating to the boundaries of supervisorial districts and to the redistricting of additional territory thereto.

Also, Senate Bill No. 1026—An Act to repeal Section 1 of an Act entitled "An Act to authorize the deposit of moneys received by county officers and to amend an Act to which said Act is an amendment, entitled 'An Act [illegible] February 22, 1907,' and approved by the Governor March 28, 1911.

Also, Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for such portion of the deposit of county and municipal moneys as remain unclaimed, including that deposited to special accounts, their disposition, and providing a penalty for the failure, neglect and duty thereof," approved March 28, 1911.

Also, Senate Bill No. 1047—An Act to amend Section 1 of the Penal Code, relating to swindling and false representations.

Also, Senate Bill No. 1048—An Act to amend Section 294 of the Political Code, relating to notaries public.

Also, Senate Bill No. 1049—An Act appropriating [illegible] of appropriations of any moneys in the State Treasury not otherwise appropriated, out of any moneys applicable to the State of California by the Federal Government, heretofore [illegible] and after the same shall be received by the proper officers of the State of California.

Also, Senate Bill No. 1050—An Act to amend the Civil Code of the State of California, relating to [illegible] and providing for the [illegible] of [illegible] into any other state, and defining [illegible] liable to the seizure of such creditors.

And reports that the same have been severally engrossed.

GRAVES, Chairman.

Senate Chamber, Sacramento, March 27, 1913.

Mr. President: Your Committee on Enrolled Bills to whom was referred Senate Bill No. 1050—An Act to provide for the creating and regulation of business and mutual insurance companies in the State of California.

Also, Senate Bill No. 1049—An Act to amend Section 1 of an Act entitled "An Act appropriating [illegible] of appropriations of any moneys in the State Treasury not otherwise appropriated, out of any moneys applicable to the State of California by the Federal Government, heretofore [illegible] and after the same shall be received by the proper officers of the State of California."

Also, Senate Bill No. 1048—An Act to amend Section 294 of the Political Code, relating to notaries public.

Also, Senate Bill No. 1047—An Act to amend Section 1 of the Penal Code, relating to swindling and false representations.

Also, Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for such portion of the deposit of county and municipal moneys as remain unclaimed, including that deposited to special accounts, their disposition, and providing a penalty for the failure, neglect and duty thereof," approved March 28, 1911.

Also, Senate Bill No. 1026—An Act to repeal Section 1 of an Act entitled "An Act to authorize the deposit of moneys received by county officers and to amend an Act to which said Act is an amendment, entitled 'An Act [illegible] February 22, 1907,' and approved by the Governor March 28, 1911.

Also, Senate Bill No. 922—An Act to amend Section 2121 of the Political Code of the State of California, relating to the boundaries of supervisorial districts and to the redistricting of additional territory thereto.

Also, Senate Bill No. 1026—An Act to repeal Section 1 of an Act entitled "An Act to authorize the deposit of moneys received by county officers and to amend an Act to which said Act is an amendment, entitled 'An Act [illegible] February 22, 1907,' and approved by the Governor March 28, 1911.

Also, Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for such portion of the deposit of county and municipal moneys as remain unclaimed, including that deposited to special accounts, their disposition, and providing a penalty for the failure, neglect and duty thereof," approved March 28, 1911.

Also, Senate Bill No. 1047—An Act to amend Section 1 of the Penal Code, relating to swindling and false representations.

Also, Senate Bill No. 1048—An Act to amend Section 294 of the Political Code, relating to notaries public.

Also, Senate Bill No. 1049—An Act appropriating [illegible] of appropriations of any moneys in the State Treasury not otherwise appropriated, out of any moneys applicable to the State of California by the Federal Government, heretofore [illegible] and after the same shall be received by the proper officers of the State of California.

Also, Senate Bill No. 1050—An Act to amend the Civil Code of the State of California, relating to [illegible] and providing for the [illegible] of [illegible] into any other state, and defining [illegible] liable to the seizure of such creditors.

And reports that the same have been severally engrossed.

GRAVES, Chairman.

Senate Bills Nos. 122 and 1110 ordered on the file for second reading.

Senate Bills Nos. 909, 749, 853, 798, 1113, and 1081 ordered re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

Mr. President: Your Committee on Roads and Highways to whom was referred Senate Bill No. 50—An Act to declare the Streets and Main road in Woodland County a state highway.

Also, Senate Bill No. 871—An Act to define and distinguish state highways and state roads and to designate certain [illegible] roads.

Also, Senate Bill No. 1119—An Act to amend Section 10 of an Act entitled "An Act providing for the [illegible] and maintenance [illegible] and repair of state public highways in any county, including [illegible] and selling of county bonds and the appropriation of [illegible] to pay for such work and improvements [illegible] by a majority of [illegible] at any [illegible] election [illegible] [illegible] of such county.

and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BIRDSALL, Chairman.

Senate Bills Nos. 50, 971, and 1719 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, and earnings of legitimate unmarried minor children—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Assembly Bill No. 199 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 291—An Act to amend Sections 276, 277, and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors at law, and to add three sections to said code, to be known as Sections 276*a*, 276*b*, and 276*c*, relating to the same subject, and making an appropriation to carry out the purposes of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

GATES, Chairman.

Senate Bill No. 291 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247*a*, and 1247*c*, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeal, in criminal cases.

Also Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Senate Bills Nos. 531 and 1522 ordered on file for second reading.

CONSIDERATION OF MOTION POSTPONED.

Senator Finn moved that consideration of the motion to reconsider the vote whereby Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven (397), relating to the sale or disposal of intoxicating liquors between certain hours—was passed, be continued till the next legislative day.

Motion carried.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

RECESS.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Wright, the President declared the Senate at recess until eleven o'clock and forty-five minutes a.m.

AFTER RECESS.

At eleven o'clock and forty-five minutes a.m., the Senate reassembled. Hon. A. E. Boynton, President, pro tem. of the Senate, in the chair.

RECEIVED MESSAGE FROM THE ASSEMBLY.

At eleven o'clock and forty-six minutes a.m., Senator Stetson, of the Twenty-seventh District, in the chair.

CONSIDERATION OF BILLS FOR THIRD READING OR ACTION.

Senate Bill No. 554—An Act to amend section 59 of the Civil Code of California, relating to marriage.

In the absence of the author, Senate Bill No. 554 was passed on the file.

Senate Bill No. 15—An Act to amend section 4221 of the Political Code of the State of California, relating to the compensation of officers of counties of the sixth class and their particular deputies and clerks.

In the absence of the author, Senate Bill No. 15 was passed on file.

Senate Bill No. 364—An Act to amend section Four Hundred Two hundred and thirty-six of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

In the absence of the author, Senate Bill No. 364 was passed on file.

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the division of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

In the absence of the author, Senate Bill No. 1413 was passed on file.

Senate Bill No. 1177—An Act to amend Section 4700 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

On motion of Senator Gerdes, Senate Bill No. 1177 was passed on file.

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

On motion of Senator Gerdes, Senate Bill No. 1172 was passed on file.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1903.

On motion of Senator Gerdes, Senate Bill No. 1169 was passed on file.

Senate Bill No. 580—An Act to amend Sections 6 and 12 of an Act entitled "An Act for the prevention of the manufacture, sale or

transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 580 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carpenetti, Cartwright, Cogswell, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER RESET.

Senator Strobridge moved that the consideration of Assembly Concurrent Resolution No. 19 be made a special order for Friday, April 4, 1913, at eleven o'clock a.m.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1261—An Act to create the office of registrar of teachers, and to define the powers and duties thereof.

Also: Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

AVEY, Chairman.

Senate Bill No. 1261 and Assembly Bill No. 734 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 2—Relative to a federal income tax.

Also: Assembly Joint Resolution No. 23—Relative to the grazing of stock and sheep on national forest reservations.

Also: Senate Joint Resolution No. 16—Relative to the historic liberty bell.

Also: Senate Joint Resolution No. 24—Relative to the preservation of the natural conditions of Lake Tahoe.

Also: Senate Joint Resolution No. 25—Relative to the establishment of a government-owned line of steamships.

Also: Senate Joint Resolution No. 26—Relative to tuberculosis investigation.

Also: Senate Joint Resolution No. 27—Relative to the protective tariff on citrus fruits.

Have had the same under consideration, and report the same back, with the recommendation that they be adopted.

WRIGHT, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Joint Resolution No. 40, declares that it has had the same under consideration, and respectfully reports the same back and recommends that the author be given permission to withdraw the same.

WRIGHT, Chairman.

Assembly Joint Resolutions Nos. 9 and 11 and Senate Joint Resolutions Nos. 10, 24, 34, 39, 55, and 71 ordered on file.

REPORTS

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Commerce, to whom was referred Senate Bill No. 847—An Act to amend an Act entitled "An Act to prevent the selling of smoking and chewing tobacco, cigarettes, cigarette papers or cigarette holders to minors and providing penalties for violations thereof," approved February 28, 1911.

Also, Senate Bill No. 1103—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to validate the making and acknowledgment of approved deeds and memoranda of the purchase or conditional thereof, and to authorize their presentation for the filing of the documents of title.

Have had the same under consideration and respectfully report the same back with amendments, and recommend that they do pass as amended.

KEYES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 841—An Act to amend Section 307 of the Political Code, relating to foreign corporations, have had the same under consideration, and respectfully report the same back and recommend that it do pass and be referred to Committee on Judiciary.

GUNN, Chairman.

Senate Bills Nos. 847 and 1103 ordered on file for second reading.
Senate Bill No. 841 ordered re-referred to Committee on Judiciary.

REPORTS OF PUBLIC UTILITIES COMMISSIONERS

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 565—An Act entitled an Act regulating the dedication of cemetery and the sale and purchase of lots in cemeteries thereof, have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

JONES, Chairman.

Senate Bill No. 565 ordered on file for second reading.

RECESS

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson the acting President declared the Senate to recess until two o'clock p.m.

REASSEMBLED

At two o'clock p.m. the Senate reassembled.
Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

CONSIDERATION OF ASSEMBLY BILLS—THIRD READING OF BILLS

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

On motion of Senator Larkins, Assembly Bill No. 48 was ordered passed on file.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

On motion of Senator Gates, Assembly Bill No. 184 was temporarily passed on file.

PRIVILEGE OF THE FLOOR.

On request of Senator Wright, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Albert Schoonover, of San Diego.

THIRD READING OF BILLS—(CONTINUED).

Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro Irrigation District.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, two o'clock and thirty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Bergtholz, Breed, Brown, Butler, Carr, Cogswell, Curtin, Flint, Gates, Gerdes, Grant, Jones, Rolfe, Lanktree, Reed, Sheridan, Stevenson, Thompson, Tyrrell, and Wright—20.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and thirty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The roll of absentees was called, and Assembly Bill No. 687 passed by the following vote:

AYES—Senators Anderson, Benson, Bergtholz, Breed, Brown, Butler, Carr, Cogswell, Curtin, Flint, Gates, Gerdes, Grant, Jones, Rolfe, Lanktree, Reed, Sheridan, Stevenson, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

Senator Gates moved that Assembly Bill No. 184 be taken up for consideration.

Motion carried.

THIRD READING OF BILLS.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 184 passed by the following vote:

Ayes—Senators Anderson, Benson, Boynton, Breed, Brown, Burke, Carr, Curtin, Flint, Gates, Gerdes, Gesmer, Hans, Holohan, Lawlor, Rush, Sharkey, Shoemaker, Strobridge, Thompson, Tyrrell and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET.

Senator Wright moved that the consideration of Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge; also Assembly Bill No. 304—An Act increasing the number of judges of the Superior Court of the county of San Diego, state of California, and for the appointment of such additional judge; also Senate Bill No. 20—An Act to amend Section 97 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional superior judges in and for the city and county of San Francisco, and providing for their compensation; be made a special order for two o'clock and thirty minutes p.m., on Tuesday, April 1, 1913.

Motion carried.

THIRD READING OF BILLS—(ONE DAY).

Assembly Bill No. 148—An Act to amend Section 874 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 12, 1883.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 148 passed by the following vote:

Ayes—Senators Anderson, Benson, Boynton, Breed, Brown, Burke, Carr, Cogswell, Curtin, Flint, Gates, Gerdes, Gesmer, Hans, Holohan, Lawlor, Rush, Sharkey, Strobridge, Thompson, Tyrrell and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 326—An Act to repeal Sections 708, 711, and 869 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Read third time.

On motion of Senator Carr, Assembly Bill No. 326 was passed on file, to retain its place.

Assembly Bill No. 328—An Act to amend Section 1384 of the Political Code, relating to the organization, incorporation and government of municipal corporations, approved March 13, 1883.

Read third time.

On motion of Senator Carr, Assembly Bill No. 328 was passed on file, to retain its place.

Assembly Bill No. 329—An Act to amend Sections 757 and 857 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

On motion of Senator Carr, Assembly Bill No. 329 was ordered passed on file, to retain its place.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

On motion of Senator Carr, Assembly Bill No. 33 was passed on file, to retain its place.

Assembly Bill No. 255—An Act to amend Section 876 of the Act entitled "An Act to provide government of school districts by municipal charter."

Read third time.

On motion of Senator Wright, Assembly Bill No. 255 was ordered passed on file.

Assembly Bill No. 482—An Act to amend Sections 3 and 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

Read third time.

On motion of Senator Carr, Assembly Bill No. 482 was passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the municipal corporations by water companies.

Assembly Bill No. 50 was passed on file, by order of the President.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Assembly Bill No. 63 was passed on file, by order of the President.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 411—An Act to amend Section 7254 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BREED, Chairman.

SECOND READING OF BILL—(OUT OF ORDER).

Senator Curtin moved that Senate Bill No. 411 be taken up for second reading.

Motion carried.

Senate Bill No. 411—An Act to amend section fifty-two hundred

fifty-four of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1

Amend the title by striking out the word "twelve" in line 1, and inserting in lieu thereof the word "eight"; strike out the words "and an emergency exists within the meaning of" in line 2, and insert in lieu thereof the word "relating to the county boundary between Tuolumne and Mariposa counties."

Amendment adopted.

AMENDMENT NO. 2

On page 2, line 3, of the printed bill, strike out all after the figure "1", and insert in lieu thereof the following:

Section 1. Section [illegible] of the Political Code is hereby amended to read as follows:

[illegible]—Beginning on the west [illegible] and [illegible] of California as established on section lines [illegible] and [illegible] to Stockton Street; thence southwesterly to [illegible] Street, [illegible] and Tuolumne as established [illegible] [illegible] and thirty (30) [illegible] thence southerly on the northern line of Mariposa [illegible] the southern line of the division [illegible] Tuolumne and Mariposa [illegible] to the [illegible] of the base line of section [illegible] [illegible] [illegible]

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as section twenty of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Also: Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

Also: Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children, and the taking of acknowledgments to the consent to such adoption.

Also: Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, to be numbered 1170*a*, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Also: Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered 1871, relating to experts, their appointment by the court or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Also: Senate Bill No. 1125—An Act to amend Sections 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Also: Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Also: Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

Also: Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Also: Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 1810*b*, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Also: Assembly Bill No. 696—An Act to amend Section 1723 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owner's death in certain cases.

Also: Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California, by providing a limitation within which execution may be issued upon money judgments.

Also: Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpœna.

Have had the same under consideration, and respectfully report the same back, with recommendation that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 53, An Act relating to false imprisonment and false arrest, making certain order and disappearing penalties applicable thereto, defining the duties of the Attorney General in regard thereto, directing certain statements to be made and certain reports thereon, providing for actions to enforce compliance with said requirements, and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties

Also: Senate Bill No. 240, An Act to amend Section 1247 of the Code of Civil Procedure, relating to jury trials in condemnation proceedings.

Also: Assembly Bill No. 1085, An Act to provide for the appointment of a Commissioner for the State of California to the city of New York, to the exposition of New York, and prescribing the duties of such State agency and the duties of the public officers in relation thereto.

Also: Senate Bill No. 1008, An Act providing for the publication of a legislative history during the extraordinary session.

Also: Senate Bill No. 810, An Act to amend Section 4500 of the Penal Code of the State of California, relating to the number of assistants allowed and the number of custom keys of Alcatraz and providing a punishment therefor.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they be passed as amended.

(SIGNED) THOMAS.

Senate Bill No. 1049 ordered on file for second reading.

Senate Constitutional Amendment No. 18 ordered on file.

Senate Bills Nos. 265, 284, 439, 881, 916, 1139, 1492, 1507, 1508, 833, 863, 32, 502, 1038, and 810 ordered on file for second reading.

Assembly Bills Nos. 485, 696 and 1084 ordered on file for second reading.

CONSIDERATION OF BILLS FILED—PUBLIC MORALS AND MISC.

Senate Bill No. 1346—An Act to amend Section 458 of the Penal Code of the State of California, relating to the "sale of intoxicants on election days," by adding thereto two new sections, to be known and numbered as Section 458 and Section 458, relating to the sale, giving away, or serving of intoxicants on holidays, and prescribing a penalty therefor.

On motion of Senator Butler, Senate Bill No. 1346 was passed to the Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the inspection and maintenance thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 957 passed by the following vote:

AYES—Senators Anderson, Benson, Bronson, Brown, Burnett, Butler, Carr, Caminetti, Flint, Gerdes, Gates, Hewitt, Inman, Juilliard, Nelson, Ludlow, Reed, Sanford, Stephens, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1065—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1065 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Carr, Cogswell, Curtin, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 13—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 13½ of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States, and in any money, domestic or foreign.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer the resolution proposing Senate Constitutional Amendment No. 13 to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT NO. 1.

Strike out all of lines 2 to 7, inclusive, of the title of the resolution proposing the said constitutional amendment, and insert in lieu thereof the following:

"A resolution proposing to the people of the State of California, an amendment to Section 13½ of Article XI of the Constitution of the State of California, relating to the place of payment of bonds, and the interest thereon, of counties, cities and counties, cities, municipalities, irrigation districts, and other public corporations, and the money in which said bonds and interest may be made payable."

AMENDMENT NO. 2.

Strike out all of lines 8 to 14, both inclusive, of the printed resolution, and insert in lieu thereof the following:

"Section 13½. Any county, city and county, city, town, municipality, irrigation district, or other public corporation, issuing bonds under the laws of the state, is hereby authorized and empowered to make said bonds and the interest thereon payable at any place or places within or outside of the United States, and in any money, domestic or foreign, designated in said bonds."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 13, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Constitutional amendment ordered to print and engrossment.

THIRD READING OF BILLS — RESUMED.

Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto, to be designated and known as Section 4041a, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, approved April 18, 1911.

In the absence of the author, Senate Bill No. 1002 was passed on file.

Senate Bill No. 225—An Act to amend Section 4771 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

On motion of Senator Sanford, Senate Bill No. 225 was passed on file.

SENATOR LEWIS IN THE CHAIR.

At three o'clock and seven minutes p.m. Senator Lewis of the Thirty-eighth District, in the chair.

THIRD READING OF BILLS — RESUMED.

Senate Bill No. 488—An Act to amend Section 4479 of the Political Code, relating to salaries of county officers in counties of the fifteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 488 passed by the following vote:

AYES—Senators Anderson, Benson, Boyd, Brown, Bulkley, Carr, Cogswell, Flint, Gerdes, Gerrity, Gibson, Hewitt, Jones, Juilliard, Leland, Lewis, Rush, Sanford, Shoemaker, Stetson, Thompson, Tyrrell, and Wyllie—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 489—An Act to amend section four thousand two hundred seventy-three of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 489 was passed on file.

Senate Bill No. 1124—An Act to amend section four thousand two hundred and fifty-three of the Political Code of the State of California, relating to salaries of county officers in counties of the 24th class.

On motion of Senator Sanford, Senate Bill No. 1124 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section four and one half of article six thereof, relating to appeals.

The question being on the adoption of the proposed constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 12 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Brunton, Boyd, Brown, Burke, Carr, Cartwright, Cogswell, Curtin, Flint, Gerdes, Gerrity, Gibson, Hewitt, Jones, Juilliard,

Kehoe, Larkins, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Constitutional amendment ordered engrossed and transmitted to the Assembly.

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

In the absence of the author, Senate Bill No. 682 was passed on file.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

On motion of Senator Anderson, Senate Bill No. 834 was passed on file.

Senate Bill No. 301—An Act to amend section two thousand one hundred seventy-two of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 301 was ordered to the foot of third-reading file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 979—An Act to amend an Act entitled "An Act to prevent the propagation by the production of seed, of that certain plant known as *Sorghum halepense*, otherwise known as Johnson grass," approved March 20, 1903, amended, approved March 22, 1907, relating to the propagation of noxious weeds.

Read third time.

On motion of Senator Mott, Senate Bill No. 979 was passed on file, to retain its place.

Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 626*q*, relating to sea otter.

In the absence of the author, Senate Bill No. 281 was passed an file.

Senate Bill No. 1201—An Act to add a new section to the Penal Code, to be known as Section 1202*a*, relating to "indeterminate sentences."

In the absence of the author, Senate Bill No. 1201 was passed on file.

Senate Bill No. 1202—An Act to repeal Section 669 of the Penal Code of the State of California, entitled "Second term of imprisonment, when to commence."

In the absence of the author, Senate Bill No. 1202 was passed on file.

Senate Bill No. 1284—An Act entitled an Act to repeal an Act entitled

"An Act to regulate and governing the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

In the absence of the author, Senate Bill No. 1284 was passed on file.

Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

In the absence of the author, Senate Bill No. 991 was passed on file.

Senate Bill No. 1240—An Act to amend Sections 10c and 10e of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of said commitment and return therefrom, establishing a probation committee and probation officers to deal with said children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

On motion of Senator Anderson, Senate Bill No. 1240 was passed on file.

Senate Bill No. 1297—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 402f, providing that certain buildings shall be provided with fire escapes.

In the absence of the author, Senate Bill No. 1297 was passed on file.

Senate Bill No. 402—An Act to amend Section 408 of the Code of Civil Procedure of the State of California, relating to the issuance of writs summons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 402 passed by the following vote:

Ayes—Senators Anderson, Attin, Benson, Breed, Burnett, Ewer, Finlay, Caminetti, Cate, Cartwright, Chipman, Curtis, Flint, Gates, Gerdes, Gesmer, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Sanford, Stanford, Strobridge, Thompson, Tyrrell, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

In the absence of the author, Senate Bill No. 541 was passed on file.

Senate Bill No. 393—An Act to amend Section 1322 of the Penal Code, relating to witnesses and testimony of husband and wife.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson, as a special committee of one, to amend as follows:

By striking out of Section 1, lines 3 to 11, both inclusive, and inserting in lieu thereof the following: "Neither husband nor wife is a competent witness for or against the other in a criminal action or proceeding to which one or both are parties, except with the consent of both, or in case of criminal actions or proceedings for a crime committed by one against the other person or property of the other, or in cases of criminal violence upon one by the other, or in cases of disturbance of the peace of one by the other, or in cases of criminal actions or proceedings for bigamy, or adultery, or in cases of criminal actions or proceedings brought under the provisions of section two hundred and seventy and two hundred and seventy *a* of this code."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 393, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 338—An Act to amend Section 1272 of the Penal Code of the State of California.

Read third time.

On motion of Senator Juilliard, Senate Bill No. 338 was passed on file.

SENATOR WRIGHT IN THE CHAIR.

At three o'clock and forty minutes p.m., Senator Wright, of the Fortieth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 473—An Act providing for the submitting to the electors of the State of California the question of calling a convention to revise the Constitution of the State.

Senate Bill No. 473 ordered passed on file.

Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 218 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Carr, Cartwright, Cogswell, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 12—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 410*a*, and relating

to the forfeiture of the right to do business by any corporation which shall remove or make application to remove actions brought against it from the state courts to the courts of the United States.

In the absence of the author, Senate Bill No. 12 was passed on file.

Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 2310, relating to the guardianship of wills detained beyond the jurisdiction of the State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 287 passed by the following vote:

AYES—Senators Anderson, Avey, Bledsoe, Bronson, Boyd, Burke, Chamberlain, Carr, Carpenter, Caldwell, Curtin, Ellis, Finlayson, Flint, Gerdes, Gesford, Hare, Hatfield, Holohan, Jones, Kehoe, Leeking, Merz, Rush, Sanford, Shearer, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 250—An Act to amend section 2630 of the Civil Code, relating to the powers of satisfying mortgages by foreign executors, administrators and guardians.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 passed by the following vote:

AYES—Senators Anderson, Avey, Bledsoe, Bronson, Boyd, Burke, Chamberlain, Carr, Carpenter, Caldwell, Curtin, Ellis, Finlayson, Flint, Gerdes, Gesford, Hare, Hatfield, Holohan, Jones, Kehoe, Leeking, Merz, Rush, Sanford, Shearer, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the merger of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a.

In the absence of the author, Senate Constitutional Amendment No. 66 was ordered to the foot of the file.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

On motion of Senator Gerdes, Senate Bill No. 1171 was ordered to the foot of the file.

Senate Bill No. 329—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and prevailing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

On motion of Senator Grant, Senate Bill No. 320 was ordered to the foot of the file.

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

In the absence of the author, Senate Bill No. 919 was ordered to the foot of the file.

Senate Bill No. 1017—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

In the absence of the author, Senate Bill No. 1017 was ordered to the foot of the file.

Senate Bill No. 305—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628*g*, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

In the absence of the author, Senate Bill No. 305 was ordered to the foot of the file.

Senate Bill No. 794—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highways or boulevards and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Curtin, Senate Bill No. 794 was passed on file.

Senate Bill No. 684—An Act to amend the Penal Code by adding thereto a new section, to be numbered two hundred seventy-two *a*, relating to the selling, giving away, relinquishing or disposing of children.

In the absence of the author, Senate Bill No. 684 was ordered to the foot of the file.

Senate Bill No. 547—An Act to amend section two thousand six hundred ninety-two of the Political Code of the State of California, relating to private roads and private ways for canals.

On motion of Senator Anderson, Senate Bill No. 447 was ordered to the foot of the file.

Senate Bill No. 286—An Act to amend section eight hundred fifty-seven of the Civil Code, relating to express trusts.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 286 passed by the following vote:

Ayes—Senators Anderson, Avey, Birdsall, Boyd, Brown, Butler, Caminetti, Carr, Cartwright, Chandler, Chappell, Cobb, Curtin, Flint, Finn, Gates, Gerdes, Gerrity, Hans Hansen, Jones, Juilliard, Kehoe, Lawlor, Main, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Juilliard: Permission to introduce a Senate bill—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Request referred to Committee on Introduction of Bills.

ADJOURNMENT.

At four o'clock and five minutes p. m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 1, 1913.

The Senate met at ten o'clock a. m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Birdsall, Boynton, Brand, Boyd, Bryant, Butler, Caminetti, Carr, Cartwright, Chandler, Chappell, Cobb, Curtin, Flint, Finn, Gates, Gerdes, Gerrity, Hans Hansen, Jones, Juilliard, Kehoe, Lawlor, Main, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dean Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 31, 1913, the further reading was dispensed with, on motion of Senator Gerdes.

COMMUNICATION.

The following telegram was presented by Senator Brown:

LOS ANGELES, CAL., March 24, 1913.

Senator WILLIAM E. BROWN, *care Senate of the State of California, or Regis Hotel, Sacramento, Cal.:*

The board of supervisors of Los Angeles County to-day unanimously adopted the following resolution and instructed me to telegraph you a copy of the same, to wit:

WHEREAS, Prize fighting, as conducted at Vernon, Los Angeles County, California, is a menace to the best interests and morals of this county, and is contrary to the wishes of a majority of the citizens of this county; now, therefore, be it

Resolved, That we are in hearty accord with the provisions of Senate Bill No. 735, and hereby request the Legislature to adopt the same.

BYRON C. HANNA, Chief Deputy District Attorney.

LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Cassidy, granted leave of absence for this day.

Senator Owens was, on his own motion, granted leave of absence for Wednesday, April 2, 1913.

Senator Campbell was, on motion of Senator Jones, granted leave of absence for this day.

Senator Lyon was, on motion of Senator Brown, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Also: Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Also: Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 785, 115 and 114 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits, and authorizing the State to accept the same.

Also: Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Also: Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 405, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Also: Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 505 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 783, 784 and 786 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1071—An Act appropriating money to pay the deficiency in the appropriation for the power of volunteers ordered into active service by the governor during [illegible]

Also: Assembly Bill No. 771—An Act making an appropriation to pay the premium or premiums on official bonds of state officers as required by law and declaring that the act to provide for the payment of the salaries, services, or claims and expenses of the employees or charges on official bonds when given by surety companies, approved March 23, 1909.

Also: Assembly Bill No. 776—An Act appropriating money to provide a rock crushing fund for the use of the State Engineer and defining the use and the liability therefor.

Also: Assembly Bill No. 972—An Act to amend section 4466 of the Political Code, relating to the fees when documents, plans and specifications must be accepted or approved by secretary.

Also: Assembly Bill No. 811—An Act to amend section 4466 of the Political Code, relating to the fees of secretary.

J. P. MALLOY, Chief Clerk of Assembly.
By THOMAS G. WILSON, Assistant Clerk.

Assembly Bills Nos. 767, 771 and 776 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 972 and 811 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 707—An Act to amend an Act entitled "An Act providing for the appointment of the Commission Highway Park and creating a board of five commissioners who shall constitute said commission, approved March 7, 1911, by adding a new section providing for the power of condemnation, which amends the acts to amend, repealed by [illegible] amended, consolidated, declared, revised, condemned, and otherwise.

J. P. MALLOY, Chief Clerk of Assembly.
By THOMAS G. WILSON, Assistant Clerk.

Senate Bill No. 721 ordered to Enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 36—Relative to a second appointment to the citizens of the City of San Luis Obispo, of the county of San Luis Obispo, State of California, which concurred [illegible] of the provisions of said Act as a second municipal position shall become [illegible] on the first Monday in May, 1913.

J. P. MALLOY, Chief Clerk of Assembly.
By THOMAS G. WILSON, Assistant Clerk.

Assembly Concurrent Resolution No. 36 referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1075—An Act to provide for improving [illegible] county roads, [illegible] appropriation, [illegible]

Also: Assembly Bill No. 1040—An Act to amend Section 4466 of the Political Code, relating to compensation for services other than of notaries.

Also: Assembly Bill No. 1179—An Act to provide for the formation and establishment of road districts, the maintenance, improvement, repair and use of roads, defining the same, and providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts and the construction, maintenance and repair of roads within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

Also: Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 322, Statutes 1907, for searching for beneficial insects.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 671 read first time, and referred to Committee on County Government.

Assembly Bill No. 2043 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1576 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 788 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Also: Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Also: Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Also: Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Also: Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 782, 781, 780, 779 and 282 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Also: Assembly Bill No. 963—An Act to amend Sections 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Also: Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

Also: Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 883 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 963 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 778 and 1642 read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 807—An Act declaring that certain tide lands and submerged lands within the boundaries of the city of Los Angeles are granted for certain purposes of commerce, navigation and fishing and reclaiming, improving and utilizing the same by the Attorney General in executing and prosecuting convey ance in the name of the people of the State of California of the granting thereof as and for the respects of the reservation of said lands therein and the terms under consideration and suggesting proper to amend same, with amendments and recommend that as the pass so passed.

EDWIN K. [illegible].

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 808—An Act authorizing and empowering and empowering the purposes for which the lands and submerged lands granted within the limits thereof have been granted by the State of California to grant portions of such lands to the United States for public purposes and authorizing and empowering certain of such lands made for such purposes corresponding to the United States since had the same lands reconveyed, and respectfully report the same back, and recommend that it do pass.

EDWIN K. [illegible].

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Constitutional Amendment No. 27—A constitutional proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be numbered as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of ships and vessels engaged in foreign commerce from taxation, have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Revenue and Taxation without recommendation.

EDWIN K. [illegible].

Senate Bills Nos. 807 and 808 ordered on file for second reading.

Senate Constitutional Amendment No. 27 ordered re-referred to Committee on Revenue and Taxation.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 774—An Act establishing a state mining bureau, defining the duties of state mining inspectors, providing for the appointment of a chief mining inspector who shall be ex officio State Mineralogist, and for the appointment of deputy inspectors, prescribing certain powers and duties of such deputy inspectors, their salaries and traveling [illegible] expenses, and to report to the Panama-Pacific Exposition, providing for the inspection of mines, quarries, machinery and other appliances used in connection therewith, and for the examination of the competency of persons employed in mines, mining operations and quarries, and providing for the issue [illegible] of persons employed in mines and mining operations, making it the duty of persons in charge of mines, mining operations and quarries to give notice of accidents occurring in mines and mining operations, appropriating [illegible] for the purposes of executing and the provisions of this act, and repealing an Act entitled "An Act to establish the office of mineralogist, and prescribing a bureau to be called the State Mining Bureau, and for the appointment and duties of a board of examiners to be known as the Board of Examiners of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of his office under the direction, direction and supervision of the Board of Examiners of the State Mining Bureau," approved March 23, 1883, and all Acts amendatory thereof and supplemental thereto or in any manner herewith.

Also: Senate Bill No. 1122—An Act making an appropriation to be expended

by the State Mining Bureau for the purpose of investigating and examining any probable fake or wildcat mining organization affecting mining properties within the State of California, and directing the State Mineralogist to bring suspicious cases of this character to the attention of the Attorney General.

Have had the same under consideration, and respectfully report the same back, and recommend that committee substitute be adopted, and be re-referred to Committee on Finance.

REGAN, Chairman.

Senate Bills Nos. 254 and 1122 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

Also: Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes, and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters, and to prescribe the duties and fix the compensation of county foresters; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof," approved May 1, 1911," to be known as Section 14*a*.

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office.

Also: Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered 327, relating to lotteries and providing a penalty for the violation thereof.

Also: Senate Bill No. 992—An Act to amend Section 320 of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 687—An Act to amend Section 1183 of the Civil Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

Also: Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotel keepers on property of guests for charges.

Also: Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this Act.

Also: Senate Bill No. 984—An Act to compel users of steam boilers, to install and maintain safety appliances on boilers, for indicating low water, or otherwise preventing explosions.

Also: Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Also: Senate Bill No. 124—An Act to amend Section 791 of the Political Code, relating to notaries public.

Also: Senate Bill No. 691—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Also: Senate Bill No. 947—An Act to amend Section 3898 of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

Also: Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410*a*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Also: Senate Bill No. 653—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

Also: Senate Bill No. 40—An Act making an appropriation to pay the claim of the town of Sonora, City against the State of California.

Also: Senate Bill No. 347—An Act to amend Section 1327 of the Penal Code, relating to the extradition of persons imprisoned in foreign lands for public justice, pursuant to other states or foreign countries.

Also: Senate Bill No. 39—An Act to amend Section 69 of the Code of Civil Procedure of the State of California, relating to the compensation of Superior Court judges and providing for the apportionment of such additional compensation between the City and County of San Francisco and providing for State compensation.

Also: Senate Bill No. 1208—An Act to amend Section 1764 of the Political Code of the State of California, relating to the manner of sale for building and loan relief and to declare an emergency thereof.

Also: Senate Bill No. 931—An Act to amend Section 917 of the Penal Code relating to grand juries.

Also: Senate Bill No. 130—An Act to provide for a day of rest from labor.

Also: Senate Bill No. 1201—An Act to add two sections to the Political Code of the State of California, to be numbered 2807 and 2808, relating to the abandonment of highways.

Also: Senate Bill No. 204—An Act to amend Section 1761 of the Political Code of the State of California, relating to meetings of high school boards.

Also: Senate Bill No. 474—An Act to amend Section 1824 of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 1000—An Act to amend an Act entitled "An Act to provide for the organization and management of districts for commercial conservation" approved April 7, 1927, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 10 thereof.

Also: Senate Bill No. 917—An Act to amend Section 450 of the Penal Code of the State of California, relating thereto.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON ENROLLING

SENATE CHAMBER, SACRAMENTO, March 31, 1933.

MR. PRESIDENT: Your Committee on Enrolling, to whom was referred Senate Bill No. 1046—An Act to add a new section to the Political Code of the State of California, to be numbered 1067a, relating to elections and the registration of voters—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEWITT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1933.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 420—An Act to amend Section 2081 of the Political Code of the State of California, relating to the qualifications of a voter—have had the same under consideration, and respectfully report the same back, with the recommendation: that it do pass as amended.

HEWITT, Chairman.

Senate Bills Nos. 1061 and 424 ordered on file for second reading.

ON ENGROSSMENT

SENATE CHAMBER, SACRAMENTO, April 1, 1933.

MR. PRESIDENT: Your Committee on Enrolling, to whom was referred Assembly Bill No. 305—An Act to amend Section 69a of the Code of Civil Procedure, relating to the compensation of Superior Court Judges and providing for the apportionment of such additional Superior Court judges' compensation between the City and County of San Francisco and the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be ordered engrossed.

BREED, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1933.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Concurrent Resolution No. 7—Appointing citizens of the county of San Bernardino, State of California, to act with certain members of the board of supervisors of said county at a general election held among the qualified electors of said county at a general election held among the qualified electors of said county on November 8th, 1932, upon the ballot under consideration, and respectfully report the same back and recommend that it do pass.

BREED, Chairman.

Assembly Bill No. 305 ordered on file for second reading.
Assembly Concurrent Resolution No. 7 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1299—An Act relating to real estate brokers in the State of California creating a board to be known as the State Advertising Board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund, and providing for its collection and expenditure—have had the same under consideration, and respectfully report back a substitute for the same, with the recommendation that the substitute be adopted.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1300—An Act creating a board to be known as the state advertising board; providing for the appointment of its members; fixing the term of office of its members, their salaries, powers and duties.

Also: Senate Bill No. 1301—An Act creating a fund to be known as the state advertising fund, and providing for the formation of such fund.

Have had the same under consideration, and respectfully report the same back, with the recommendation that the author be permitted to withdraw the same.

GATES, Chairman.

Senate Bills Nos. 1299, 1300 and 1301 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 357—An Act to amend Section 907c of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Also: Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, alienating, encumbering or granting of the real property of religious, social and benevolent corporations.

Also: Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 264—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, and earnings of children, and entitling the father and the mother jointly thereto and providing in case of death or abandonment by either that the other shall be entitled thereto—have had the same under consideration, and respectfully report the same back, with the recommendation that the author be permitted to withdraw the same.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3a, relating to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Also: Senate Bill No. 1686—An Act to amend Section 542a of the Code of Civil Procedure of the State of California, relating to attachment liens.

Have had the same under consideration, and respectfully report the same back, with the recommendation that they do pass.

GATES, Chairman.

Senate Bills No. 357, 1298, 264, 1332 and 1686 ordered on file for second reading.

Assembly Bill No. 364 ordered on file for second reading.

ON INTRODUCTION OF BILLS

SENATE CHAMBER, SACRAMENTO, APRIL 1, 1913.

MR. PRESIDENT: Your Committee on Engrossment of Bills, to whom was referred the request of Senator Main for permission to introduce a bill entitled an Act authorizing and directing the State Water Commission to investigate, examine and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable possessory or rights of way or sites of sufficient value to warrant the State in withholding or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; appropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict therewith, and requesting that the said request be granted.

BOUTTON, Chairman.

The question being on the adoption of the report.

The roll was called and the report adopted by the following vote:

AYES—Senators Anderson, Ard, Belshe, Boynton, Bread, Brown, Burnett, Caminetti, Carey, Cassidy, Cogswell, Cutten, Curtin, Finn, Flint, Gates, Gerdine, Gibson, Hewitt, Irwin, Juilliard, Kehoe, Larkins, Owens, Regan, Sanford, Saunders, Schmitz, Thompson, Tyrrell and Wright—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS

The following Bills were introduced:

By Senator Main: Senate Bill No. 1750—An Act authorizing and directing the State Water Commission to investigate, examine and report to the Legislature on all school lands belonging to the State as to which of said land contains valuable possessory or rights of way or sites of sufficient value to warrant the State in withholding or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; appropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict therewith.

Bill read first time, and referred to Committee on Irrigation.

By Senator Juilliard: Senate Bill No. 1751—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES—[FIRST MSG.]

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS

SENATE CHAMBER, SACRAMENTO, MARCH 28, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 445—An Act [illegible] the reorganization of Reclamation District No. 730 with Reclamation District No. 108 in the counties of Yolo and Colusa [illegible] and establishing the boundaries of the consolidated district; providing for its management and control; relating to the procedure of the Political Code of California and to other Acts of said State pertaining to reclamation districts and repealing all Acts and parts of Acts inconsistent therewith, has had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BENSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

Also: Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Also: Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENSON, Chairman.

Senate Bills Nos. 445, 1255, 593 and 1026 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1456—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 1456 ordered on file for second reading.

RESOLUTION.

The following resolution was introduced:

By Senator Sanford:

WHEREAS, An agitation throughout the State and nation for the general uplift of our citizenship has resulted in the organization of a great political party which is persistently and strenuously inviting into its fighting ranks all who are desirous of joining the hosts of righteousness in the great battle against predatory wealth and the contaminating political alliance with corruptionists and bosses; and

WHEREAS, It is vital to the perpetuity of the nation that this new political progressive party should present to the public a harmonious, tranquil and united organization; and

WHEREAS, There comes from the chemically pure and politically perfect city of Los Angeles a alarming news of discord and disruption, indicating a death struggle for political prestige and party leadership between E. Tobias Earl, on the one side, and Meyer Lissner, Marshall Stimson and Russ Avery, on the other; and

WHEREAS, There exists throughout the State some doubt as to the merits of the controversy, and the people are interested in learning the truth of the charge made by the said E. Tobias Earl, in which he alleges that the said Lissner, Stimson and Avery have conspired with "gas," "booze" and predatory wealth for the purpose of delivering the city government of Los Angeles into the hands of the reactionaries; now, therefore, be it

Resolved, That a committee of three, consisting of Senators Finn, Cartwright and Boyan, be and they are hereby appointed a committee to investigate the facts out of which said controversy has grown, and report back to the Senate such means and measures as will most surely tend to save the political faces of these famous "battlers for the Lord."

MOTIONS.

Senator Thompson moved that the author be permitted to withdraw the resolution.

Motion carried.

Senator Sanford moved that the consideration of the resolution be made a special order for April 2, 1913, immediately after the reading of the Journal.

Senator Thompson moved that the consideration of the motion and of the resolution be indefinitely postponed.

Motion carried.

ADJOURNMENT.

Senator Cassidy announced that a body of the unemployed would, pursuant to action had at a mass meeting held at the plaza in the city of Sacramento on March 30, 1913, appear before the Capitol Building at 1:15 p.m. on this date, to urge the passage of bills in their interest now pending before the Legislature.

CONSIDERATION OF SPECIAL ORDER—TIME ASSIGNED ON BILL.

The hour of ten o'clock and thirty minutes having arrived, the Senate took up the consideration of the special order heretofore set for this time.

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 48 passed by the following vote:

AYES—Senators Anderson, Avey, Boggs, Bonnheim, Burnham, Chandler, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gerlach, Hare, Hatch, Hayes, Breed, Rolfe, Carr, Cartwright, Cassidy, Dale, Ford, Gates, Gerdes, Gerlach, Hare, Hatch, Hayes, Jones, Jurgens, Kehoe, Lawlor, Owens, Rogers, Rush, Saunders, Thompson, Tyrrell, and Wright—29.

NOES—Senator Strobridge—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 294—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 294 passed by the following vote:

AYES—Senators Anderson, Avey, Boggs, Breed, Rolfe, Carr, Cartwright, Cassidy, Dale, Finn, Flint, Gates, Gerdes, Gerlach, Hare, Hatch, Hayes, Jones, Jurgens, Kehoe, Lawlor, Owens, Rogers, Rush, Saunders, Thompson, Tyrrell, and Wright—29.

NOES—Senator Strobridge—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An Act to amend section 57 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges and providing for the appointment of four additional superior judges to and for the city and county of San Francisco, and providing for their compensation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 20 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Bryant, Butler, Cartwright, Cassidy, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Thompson, Tyrrell, and Wright—27.
NOES—Senator Shanahan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 297—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628*g*, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Read third time.

On motion of Senator Breed, Senate Bill No. 297 was passed on file, to retain its place.

Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 364 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Owens, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 880—An Act to repeal Section 1935 of the Political Code of the State of California and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934¼, 1957, 1963, 2076, 2077, 2079, 2080, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said Code to be known as Sections 1928*a*, 1928*b*, 1928*c* and 1928*d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

On motion of Senator Juilliard, Senate Bill No. 880 was passed on file.

Senate Bill No. 1546—An Act to amend the Penal Code of the State of California by adding thereto a new Section, to be numbered 63, relating to the sale, giving away or serving of intoxicants on a legal holiday and prescribing a penalty therefor.

Read third time.

On motion of Senator Butler, Senate Bill No. 1546 was passed on file.

REQUESTS FOR INTRODUCTION OF BILLS, ETC.

The following requests for permission to introduce bills, etc., were presented:

By Senator Shanahan: Permission to introduce a Senate joint resolution relative to restoring to the public domain certain lands heretofore reserved for reservoir purposes in Big Valley in Lassen and Modoc counties and in Round and Pitt River valleys in Modoc County, California.

By Senator Benson: Permission to introduce a Senate bill—An Act to amend Section 732 of the Political Code, relating to the fees to be collected by the Clerk of the Supreme Court.

Requests referred to Committee on Introduction of Bills.

THIRD READING OF BILLS—RESUMED.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 26 of Article IV of the Constitution of said State, relating to eligibility to hold office.

On motion of Senator Wright, Senate Constitutional Amendment No. 9 was passed on file.

Senate Bill No. 979—An Act to amend an Act entitled "An Act to prevent the propagation by the production of seed, of that noxious plant known as Sorghum halepense, otherwise known as Johnson grass," approved March 20, 1901, amended, approved March 22, 1907, relating to the propagation of noxious weeds.

In the absence of the author, Senate Bill No. 979 was passed on file.

Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 629g, relating to an offer.

In the absence of the author, Senate Bill No. 281 was passed on file.

Senate Bill No. 1201—An Act to add a new section to the Penal Code, to be known as Section 1202a, relating to "solicitor's costs."

On motion of Senator Finn, No. 1201 was passed on file.

Senate Bill No. 1202—An Act to repeal Section 669 of the Penal Code of the State of California, entitled "Second term of imprisonment, when to commence."

On motion of Senator Finn, Senate Bill No. 1202 was passed on file.

Senate Bill No. 1284—An Act entitled an Act to repeal an Act entitled "An Act to regulate and governing the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

On motion of Senator Finn, Senate Bill No. 1284 was passed on file.

Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 991 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bryant, Butler, Carr, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1240—An Act to amend Sections 10*c*, and 10*m*, of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

On motion of Senator Anderson, Senate Bill No. 1240 was passed on file.

Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 402*f*, providing that certain buildings shall be provided with fire escapes.

In the absence of the author, Senate Bill No. 1397 was passed on file.

Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

In the absence of the author, Senate Bill No. 541 was passed on file.

Senate Bill No. 338—An Act to amend Section 1272 of the Penal Code of the State of California.

On motion of Senator Juilliard, Senate Bill No. 338 was passed on file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 473—An Act providing for the submitting to the electors of the State of California the question of calling a convention to revise the Constitution of the State.

On motion of Senator Wright, Senate Bill No. 473 was ordered to the foot of the file.

MOTION.

Senator Wright moved that the Secretary be instructed to prepare a special file of unfinished business, on which shall be placed all bills passed on file for the second time, unless otherwise ordered by the Senate, said file to follow at the foot of the third-reading file.

Motion carried.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 12—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 410*a*, and relating to

the forfeiture of the right to do business for any corporation which shall remove or make application to remove actions brought against it from the state courts to the courts of the United States.

In the absence of the author Senate Bill No. 12 was passed on the

Senate Bill No. 687—An Act to amend Section 1181 of the Civil Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 687 passed by the following vote:

Ayes—Senators Anderson, Avey, Benson, Boynton, Brandt, Brown, Bryson, Burnett, Caminetti, Carr, Cobb, Cogswell, Finn, Flaherty, Gerdes, Gerlach, Hewitt, Hurley, Jones, Kehoe, Leavitt, Lewis, Lyon, Mahan, Miller, Owens, Price, Rigdon, Rush, Sanford, Saunders, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Weed, Wolfe, Wright and Young—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 902—An Act to amend Section 320 of the Penal Code of California, relating to lotteries.

In the absence of the author, Senate Bill No. 902 was passed on the

Senate Bill No. 904—An Act to add a new section to the Penal Code of California, to be numbered 327, relating to lotteries and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 904 was passed on the

Senate Bill No. 264—An Act to amend Section 1861 of the Civil Code, relating to the lien of mechanics on property of wives for changes.

On motion of Senator Hewitt, Senate Bill No. 264 was passed on the

Senate Bill No. 672—An Act confirming and validating the organization of school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 672 passed by the following vote:

Ayes—Senators Anderson, Avey, Benson, Boynton, Brandt, Brown, Bryson, Burnett, Caminetti, Carr, Cobb, Cogswell, Finn, Flaherty, Gerdes, Gerlach, Hewitt, Hurley, Jones, Kehoe, Leavitt, Lewis, Lyon, Mahan, Miller, Owens, Price, Rigdon, Rush, Sanford, Saunders, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Weed, Wolfe, Wright and Young—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1200—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1200 passed by the following vote:

Ayes—Senators Anderson, Avey, Benson, Boynton, Brandt, Brown, Bryson, Burnett, Caminetti, Carr, Cobb, Cogswell, Finn, Flaherty, Gerdes, Gerlach, Hewitt, Hurley, Jones, Kehoe, Leavitt, Lewis, Lyon, Mahan, Miller, Owens, Price, Rigdon, Rush, Sanford, Saunders, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Weed, Wolfe, Wright and Young—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR MOTT IN THE CHAIR.

At twelve o'clock and five minutes p.m., Senator Mott, of the Twenty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

On motion of Senator Anderson, Senate Bill No. 824 was passed on file, to retain its place.

Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

On motion of Senator Caminetti, Senate Bill No. 873 was passed on file, to retain its place.

Senate Bill No. 233—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered section two *a*, relating to the dissolution of such districts where they have no assets and have no indebtedness, not barred by the statute of limitations, and have ceased to be going concerns.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 233 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Bryant, Butler, Carr, Cartwright, Cassidy, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shanahan, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1871, relating to the testimony of expert witnesses.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 989 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 899—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office, by owners of certificates of pur-

chase of patents from the State, for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificates and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3372 of said Political Code.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 879 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Bulcher, Bunkl, Burnett, Chamberlain, Cogswell, Cowan, Curtin, Curtis, Dale, Flint, Gerdes, Gibson, Hewitt, Jones, Kehoe, Lafflin, Main, Owens, Rush, Sanford, Stetson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

On motion of Senator Cannetti, Senate Bill No. 54 was passed on file, to retain its place.

ARGUMENT ORDERED PRINTED

Senator Cannetti moved that the argument of Andrew Furuseth before the United States House of Representatives on the subject matter of Senate Bill No. 54 be ordered printed in the Journal.

Motion carried.

PURSUETH ON INJUNCTIONS

The following statement on the subject of "Government by Injunction," presented by Mr. Andrew Furuseth to the Judiciary Committee of the House of Representatives in 1894, is reprinted from the Congressional Record [House proceedings] of March 6th:

Mr. Hughes of New Jersey: Mr. Speaker, I desire to submit the following statement of the subject of [illegible] and ask

The Speaker: The gentleman from New Jersey asks unanimous consent to insert his remarks in the Record. Is there objection?

There was no objection.

Mr. Hughes, of New Jersey: This is the statement:

Statement of Mr. A. Furuseth representing the International Seamen's Union of America.

Mr. Chairman and gentlemen of the committee, the committee that has been brought here, and which I am now now to dispute, to this point is a property right in labor.

"This bill and the hearings thereon being in some measure a conflict which is but another phase of that contest of aggression to compel workers the property belonging the house of Have and the house of Want; on the part of labor one way for freedom, on the part of capital the assignment of servitude.

"There are some positions taken by the employers and their attorneys which, to say the least, will be surprising reading for thoughtful men when more carefully considered will bring the people to see with us either as the American people should be yet of the opinion which made this country come into the [illegible] and resolved to abolish the ownership of man by man in any form.

"What is the status between employers and employed? It is loosely called the labor question. What is it? What does it mean?

In the old Roman world, from which we obtain many of our ideas regarding our ideas about law, and certainly our [illegible] the legal principle was [illegible] as

absolutism—absolutism in religion, absolutism in the state, and absolutism in industry. The whole philosophy of life was in the concept that there were sons of the gods to teach, to govern, to pray; and sons of the earth, without souls, to be saved or damned, to be taught, to be governed, to be preyed upon. Into this came the teachings of the Christ, the concept that there is but one God and that all men are His children, equal heirs to all the bounties of the Father. We have been taught to pray, 'Thy kingdom come, Thy will be done, as in heaven so also on earth.' We have been taught to bear each other's burden; that God is no respecter of persons, that each will be responsible for his own acts, and so forth.

"It took some fifteen hundred years of intense struggle, expressing itself through organizations based upon religious discontent, to establish religious freedom. It took 300 more years for organizations based upon political discontent to give us such political freedom as we now have. And the labor movement is but this fundamental Christian idea taking hold of the industrial field in an endeavor to transform it into its own image. This, gentlemen, is, in short, the labor movement. Absolutism has been removed from Church and the State; it yet holds full sway in industry. Yet the employer says, 'This is my business; I am this business.' Like the dictum of Louis the Fourteenth, 'I am the State.' We of the labor movement dispute this. We hold that since the business can not exist without the worker, he has something to say, or should have something to say, about it. We do not claim that we are always right in what we say, but since the toiler can not be divorced from his labor power, the claim set up here of a vested right in so much labor power as will make a plant profitable is not only un-Christian but un-American.

"This evolution toward 'The Kingdom' meets on the industrial field a most formidable power. There are plants which employ in different ways 150,000 men. Allowing 5 to a family, this means 750,000 men, women, and children. The owner or owners claim the right to determine the hours of labor, which means what time the employee may be with his family. They claim the sole right to determine wages. This means the power to say in what kind of house the worker shall live, what kind of clothing shall be worn by his wife and children, what shall be their food, what kind of education they shall gain, what character shall be developed by the rising generation. The power of kings is as nothing to this. Kingly power only touches the life of the people in spots—at intervals. Here is a power which goes into the very essence of life, and at no time in the history of the Goth-Germanic race was such a power vested in individual man. As it has grown it has sought to control the political action of the workmen subject to it, and did so control it that it was necessary to make the ballot secret. It controls in a measure the legal profession through patronage and place; the newspapers, through their advertising columns; the churches, through the pew; the institutions of learning, through endowments; and the jury system is threatened through an unwarranted use of the writ of injunction—nay, we have found judges who were not proof against this power and who have used their holy office contrary to the settled law. Thus the virus of industrial absolutism is borrowing through every safeguard and filling the holes with maggots of its own making.

"What can the working class do? In the developments and the law, of which we complain, we are considered and treated as a class. Here is a power which watches over us in the shop, at our home, at our evening meeting, and at the polls. To incur its displeasure means discharge, and this means the finding, if we can, employment in some other line of industry and loss of such value as our acquired skill may have.

"We apply the lessons, taught us by the animals, of 'mutual aid.' We come together for protection and endeavor to put into practice the instruction 'to bear each other's burden,' but are promptly met by an order from the court under which this is called 'conspiracy'; and the oldest of Saxon rights, the trial by jury, is swept away.

"Not that all our employers act thus. Many, nay, perhaps a majority, would have it otherwise; but they have to keep up with the procession or go out of business.

"We exercise the right of assembly, we discuss our grievances; we appoint our committee and respectfully submit our petition for redress; and we are told that Jones, Smith & Co. would gladly grant our petition, but there is Hogg, Hunger & Co. to inform them that we are now paying less wages. Jones, Smith & Co. can not grant our request. It would mean going out of business. We know that there is some truth in this statement, and we set aside a few cents per week, and after a while we send somebody to the employees of Hogg, Hunger & Co. to inform them that we and they may have better conditions if they will make common cause, and that we have saved together a few dollars which we will share with them in feeding the little ones if they will stand in. They weigh the chances of success or failure and determine to risk all in an effort to better the condition of themselves and those dependent on them. Their petition is presented to their employers, who promptly refuse even to consider it.

"The employers are that business, and the mere presenting of the petition is to dispute their authority. The bearers of the petition are promptly dismissed from the service. Then follows a strike, a refusal to furnish the labor power, without which the great plant is of no value. Working people far and near are notified of the

strike and requested to keep away. pickets are placed to intimidate those who come and men have been working all who have been badly intimidated to work. Police protect from the agents and due to the necessity to feed them. A request to print the point to decide. The workers refuse, preparatory to resume it, and they constitute a group, when they are dispersed, arresting each other, which each other and the men going into the place. That the men showed splendid judgment to appeal the rule, but their presence, the fact of organized on the fence, and the knowledge of who they are out of work quickness the commencement of those at work and they, too, quit.

This, particularly of the committee's case, the determination on to aid bettering the situation on the Colony Colliery Co. in West Virginia, where the corporation compelled the persons to live under the jurisdiction. In Charleston, we will see it up. the wholly unconcealed in the peaceful body union which is terrorizing. The "Day of wages, which appears in every mine, is one giving one weight on a scale, is in nothing but to fathom every way, into the whole between the mine to discover. In every mining hole had commenced that which the position was presented.

The Colony Colliery Co., finding the men leaving the employ, gave into camps and were there told to live in rent asked to where to live because of the men would a week per $5.00 per month are available. It has a method to prevent whether it is under compulsion to deliver the coal, but this not, because the interests of their own, refuse to work. Even these camps for spending more given, as were the conditions upon which they would continue, but in place of leaving with the men the companies gave notice to the men. The company figured out the most exactly being those where it received the most exorbitant profits. The permanent, poor and necessary men in the company a council upon the necessary local wages and who to operate the plant, which will subscribe the plan and successful to carry.

The men went to camps was the labor men whose lives are not be divorced from the labor is true to the interests. There was no notice to distribution of goods or which the union officers of the company would pay rigidly—there who to receive property possessed. The evening papers of the place had posted, we were about to pass and the men was necessary to be loaded that kind of property. The must look the time of the company and hand the committee. That the to pass- men that prospects might be given work with the proposition of the union, and and the property right on the part of the union which destroyed the necessity right of the union himself and had been unjust. The fact of legacy never submitted to the union. There were had been working for previous committees, proceedings, refusing and making inflammatory speeches, and this they had been using these before and, prior to evictions they had done to violate laws of discharge and used to influence.

I have said that the union destroying the property right of the miners to work where. In these men was permitting men, labor, as in union and contracts posted to any labor, to organize and Samuel Gompers from refusing available laborers to do what he has a right to do, refusing with private would destroy the natural right of negotiated persons. John Doe, who is working for Hugg, Hunger & Co. has the right to sell work that he has labor to organize himself and family to work and labor by contracts of work. The employers of Jones, Smith & Co. offer to divide with those these earnings to give Doug Ford and others, and the union steps in and forbids John Doe and his family are injured and men employed in the employ of Hugg, Hunger & Co. against their will. The result has to participate with causing to lose, consequences to contemplate when it would not be effective.

If Hugg, Hunger & Co. have no property right to John Doe—if John Doe is a servant, not to be sold by auction, peonage, and slavery. Again, if Smith, Smith & Co. cannot offer to John Doe a place on their terms, John may leave and accept the new employment. So that, no natural union when employers there is no vested right in the trade pursuit. The individuals are no property as he lives and he may go from one to the other. He says that wages is given quality of labor one hand over, but he many not be given such assistance as will supply him as workers as work as not unless the employer may find employment to take his place. Keep the employer going, and thus prevent the right from being idle and demoralizing. If so, as true, if the body he the same, the union right is the meeting and using discretion. That the shareholder means through a declining loss of the manner to move and to a fixed number of to what was adjusted, to the men. If he the part of that employer, or the plant has a property right to him, then the whole proposition is logical and right. Upon any other property have men also be considered.

"As citizens he and his families are under the protection of the Bill of Rights as workmen they are property—are to individuals, are not as a class, etc. Is this American? We hold that the workmen is engaged in the occupation and that the Declaration of Independence insured to defend property to the exercise of individual, where to save that. All men are created equal, and are to enjoy certain inherent and inalienable rights among which are life, liberty, and the pursuit of happiness, across laws and means show what is same, and that the wage earner is no exception. We maintain that the equal protection of the bill of rights and the laws to all men, regardless of their station, in the American idea. We claim no immunity from any law we claim the same right to be considered intercept until proven guilty as other citizens; that we shall be held, as other men, to be law-abiding.

"Would anybody dream of protecting the earning power of a small store by getting out an injunction against the department store? Why not serve us with an injunction forbidding us to transfer our patronage from one store to another? Is it because they both have a vested right in our patronage that we may not combine to withhold it from either? Yet these absurdities, these invasions of our right to individual liberty, this claim of vested right in our labor and our patronage are gravely called by employers their 'property rights,' which must be protected by injunction. They organize a society to take the place of the State in enforcing the law, and send their delegates here to file an indictment against the system of government, preparatory to, as they threaten, taking the law into their own hands if the Congress shall refuse to sustain their new American claim to property right in the labor of the wage earner.

"There are two thoughts growing in our industrial life equally unreasonable and dangerous, that the employer has a property right in the labor of his workmen and that the employee has some kind of property right in his job. If there should be any such right as last mentioned it would naturally follow that the job has some right in the employee, and the workman who sets up such claim is selling his birthright for a mess of pottage.

"In their essence these claims are socialistic. It is these claims accepted that form the basis of the theories of State socialism. And yet when we ask that the Congress shall pass a bill which will protect the employer and employee alike, the employers pronounce it socialistic and dub us Socialists.

"Nor is there the slightest possibility of any such claims being considered for a moment. Is there a 'right to work'? If so, it must be based upon the 'right to life' and run against the State, which in protecting and making such right effective is bound under the same declaration to do so without in any way destroying the 'right to liberty,' which is on an exact equality with the 'right to life' in that instrument. Such right is an individual right. Labor is an attribute of life, inseparable therefrom, hence is life.

"Property is something which we may acquire, possess, and part with. It may be contracted away; it may be alienated; it may be destroyed without destroying the possessor. Labor is therefore not property in which some other person may acquire a property right which will give him a standing in an equity court. That no such property right exists was decided by the Supreme Court of Massachusetts in December, 1892.

"In *Worthington* vs. *Waring* (157 Mass. 421, December, 1892), laborers who had been employed in a mill in Fall River and had left because they could not obtain higher wages, brought a bill against the treasurer and superintendent of the corporation, the employment of which they had left, and officers of other mills, charging that these officers had conspired together and put the names of the plaintiffs upon a 'blacklist,' stating that the petitioners had been engaged in a strike, and had induced all employers of their kind of labor in Fall River to refuse to employ them 'with intent to compel them either to go without work in Fall River or to go back to work for the corporation, the employment of which they had left, at such wages as that corporation should see fit to pay them.'

"And asked that the defendants be restrained 'from annoying the petitioners and interfering with their rights to earn their livelihood at their trade in Fall River, and to withdraw and destroy all blacklists or other devices used by the defendants or under their orders for that purpose.'

"To this the court said that if the petition charged a conspiracy, which was a misdemeanor at common law, the remedy was by indictment, and if the injury caused to the petitioners by the conduct of the defendants constituted a cause of action, the remedy was by an action of tort to be brought by each petitioner separately. The court then said that while 'courts of equity often protect property from threatened injury when the rights of property are equitable, or when, although the rights are legal, the civil and criminal remedies at common law are not adequate, but the rights which the petitioners allege the defendants were violating at the time the petition was filed are personal rights, as distinguished from the rights of property,' and, therefore, the court declined to entertain the petition.

"Being personal rights, as distinct from property rights, when not contracted away, and as such incapable of being protected by a court of equity, the laborer can not assign a right which he does not possess, hence a contract to labor will give no right in the laborer which can be enforced in equity.

"We thus come back to the one fundamental question: 'Is there going along with the ownership of the mine, factory, or means of transportation a vested right in so much labor as is needed to make it profitable?'

"If such right exists, whence is it obtained? It surely is contrary to the thirteenth amendment of the Constitution. If any such right runs against us as a class, upon what members of the class can it be enforced?

"The employers and business men who come here in good faith and make this claim of vested right in our labor and our patronage, are to-day not much to be blamed. They find this idea expressing itself in the capitalization of the earning power of great enterprises. They have possibly paid good money for stocks and bonds, which are nothing but a mortgage upon the labor of the future. We learn from our industrial superiors that even their augmented profits! But that some

of their attorneys should take the same position in a matter of such serious and vital importance as that at issue.

"Can it be possible that these attorneys took such action on their own motion? Through all the testimony and arguments there seems to run the idea of special right in an entire labor union as well as the idea of control in the employment of Mr. Hoyt, who recognized that such right does not exist and who accepted the fact.

"These facts were apparent whenever the bill for the general injunction in said case I first came up. On motion of counsel for the defendants, I then set the same hearing down for the consideration of the bill and motion for the writ for the 15th day of March, 1913, and for the same hearing there was then issued and served upon the defendants in said case an order to show cause why the writ of injunction should not be granted as prayed for in the bill of complaint. Thereafter, on the 15th day of March, 1913, the defendants in said case appeared in court by their attorneys, and the hearing of the motion for the writ of injunction was then and there had, and the defendants, by their attorneys, submitted their affidavits in opposition to the motion for the writ of injunction, and the plaintiff submitted his affidavits in support of the motion for the writ of injunction

injunctions than ever; imprisonments in consequence, as yet comparatively rare, will multiply, and hosts of men and women will find out for the first time how a prison looks on the inside.

"If this has to be, it must be, but—

"'And tho' ye gave her felon fare,
Bid felon garb her liv'ry be;
And tho' ye set the oakum task—
I tell you all, she still is free!'"

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 124—An Act to amend Section 791 of the Political Code, relating to notaries public.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Rush, Sanford, Shanahan, Thompson, Tyrrell and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Senator Sanford, the acting President declared the Senate at recess until one o'clock p.m.

RECONVENED.

At one o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS.

On motion of Senator Finn, the Senate took up the consideration of the second-reading file of Senate Bills.

Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, copyists and employees of the county offices of counties of the thirty-first class, and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 4, strike out the word "three" and insert in lieu thereof the word "nine."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, strike out all of lines 28 and 29 and insert in lieu thereof the following: "5. The district attorney [from counties entitled thereto] during any session of the superior court in counties of this class [here shall be paid from a fund allowed to the district attorney and stenographer which shall be known as a salary of twenty-five [25] dollars per month, and may [each] be apportioned by the district attorney. The salary of said stenographer [when provided for shall be paid in equal parts in monthly installments at the same time that the [superior judges] and [of the said court in monthly installments at the same time that the [superior judges] and [of the county [and by the salary of the district attorney is paid."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 679—An Act to amend section four thousand two hundred and forty-five of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the seventh class.

During second reading of the bill the following amendment was offered by the committee:

On page 3, line 2, strike out the words "twenty-five", and insert in lieu thereof the word "fifty."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building [interstate] bridges.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 1, strike out the words "one half" and insert in lieu thereof the words "one third".

Amendment adopted.

AMENDMENT No. 2.

On page 1, section 1, line 2, after the word "charge", insert the following: "the balance of the cost of such construction or re-[quire shall be the counties [divide]".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 36, of printed bill, commencing with the word "and", strike out all to and including the word "California" on page 3, line 1, and insert in lieu thereof the words "malfeasance or bad moral character upon proof of same."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 25, of printed bill, strike out the word "felony" and insert in lieu thereof the word "misdemeanor".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 27, of printed bill, strike out the words "or state prison".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1510—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 50—An Act to declare the Sonora and Mono road in Tuolumne County a state highway.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 971—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247*a*, and 1247*c*, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of the records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeals, in criminal cases.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1261—An Act to create the office of registrar of teachers and to define the powers and duties thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 35, strike out the words "county boards of school trustees", and insert in lieu thereof the following: "governing board of school districts".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 36, before the word "the" insert the word "of."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 37, before the word "to", insert the following: "to the county superintendent of schools and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1112—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts and declarations of the payment or performance thereof and to authorize their recordation in the office of the Secretary of State.

During second reading of the bill, the following amendment was offered by the committee:

On page 2 line 15 of the printed bill strike out the word "of" and insert in lieu thereof the word "or."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to properly man their trains" approved February 20, 1911.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 2 line 2 of the printed bill, after the word "thereof" insert the following "and on passenger motor cars."

Amendment adopted.

AMENDMENT NO. 2.

On page 2 line 22 of the printed bill, after the word "part train" insert the following "for a distance of more than one half mile."

Amendment adopted.

AMENDMENT NO. 3.

On page 3 line 10 of the printed bill, strike out the word "section" and insert in lieu thereof the word "act."

Amendment adopted.

AMENDMENT NO. 4.

On page 3 line 19 of the printed bill, after the word "engineer," strike out all of the remainder of line 19 and all of lines 20, 21, 22 and to 24 of line in the second word "or."

Amendment adopted.

AMENDMENT NO. 5.

On page 3 line 25 of the printed bill, after the word "locomotive" insert the following "on steam or electric railroad other than street railway."

Amendment adopted.

AMENDMENT NO. 6.

On page 3, line 29 of the printed bill, strike out the word "section" and insert in lieu thereof the word "act."

Amendment adopted.

The President pro tem. ordered Senate Bill No. 847 passed up, to retain its place.

Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1 of the printed bill, add a new section, to read as follows:
"SECTION 1. A new section is hereby added to the Penal Code, to be numbered 396*h*, and to read as follows:"

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out "Section 1." and insert in lieu thereof the following: "269*h*."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 5, of the printed bill, strike out "Sec. 3."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 8, of the printed bill, strike out "Sec. 3."

Amendment adopted.

AMENDMENT No. 5.

On page 1 of the printed bill, after the word "Act" of the title, add the following: "to add a new section to the Penal Code, to be numbered 369*h*, relating to".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 2 of the title of the printed bill, strike out the word "prohibit".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all properties necessary therefor, and also to provide for the distribution and sale of water by said districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, lines 4 and 5, strike out the words "formaldehyde gas under pressure of at least fifty pounds, or".

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out the period in line 6 and add to line 6 the following: "or by some other method which has been approved by the state board of health."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SENATOR THOMPSON IN THE CHAIR.

At one o'clock and twenty-four minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

SECOND READING OF BILLS—(Continued)

Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release by undertaking and appeal, of property under levy.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments in the matter of such adoption.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 853—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170a, relating to actions for unlawful detainer caused by default in payment of rent where the landlord furnishes light, heat and other service or services to the tenant.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered and known as Section 1872, relating to experts, their appointment by the court or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1125—An Act to amend Sections 802 and 803 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1472—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

On motion of Senator Boynton, Senate Bill No. 1567 was passed on file.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

On motion of Senator Boynton, Senate Bill No. 1568 was passed on file.

Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California by providing a limitation within which execution may be issued upon money judgments.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpoena.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, pro-

viding for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 11, of the printed bill, after the word "cities," insert the words "or portions thereof".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 14, of the printed bill, strike out the words "section, community or city."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 14, of the printed bill, strike out the word "equalizing," and insert in lieu thereof the following: "making allowances for differences, if any, in the grade, quality or quantity, and for".

Amendment adopted.

AMENDMENT No. 4.

On page 2, of the printed bill, strike out lines 4 to 12, inclusive, and insert in lieu thereof the following: "This Act is not intended to prohibit the meeting in good faith of a competitive rate, or to prevent a reasonable classification of service by public utilities for the purpose of establishing rates."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 16, of the printed bill, strike out the period and add the following: "in violation of the spirit and intent of this Act."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 26, strike out the word "thereof," and insert in lieu thereof the following: "of this Act".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 29, of the printed bill, after the word "the," insert the words "people of the".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 29, of the printed bill, after the word "state," insert the words "of California".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 33, of the printed bill, add the following: "may enjoin said corporation from doing business in this state for such time as the court shall order, or".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 34, of the printed bill, strike out the word "shall," and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 35, of the printed bill, strike out the word "shall".

Amendment adopted.

AMENDMENT No. 11.

On page 6, line 1, of the printed bill, strike out the word "violating", and insert in lieu thereof the words "in violation of".

Amendment adopted.

AMENDMENT No. 12.

On page 6, line 2, of the printed bill, strike out the word "hereof", and insert in lieu thereof the words "of this Act".

Amendment adopted.

AMENDMENT No. 13.

On page 6, line 7, of the printed bill, strike out the word "violating", and insert in lieu thereof the words "making substance for".

Amendment adopted.

AMENDMENT No. 14.

On page 6, line 8, of the printed bill, strike out the word "hereof", and insert in lieu thereof the words "of this Act".

Amendment adopted.

AMENDMENT No. 15.

On page 6, line 17, of the printed bill, strike out the word "hereof", and insert in lieu thereof the words "of this Act".

Amendment adopted.

AMENDMENT No. 16.

On page 7, line 20, strike out the words "Upon a second or any other subsequent".

Amendment adopted.

AMENDMENT No. 17.

On page 8, strike out lines 30 to 32, inclusive.

Amendment adopted.

AMENDMENT No. 18.

On page 4, line 4, of the printed bill, strike out the words "and penalties provided for the violation of Section 1".

Amendment adopted.

AMENDMENT No. 19.

On page 4, line 5, of the printed bill, strike out line 5, and insert in lieu thereof the following: "herein prescribed are cumulative and in addition to the remedies provided in the Public Utilities Act for the regulation of public utilities. If any conflict shall arise between this Act and the Public Utilities Act, the latter shall prevail."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 363—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

During second reading of the bill, the following amendments were offered by the committee:

On page 1, line 8, of the printed bill, insert after the word "the" the words "owner or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Add a new section to the printed bill, to read as follows:

"SEC. 2. Each member of the legislature may when he introduces a bill in the house of which he is a member, annex thereto a brief statement of its objects not exceeding two hundred words in length. Such statement shall be printed in connection with such bill. The joint committee aforesaid may use such statement in addition to any statement it may prepare in such bulletin."

Amendment adopted.

AMENDMENT No. 2.

In the title of the printed bill, before the word "publication," insert the following: "preparation of a brief statement of each measure introduced in the legislature and for the".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 810—An Act to amend Section 499*a* of the Penal Code of the State of California.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, strike out the comma immediately after the word "wilfully" and insert the following: "and knowingly."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, of the printed bill, immediately after the word "knowingly," at the end of said line, insert the following: "with intent to injure or defraud."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 16, of the printed bill, immediately after the word "wilfully," insert the following: "and knowingly, with intent to injure or defraud."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 2, of the printed bill, strike out the words "who shall" immediately after the word "or".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 4, of the printed bill, insert the words "with like intent" immediately after the word "who," and strike out the words "with like intent" immediately after the word "used."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 5, of the printed bill, strike out the words "who shall" immediately after the word "or".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 6, of the printed bill, strike out the words "who shall" immediately after the word "or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the passing of fire hydrants within the municipal corporations by water companies.

On motion of Senator Carr, Assembly Bill No. 50 was passed to file.

Assembly Bill No. 63—An Act to amend Section 240 of the Civil Code of the State of California, relating to the furnishing of water for family use.

On motion of Senator Carr, Assembly Bill No. 63 was passed to file.

Assembly Bill No. 179—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1

On page 1, line 4, of the printed bill, after the word "are" insert the word "equally".

Amendment adopted.

AMENDMENT NO. 2

On page 1, line 4, of the printed bill, strike out the words "jointly".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 2, line 15, strike out the word "county", and insert in lieu thereof the word "whole".

Amendment adopted.

AMENDMENT NO. 2.

On page 3, line 34, after the period following the word "thereon", add the following: "In case the qualified electors of any county shall so determine to establish and maintain more than one county high school, then such additional schools or schools may be established and maintained in the manner prescribed in this article for establishing and maintaining a county high school."

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 1810a, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgment shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 696—An Act to amend Section 1724 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owners' death in certain cases.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 3 of the printed bill, after the word "responsible", insert the following: "banking firm or association in the city of New York, or some well known and responsible".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 8 of the printed bill, strike out the word "A" immediately preceding the word "banking", and insert in lieu thereof the following: "such banking firm or association, or incorporated".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 11 of the printed bill, after the word "banking", insert the following: "firm, association or incorporated".

Amendment adopted.

AMENDMENT No. 4.

On page 2 of the printed bill, strike out the word "least" at the end of line 8, and all of line 9, and insert in lieu thereof the following: "such time as may be arranged by the state treasurer with such fiscal agency, subject to the approval of the governor, as hereinafter provided,".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 12 of the printed bill, strike out the period immediately after the word "coupons", and insert in lieu thereof a semicolon (;), and add the following: "*provided, however*, that the time when such funds shall be transmitted or remitted to such fiscal agency shall be not less than thirty days before the maturity of any such bonds or coupons."

Amendment adopted.

AMENDMENT No. 6.

On page 2 of the printed bill, strike out all of lines 34 and 35, and insert in lieu thereof the following: "the above Act, _____, in the city of New York, state of New York, has been designated as the fiscal".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 22 of the printed bill, strike out the period after the word "act", and insert in lieu thereof a comma (,), and add the following: "and the time when funds for the redemption of bonds and coupons shall be transmitted or remitted to such fiscal agency."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

CONSIDERATION OF MOTION—(CONTINUED).

Senator Finn moved to take up the consideration of his motion to reconsider the vote whereby Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven *c* (397*c*), relating to the sale or disposal of intoxicating liquors between certain hours—was passed.

Motion carried.

Senator Finn moved that the consideration of the motion to reconsider the vote whereby Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven (397), relating to the sale or disposal of intoxicating liquors between certain hours—was passed be continued until the next legislative day.

Motion carried.

[illegible]

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Senator Hewitt moved to refer Senate Bill No. 919 to Senator Caminetti, as a special committee of one, to amend as follows:

On page 1, of the printed bill, strike out all of lines 11 and 12 and insert in lieu thereof the following: "compensated county secretaries, as shall, on the day of their duties, [illegible] the day of said [illegible] and such clerks shall be entitled to receive for rendering said services [illegible] provided, however, that no session shall be allowed or paid unless the same was held with the board of supervisors prior to the first day of April, 1913."

Motion carried.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 919, with instructions to amend, respectfully reports that same has been amended as per instructions.

[illegible]

Report read and adopted.

Bill ordered to print and re-engrossed.

[illegible]

Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards, and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county foresters; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of said shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

[illegible]

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

By striking out of Section 2, line 32, the word "shall," and inserting in lieu thereof the word "may".

AMENDMENT No. 2.

By striking out the period after the word "consent" in Section 8, line 30, and inserting in lieu thereof the following: "; *provided, however*, that nothing in this Act shall give such county board of forestry any jurisdiction over any fruit or nut trees now growing along said roads, highways, grounds or property, except that such trees may not be removed without the consent of the said board of forestry."

AMENDMENT No. 3.

By striking out the parenthesis marks around the word "may," in line 28, Section 5.

AMENDMENT No. 4.

By striking out the parenthesis marks in Section 8, line 20.

AMENDMENT No. 5.

By striking out the parenthesis marks in Section 8, line 24.

AMENDMENT No. 6.

By striking out the parenthesis marks in Section 8, line 29.

AMENDMENT No. 7.

By striking out the parenthesis marks in Section 9, line 33.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 212, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 326—An Act to repeal Sections 768, 711, 866 and 869 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

On motion of Senator Carr, Assembly Bill No. 326 was passed on file.

Assembly Bill No. 328—An Act to amend Section 1584 of the Political Code, relating to the organization, incorporation, and government of municipal corporations, approved March 13, 1883.

On motion of Senator Carr, Assembly Bill No. 328 was passed on file.

Assembly Bill No. 329—An Act to amend Sections 757 and 857 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

On motion of Senator Carr, Assembly Bill No. 329 was passed on file.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

On motion of Senator Carr, Assembly Bill No. 33 was passed on file.

Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 250 passed by the following vote:

AYES—Senators Anderson, Ayer, Benson, Butler, Campbell, Carr, Cassidy, Caswell, Colby, Cowan, Finn, Flint, Gates, Gerdt, Hewitt, Jones, Lawlor, Mott, Regan, Shanahan, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 487—An Act to amend Sections 1 and 3 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

On motion of Senator Hewitt, Assembly Bill No. 487 was passed on file.

Assembly Joint Resolution No. 20—A resolution relative to a federal income tax.

The acting President ordered Assembly Joint Resolution No. 20 passed on file.

ASSEMBLY JOINT RESOLUTION NO. 20.

Relative to a request for appropriation of the National Government, under such terms and conditions as may be acceptable, for payment for unpaid expenses of guard and duty in guarding within the National Forest and other Federal reservations.

WHEREAS, Owing to the peril of incendiary attempts during the dual control between the state and national governments, the state of California was put to great expense, and has not been greatly aided by the State of California; and

WHEREAS, There are many thousands of claims and bills which are due to settlers generally, by reason of guard duty of state and federal troops; and

WHEREAS, Many thousands of these claimants will succeed if some relief be not granted by the Department of Agriculture adopting proclamations under such terms and conditions as may be deemed proper, as private bill legislation consists of which could serve to relieve within the National Forest and other Federal reservations; now, therefore, be it

Resolved, by the Senate and Assembly, That we request and urge the Senators and Congressmen of the State of California in the most appropriate way to have the Department of Agriculture, or such other department as may have jurisdiction of the administration, under proclamation by the President of such land within the State of California to present the said moneys and bills to the said proper Federal and State officials, under such terms and proclamations as said department may deem proper; and be it further

Resolved, That a copy of this resolution be immediately transmitted to each of our Senators and Representatives in Congress and, likewise, to Hon. D. F. Houston, Secretary of Agriculture.

The question being on the adoption of the resolution,

The roll was called and Assembly Joint Resolution No. 20 adopted by the following vote:

AYES—Senators Anderson, Ayer, Benson, Butler, Campbell, Carr, Cassidy, Caswell, Colby, Cowan, Finn, Flint, Gates, Gerdt, Hewitt, Jones, Lawlor, Mott, Regan, Shanahan, and Thompson—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Senate Bill No. 974—An Act to provide for the bubonic inspection of residents affected with tuberculosis, to create a fund therefor, to prescribe the duties of the State Board of Health, its agents and other public officials with respect thereto, and making an appropriation for the purposes of this Act,

Also: Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties, and making an appropriation therefor.

Also: Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 511—An Act to amend Section 559a of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Also: Senate Bill No. 512—To amend Section 607f of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Also: Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Also: Senate Bill No. 514—An Act to amend Section 559c of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Also: Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Have had the same under consideration and respectfully report the same back, and recommend that they do pass as amended.

JONES, Chairman.

Senate Bills Nos. 974, 980 and 1094 re-referred to Committee on Finance.

Senate Bills Nos. 511, 512, 513, 514 and 756 ordered on file for second reading.

COMMUNICATION FROM RAILROAD COMMISSION.

The following communication was received and read:

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

SAN FRANCISCO, March 31, 1913.

To the Honorable the Senate of the State of California,
Sacramento, California

GENTLEMEN: We desire to acknowledge receipt of communication dated March 26, 1913, from Mr. W. N. Parrish, Secretary of your honorable body, transmitting a copy of resolution adopted on March 25, 1913, referring to this commission for its comments upon Senate Bills Nos. 587, 663, 834, 1103, 1473 and 1709. This communication was received to-day and we hasten to reply thereto.

Our comments on these bills are as follows:

Senate Bill No. 887 (Hans) Municipal Corporations: This bill proposes to add to the Civil Code a new section, to be numbered 550*a*, and providing, in effect, that upon the application in writing of the owners or occupants of three separate buildings or premises contiguous to each other and fronting on the line of any street or proposed street, which premises are distant not more than 300 feet from the main or pipe of any water company, said company must supply water as required and must construct the necessary main or service pipe. No charge is to be made for extending the service pipe to a point just within the curb line of the street. There is a proviso to the effect that where the land to be traversed by the main is private property and no street has been laid out, the corporation may make a charge for the cost of the main pipe used and the installation of the same, and upon the payment of the charge, the pipe shall become the property of the applicants.

With reference to this bill we desire to make the following comments:

1. It will be noted that the duty to make the extension arises only where there are three separate buildings or premises contiguous to each other, and only in case those premises are distant not more than 300 feet from any main or pipe of a water company. By implication, there is no duty to supply water under any other circumstances. A person who owns a single building where there are not two other contiguous buildings, or when his premises are distant more than 300 feet from a water main or pipe, is not brought within the provisions of the bill, and his right to demand water is, by implication, taken away.

2. Under the provisions of the Public Utilities Act, the Railroad Commission now has authority to compel water companies to make extensions wherever it may seem necessary, irrespective of whether the distance is 500 feet, or more or less and irrespective of whether there is one building or ten supplied by any pipeline in existing districts.

If the bill is to stand, we would respectfully suggest that it be amended so as not to take away the jurisdiction the rights of persons who do not fall within the terms of the bill, and also so that the commission's powers with reference to the subject matter of the bill be not abrogated.

Senate Bill No. 995 (Copyright) Municipal Corporations. This bill proposes to amend Section 6[illegible] of the Civil Code, which section was enacted in 1909, and makes it the duty of gas and electrical companies to furnish their service to buildings and premises distant not more than 100 feet from their mains or wires. The amendment proposes to add certain facts and conditions precedent to the compulsion which are not now in the duties imposed by said Section 6[illegible].

With reference to this bill, we desire to submit the following comments:

1. This bill, by implication, takes Away the duty to render service to any buildings or premises which are distant more than 100 feet from the mains or wires.

2. In so far as affects gas, electrical and telephone companies, the subject matter of the bill is at present fully covered by the Public Utilities Act. This commission now has power under that Act to compel public utilities to furnish their service wherever it may be necessary, whether the distance is 100 feet, or more or less. If in any case this power within reasonable limits may not be exercised by this commission, the proper place is in the appropriation proposition.

3. Item 340, being a item appearing in the appropriation bill, would amount to a repeal pro tanto of the powers of this commission. It might well be held that this bill, if enacted, would take away from the commission its various powers to compel extensions on the part of gas, electrical and telephone companies.

Senate Bill No. 864 (Anderson) Irrigation. This is a bill providing for the organization of water companies, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions upon which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission.

This bill was drawn by President Ballagher of this commission and we believe that it would be well to adopt it. If existing districts which have chosen with reference to certain water companies which have secured their rights and acquired in the jurisdiction of the Railroad Commission, and also given to the corporations the valuable right to duty to a water company the right to take an additional consumers if it has reached the limit of its capacity to supply water.

Senate Bill No. 1408 (Anderson) Corporations. This bill has already been referred to this commission by your honorable body and was commented upon in our letter to your Honorable body, dated March 26, 1913. We respectfully refer to our comments in that letter.

Senate Bill No. 1473 (Anderson) Judiciary. This bill has also already been referred to this commission by your honorable body and was commented upon in our letter of March 26, 1913, above mentioned. We respectfully refer to our comments in that letter.

Senate Bill No. 1700 (Gibbs) Judiciary. This bill proposes to add to the Civil Code a new section, to be known as Section 6[illegible] and providing in effect that upon the application in writing of the owner or occupant of any building or premises distant not more than 1000 feet from any wire or system of supply of a telephone company, the company must furnish telephone service without the payment of a deposit.

With reference to this bill we desire to make the following comments:

1. Under the provisions of Section 36 of the Public Utilities Act, this commission now has the power to compel a utility to make such extensions as are just and reasonable. This power is not limited to a distance of 1000 feet, but may be exercised wherever the circumstances demand such action, whether the point of use be located more or less than 1000 feet from the utility's mains or wires.

2. If this bill is passed, the telephone companies may well contend that the act, by implication, relieves them of the necessity of making extensions where the distance is greater than 1000 feet.

3. The passage of this bill will probably amount to a repeal of this commission's power to order telephone companies to make extensions.

We desire again to express our thanks for having afforded an opportunity to comment on bills affecting the powers of this commission. If we can be of any further service we shall be very glad to respond.

Respectfully,

RAILROAD COMMISSION
JOHN M. ESHLEMAN,
H. D. LOVELAND,
ALEX. GORDON,
MAX THELEN,
EDWIN O. EDGERTON,
Commissioners

USE OF SENATE CHAMBER GRANTED.

Senator Gates moved that the use of the Senate Chamber be granted to the Committees on Judiciary for a public hearing at eight o'clock and thirty minutes p.m., on April 2, 1913.

Motion carried.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1487—An Act to authorize board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1487 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Butler, Caminetti, Carr, Cartwright, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Larkins, Owens, Regan, Shanahan, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

In the absence of the author, Senate Bill No. 201 was passed on file.

Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered fourteen hundred ten *a*, relating to the water of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

Read third time.

On motion of Senator Curtin, Senate Bill No. 412 was passed on file.

Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 987 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Cartwright, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1027 passed by the following vote:

AYES—Senators Anderson, Ayer, Birdsall, Boynton, Breed, Burnett, Caminetti, Carr, Cartwright, Chandler, Cogswell, Curtin, Finn, Flint, Gerdes, Gibson, Hewitt, Jones, Juilliard, Larkins, Main, Owens, Rogers, Sanford, Saunders, Scott, Stetson, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1030—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Read third time.

The question being on the passage of the Bill.

The roll was called, and Senate Bill No. 1030 passed by the following vote:

AYES—Senators Anderson, Ayer, Birdsall, Boynton, Breed, Burnett, Butler, Caminetti, Carr, Cartwright, Chandler, Cogswell, Curtin, Finn, Flint, Gerdes, Gibson, Hewitt, Jones, Juilliard, Larkins, Main, Owens, Rogers, Sanford, Saunders, Scott, Stetson, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 521—An Act to amend Section 1370 of the Political Code of the State of California, relating to cities constituting separate districts and to the annexation of additional territory thereto.

Read third time.

On motion of Senator Hewitt, Senate Bill No. 521 was passed on file to retain its place.

Senate Bill No. 525—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles, to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 525 passed by the following vote:

AYES—Senators Anderson, Ayer, Birdsall, Boynton, Breed, Butler, Chandler, Carr, Cartwright, Caminetti, Cogswell, Curtin, Finn, Flint, Gerdes, Gibson, Hewitt, Jones, Juilliard, Larkins, Main, Owens, Rogers, Sanford, Saunders, Scott, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who have served in the army and navy of the United States,' approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 24, 1911, by amending section four thereof.

In the absence of the author, Senate Bill No. 413 was passed on file.

Senate Bill No. 1173—An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

In the absence of the author, Senate Bill No. 1173 was passed on file.

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

In the absence of the author, Senate Bill No. 1172 was passed on file.

Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages.

On motion of Senator Cassidy, Senate Bill No. 534 was passed on file, to retain its place.

Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation of officers of counties of the sixth class and their assistants, deputies and clerks.

On motion of Senator Cohn, Senate Bill No. 15 was passed on file

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

In the absence of the author, Senate Bill No. 1413 was passed on file.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905.

In the absence of the author, Senate Bill No. 1169 was passed on file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At two o'clock and fifteen minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered

40566, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1092 passed by the following vote:

AYES—Senators Anderson, Burnett, Butler, Chapman, Cunningham, Curtis, Cogswell, Finn, Flint, Gates, Gerdes, Hare, Hewitt, Jones, Leviston, Lewis, Owens, Regan, Sanford, Stanford, Tyrrell and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 935—An Act to amend Section 4211 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

On motion of Senator Sanford, Senate Bill No. 935 was passed on file, to retain its place.

Senate Bill No. 489—An Act to amend Section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 489 was passed on file, to retain its place.

Senate Bill No. 1124—An Act to amend Section 4216 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

On motion of Senator Sanford, Senate Bill No. 1124 was passed on file, to retain its place.

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums and institutions, boarding homes and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

On motion of Senator Finn, Senate Bill No. 682 was passed on file, to retain its place.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

On motion of Senator Anderson, Senate Bill No. 834 was passed on file.

SENATOR BUTLER IN THE CHAIR.

At one o'clock and twenty minutes p.m., Senator Butler, of the Thirty-first District, in the chair.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 301—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 301 was ordered to the foot of the file.

Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3*a*.

On motion of Senator Finn, Senate Constitutional Amendment No. 66 was passed on file, to retain its place.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426*a*, relating to the complaint in actions for divorce.

In the absence of the author, Senate Bill No. 1171 was passed on file.

Senate Bill No. 320—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

On motion of Senator Grant, Senate Bill No. 320 was ordered on the file of unfinished business.

Senate Bill No. 1017—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

On motion of Senator Owens, Senate Bill No. 1017 was ordered to the foot of the file.

Senate Bill No. 305—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628*g*, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

In the absence of the author, Senate Bill No. 305 was passed on file.

Senate Bill No. 794—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such

boards of supervisors to macadamize or pave or gutter such highways or boulevards and providing the manner in which the cost and expense thereof shall be paid.

In the absence of the author, Senate Bill No. 794 was passed on file.

Senate Bill No. 684—An Act to amend the Penal Code by adding thereto a new section, to be numbered 273a, relating to the selling, giving away, relinquishing or disposing of children.

On motion of Senator Flint, Senate Bill No. 684 was passed on file.

Senate Bill No. 347—An Act to amend Section 2097 of the Political Code of the State of California, relating to private roads and private ways for canals.

On motion of Senator Anderson, Senate Bill No. 347 was passed on file.

SENATE JOINT RESOLUTION NO. 16

Relative to the Panama Limiter Bill and requesting the Common Council of the city of Philadelphia to patronize the celebration of the Panama-Pacific International Exposition.

WHEREAS, The Panama-Pacific International Exposition will be held in San Francisco during the year 1915, in commemoration of the building of the Panama Canal and the uniting of two great oceans; and

WHEREAS, All the nations of the world will be the guests of the State of California and of those United States most interested; and

WHEREAS, It is admirably fitting and proper that there the most and notable congress of the greatest of this Republic and of the world of its inhabitants; and

WHEREAS, It is further proper to be desired, as a fruit of participation in celebrating the union of the land and the West, of the old and the new; and

WHEREAS, There was signed the memorable bill which amended the tolls of this great nation and the destruction of the Panama Canal, therefore be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California does hereby respectfully urge and request and request the Common Council of the city of Philadelphia, State of Pennsylvania, to grant to the Panama-Pacific International Exposition Commission permission to bring to San Francisco and to exhibit at the said exposition, during the year 1915, the Liberty Bell, and every precaution to insure prompt the safe accompanying guards, protection and prompt return of the same; and be it further

Resolved, That a copy of this resolution be forwarded to the Common Council of the city of Philadelphia, of the State of Pennsylvania.

The question being on the adoption of this resolution,

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Anderson, Burnett, Busch, Finnel, Flint, Gerdes, Gerwick, Hare, Cartwright, Connolly, Cogswell, Cutten, Dunn, Flint, Gates, Gerdes, Hyde, Inman, Juilliard, Larkins, Owens, Rigdon, Sanford, Saylor, Scott, Stetson, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

SENATE JOINT RESOLUTION NO. 24

Relating to the preservation of the natural conditions of Lake Tahoe, and of water flowing in, thereof, across the boundary between the State of California and the State of Nevada.

WHEREAS, Lake Tahoe, on account of its great natural beauty, is regarded as a valuable asset of the State of California by the average tourist, and many of such citizens have acquired vested interests on the shores of said lake; and

WHEREAS, The State desires now to the unique position of the fixed features of said lake, which it wishes to retain and preserve to the end that it may continue for the purpose of generating power and of navigating goods within its borders, and for the domestic uses of its citizens; and

WHEREAS, It has become the declared intention of the Reclamation Service of the United States to convert the lake into a reservoir for the irrigation system in the State of Nevada and to that end, to artificially lower the natural rim of the lake and to widen the outlet channel of the same thereby making it possible to draw from

such lake more water than can be supplied by its average natural rise of two and one half (2½) feet per annum; and

WHEREAS, The plans of the Reclamation Service, if carried into effect, will infringe upon the vested legal rights of the State of California and its citizens, to their irreparable damage; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California does hereby protest against any interference on the part of the Federal Government or its agents with the natural conditions of Lake Tahoe; and be it further

Resolved, That the President of the United States be, and he is hereby, respectfully requested to cause legal proceedings to be instituted in some court of competent jurisdiction in order to determine the respective rights of all persons claiming title to the flood waters of Lake Tahoe, and particularly, to determine the rights of the United States of America, the State of Nevada, the State of California and the Truckee General Electric Company; and be it further

Resolved, That the Attorney General of the State of California be, and he is hereby, respectfully requested to institute and prosecute as speedily as possible any action in the Supreme Court of the United States on behalf of the State of California, and against the State of Nevada and such other claimants to the use of the waters of Lake Tahoe as may be properly joined as parties, in order to determine the respective rights of such parties to the use of such waters; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, to the Secretary of the Interior of the United States, to the United States Reclamation Service, and to each member of the United States Senate and House of Representatives.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 24 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Butler, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Owens, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 23.

Relative to the establishment of a Government-owned line of steamships to operate between Pacific and Atlantic ports.

WHEREAS, The shippers of the Pacific coast were for many years at the mercy of the transcontinental railroads in the matter of rates charged upon shipments to and from the Atlantic seaboard and eastern states; and

WHEREAS, These transcontinental railroads have attempted and now are attempting to secure an absolute monopoly of transportation facilities by destroying independent water competition via the Isthmus of Panama and by controlling existing lines of steamships; and

WHEREAS, This monopoly is now threatening to become absolute through the destruction of the California-Atlantic Steamship Company, which was controlled by Henry Sears Bates and Arthur Sewall Chesebrough, worthy descendants of illustrious California pioneers; and

WHEREAS, The experience of the California-Atlantic Transportation Company has demonstrated the impossibility of a successful fight by individuals for an independent steamship line because of the sinister and powerful influences controlling the transcontinental railroads and steamship lines now operating; and

WHEREAS, It is vital to the commercial life of the Pacific coast and to the nation as a whole that competition be maintained against the transcontinental railroads and their steamship lines and that that competition be strong enough to withstand the ruthless tactics of organized wealth; and

WHEREAS, The construction of the great Panama Canal will be a menace instead of a benefit to the people of the United States if the transcontinental railroads are allowed to maintain a monopoly of water competition; therefore, be it

Resolved, That the Senate and Assembly of the State of California jointly express their approval of a government owned and operated line of steamships to operate between Pacific and Atlantic ports via Panama; and be it further

Resolved, That the Senate and Assembly jointly request our Senators and Representatives in Congress to use every possible and honorable influence toward the establishment of such a line.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 23 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Bunkr, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cole, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Larkins, Metz, Owens, Sanford, Strobridge, Thompson, and Wright—28.
NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

SENATE JOINT RESOLUTION NO. 26.

Relative to making investigations and experiments as to nature and cure of tuberculosis.

WHEREAS, It appears that the loss of life and the suffering occasioned by the ravages of tuberculosis in its various forms in the United States are of such magnitude as to make the discovery of adequate means of eradicating that disease a matter of national concern; and

WHEREAS, The greatest facilities, opportunities and inducements should be afforded capable investigators with a view to discovering some immediate means for its control and cure; therefore, be it

Resolved by the Senate of California and the Assembly jointly, That we respectfully urge on the Congress of the United States the immediate enactment of such laws, and an appropriation from the treasury of the United States of such sums as may seem advisable to Congress, to afford to properly trained experts adequate means and opportunities to make the most exhaustive investigations and experiments as to the nature and cure of tuberculosis and to its prompt cure thereby; and that we further urge upon the Congress of the United States the appropriation of an adequate sum to be given as a reward to the discoverer or discoverers of an effective means of curing tuberculosis, on satisfactory proof of the efficiency of such discovery and on a full and complete revelation of the effective means thus employed so that the fullest publicity may be given thereto for the general benefit of the medical profession; be it further

Resolved, That each Senator and each Representative in Congress from the State of California be and he is hereby requested to use all honorable means to secure the enactment of such legislation; and be it further

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of the Senate to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States, and a copy hereof to each member of Congress from the State of California.

The question being on the adoption of the resolution

The roll was called, and Senate Joint Resolution No. 26 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Bunkr, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cole, Flint, Gates, Gerdes, Hans, Hewitt, Juilliard, Metz, Owens, Sanford, Shanahan, Strobridge, Thompson, and Wright—24.
NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

On motion of Senator Boynton, Senate Joint Resolution No. 25 was passed on file.

Senate Joint Resolution No. 21—Relative to a federal income tax.

JOINT RESOLUTION WITHDRAWN.

Senator Brown asked and was granted unanimous consent to withdraw Senate Joint Resolution No. 21.

Senate Joint Resolution No. 21 withdrawn, and ordered stricken from the file.

THIRD READING OF BILLS—(RESUMED).

Senate Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

On motion of Senator Hewitt, Senate Constitutional Amendment No. 16 was passed on file.

ADJOURNMENT.

At two o'clock and forty-five minutes p.m., on motion of Senator Anderson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 2, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.

Quorum present.

PRAYER.

Prayer by the Rev. Ezra U. Healey.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 1, 1913, the further reading was dispensed with, on motion of Senator Rush.

MOTION.

Senator Birdsall moved that Senate Bills Nos. 254 and 1122 be re-referred to Committee on Mines and Mining.

Motion carried.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c, relating to the duties of county clerk regarding clerk reporter's compensation.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 678 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1046—An Act to amend Sections [illegible] of the Penal Code of the State of California, relating to [illegible]—[illegible] amendments.

Also: Assembly Bill No. 1061—An Act to add to and amend [illegible] of the Code of Civil Procedure, to be numbered [illegible] providing for the disposition of unclaimed funds in the office of [illegible].

Also: Assembly Bill No. 1076—An Act to amend the Act entitled "An Act to establish a state highway system for the purpose of securing and maintaining the same," approved March 31, 1909, and amended March 30, 1911, and March 7, 1913, and February 7, 1907, and April 10, 1909, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 thereof, relating to the appointment, powers and duties of highway officers and employees and of commissioners, powers and duties of boards of supervisors, officers and employees and of commissioners, powers and duties of [illegible] from the state school [illegible].

Also: Assembly Bill No. 1077—An Act to amend Section 402 of the Act entitled "An Act to provide for the maintenance, construction and government of [illegible] corporations," approved March 14, 1905.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Assembly Bill No. 1025 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1041 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1046 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1057 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1058—An Act to amend Section 1974 of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Also: Assembly Bill No. 1077—An Act to amend Section 2 of an Act entitled "An Act for the government of the police force of the cities of the State of California, and empowering the State Board and Boards of police commissioners and providing penalties for the violation thereof," approved March 10, 1907.

Also: Assembly Bill No. 1087—An Act to amend the report of board [illegible] to health for domestic purposes and to provide for the installation of sanitary water systems.

Also: Assembly Bill No. 42—An Act [illegible] the boundaries and [illegible] town of Rosamond, Division No. 7, [illegible] Reclamation District No. 108, in the counties of Kern and Tulare, [illegible] and confirming the organization of said consolidated district, providing for the management and control thereof by the provisions of the Political Code as contained [illegible] to other acts of said State relative to reclamation districts and amending all Acts and parts of Acts inconsistent [illegible] therewith.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Assembly Bill No. 253 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 237 and 236 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 42 read first time.

BILLS REFERRED FOR ENGROSSMENT.

On motion of Senator Sanford, Assembly Bill No. 42 and Senate Bill No. 445, being identical bills, were ordered referred to Committee on Engrossment and Enrollment for comparison.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That Gertrude Simmonds-Rigdon be and she is hereby dropped from the list of attachés of the Senate.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Butler, Caminetti, Carr, Cassidy, Cogswell, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 838—An Act to amend Section 978*a* of the Code of Civil Procedure of the State of California, relating to notice of filing undertaking on appeal.

Also: Senate Bill No. 745—An Act to amend Section 3 of an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California," approved February 3, 1911.

Also: Senate Bill No. 933—An Act to amend Section 1698 of the Political Code of the State of California, relating to the duties of teachers.

Also: Senate Bill No. 786—An Act to regulate the selling, offering or exposing of seed for sale, and providing penalties for violation thereof.

Also: Committee Substitute for Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Also: Senate Bill No. 694—An Act to amend Section 1597 of the Political Code, relating to the time that polls shall be open at elections in school districts.

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 4½ of Article VI thereof, relating to appeals.

Also: Senate Bill No. 1540—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Also: Senate Joint Resolution No. 26—Relative to making investigations and experiments as to nature and cure of tuberculosis.

Also: Senate Joint Resolution No. 23—Relative to the establishment of a government-owned line of steamships to operate between Pacific and Atlantic ports.

Also: Senate Joint Resolution No. 24—Relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

Also: Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpœna.

Also: Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California by providing a limitation within which execution may be issued upon money judgments.

Also: Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Also: Senate Bill No. 1125—An Act to amend Sections 202 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Also: Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Also: Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure to be numbered 1170*a*, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Also: Senate Bill No. 430—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and destitute children, and the making of acknowledgments to the consent to such adoption.

Also: Senate Bill No. 384—An Act to amend Section 946 of the Code of Civil Procedure, relating to the reference to undertaking and appeal of community estates in [illegible].

Also: Senate Bill No. 1055—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of justices thereof of this State, and the appointment of other judicial officers.

Also: Senate Bill No. 1719—An Act to amend Section 16 of an Act entitled "An Act providing for the laying out, constructing, maintaining, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the approaches of such highways within their corporate limits and to issue and sell bonds therefor," approved March 10, 1907, and approved March 6, 1909.

Also: Senate Bill No. 951—An Act to define and designate state highways and state roads and to designate names for certain state roads.

Also: Senate Bill No. 50—An Act to declare the Sumner and Moore road in Tuolumne County a state highway.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 169—An Act to amend Section 541 of the Code of Civil Procedure, relative to the disposition of lodgings in primary cases, and reports that the same has been correctly enrolled, and presented the same to the Governor on this date, the 2nd of April, 1913, at [illegible] o'clock p.m.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 12—Relative to making funds for the repair of flood sufferers in the East—and report that the same has been correctly enrolled, and presented the same to the Governor on the second day of April, 1913, at nine o'clock and fifty minutes a.m.

GRANT, Chairman.

REQUEST FOR INTRODUCTION OF BILL

The following request for permission to introduce a bill was presented:

By Senator Strobridge: To introduce a Senate bill—An Act to authorize the superintendents of the Whittier State School and the Preston School of Industry to relinquish inmates from the control of either of said schools and to receive such inmates into the other of said schools and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred.

Request referred to Committee on Introduction of Bills.

PETITION

Senator Cohn presented the following:

WHEREAS, The control and eradication of animal tuberculosis in the State of California is one of the most important problems before the present Legislature, as it involves not only the interest of those engaged in the production of dairy and meat products, but also vitally affects the [illegible] of dairy and meat products; and

WHEREAS, There is a multiplicity of bills before the present Legislature each presenting a multiplicity of plans, none of which seem to have any promise of solving this great problem; and

WHEREAS, Too many experiments have been tried in the past without any results other than to entail enormous losses on the agriculturists, in the way subsidizing the existing cattle trusts, and demonstrating that there is absolute need of some easy and practical method based upon principles that will provide a maximum of protection to the public health with the minimum of financial loss to the owners of the stock; and

WHEREAS, In order to arrive at some practical plan that will hold out reasonable hope of success, representatives of the various live stock interests assembled together

with representative sanitarians, would be selected to act as a commission to whom all proposed legislation should be referred and whose further duty it would be to canvass the entire subject of animal communicable diseases as a result of this legislation; to submit to the Governor prior to the meeting of the Legislature in 1915 a full report of its findings together with recommendations as to such steps necessary to control the tuberculosis situation; therefore, be it

Resolved, That the California State Veterinary Medical Association, in regular session assembled, recommends to the Governor and Legislature that an Act be created empowering the Governor to appoint a commission whose duty it shall be to devise future and practical steps for the control and eradication of tuberculosis among domestic animals, said plans to be submitted to the State Legislature when it meets in 1915 for legislative consideration following the Governor's approval of the same, such commission to consist of seven members, as follows:

Two veterinarians who are and have for the past five years been actively engaged in sanitary work;

One dairyman who is and has for the past five years been actively engaged in the production of milk and milk products;

One stockman who is and has for the past five years been actively engaged in the breeding of stock for meat purposes;

One physician who is and has for the past five years been actively engaged in sanitary work;

One big farmer who is and has for the past five years been actively engaged in the breeding and raising of hogs; and

One person to be who connected with the above mentioned industries or professions, who shall represent the consuming public.

(Signed) J. J. HOGARTY, D. V. S., President.

(Signed) JOHN F. MCKENNA, D. V. S., Secretary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Beban to introduce a bill entitled an Act to amend Section 732 of the Penal Code, relating to the fees to be received by the clerks of the Supreme Court

Also, the request of Senator Stanford to introduce a Senate joint resolution, relative to memorializing on the public domain survey lands immediately surrounding the geyser craters in Big Valley in Lassen and Modoc counties, and in Round and Pitt River valleys in Modoc County, California.

Also, the request of Senator Stetson to introduce a bill entitled an Act to authorize the superintendents of the Williams State School and the Preston School of Industry to transport inmates from the counties of said schools and to pay the necessary traveling expenses of said inmates and to provide for the expense of transporting said inmates and for the maintenance of the inmates so transferred.

Have had the same under consideration, and respectfully recommend that the several requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Ayer, Beban, Boynton, Bunkell, Burke, Caldecott, Carr, Cassidy, Chapman, Cogswell, Curtin, Finn, Flint, Gerdes, Gerrigan, Gillis, Hayes, Hewitt, Jones, Leonard, Lewis, Lukens, Main, Roseberry, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

LEAVES OF ABSENCE.

Senator Curtin was on motion of Senator Wright, granted leave of absence for this day.

Senator Belshaw was, on motion of Senator Cassidy, granted leave of absence for this day.

Senator Lyon was, on motion of Senator Brown, granted leave of absence for this day.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced:

By Senator Benson, Senate Bill No. 1742—An Act to amend Section 732 of the Political Code, relating to the fees to be collected by the Clerk of the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shanahan: Senate Joint Resolution No. 29—Relative to restoring to the public domain certain lands heretofore reserved for reservoir purposes in Big Valley in Lassen and Modoc counties, and in Round and Pitt River valleys in Modoc county, California.

Resolution referred to Committee on Federal Relations.

By Senator Strobridge: Senate Bill No. 1743—An Act to authorize the superintendents of the Whittier State School and the Preston School of Industry to relinquish inmates from the control of either of said schools and to receive such inmates into the other of said schools and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred.

Bill read first time.

RULES SUSPENDED

Senator Thompson asked and was granted unanimous consent that the rules be suspended, and that Senate Bill No. 1738 be taken up for immediate consideration, without going to print, and without reference to a committee.

RESOLUTIONS

The following resolution was offered:

By Senator Strobridge:

Resolved, That Senate Bill No. 1738 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of such section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times and placed upon its passage.

The question being on the adoption of the resolution,

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ayer, Bardwell, Benson, Brown, Burns, Campbell, Carr, Cassidy, Cogswell, Colton, Dyer, Gaffey, Gaylord, Gibson, Hans Hansen, Jones, Jutfiard, Larkins, Metz, Regan, Samuels, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Senate Bill No. 1738—An Act to authorize the superintendents of the Whittier State School and the Preston School of Industry to relinquish inmates from the control of either of said schools and to receive such inmates into the other of said schools and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred.

Bill read second time.

Read third time.

Section 2, setting forth the urgency feature of the bill, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the section passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—29.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1733 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Caminetti, Campbell, Carr, Cassidy, Cogswell, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 504—An Act to amend Section 740 of the Political Code of the State of California, relating to meetings of high school boards.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 504 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Regan, Rush, Sanford, Shanahan, Thompson, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 297—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

On motion of Senator Breed, Senate Bill No. 297 was passed on file, to retain its place.

Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

On motion of Senator Wright, Senate Bill No. 474 was passed on file.

Senate Bill No. 880—An Act to repeal Section 1935 of the Political Code of the State of California and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932¼, 1933, 1934, 1934¼, 1957, 1963, 2076, 2077, 2079, 2080, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928*a*, 1928*b*, 1928*c* and 1928*d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

On motion of Senator Juilliard, Senate Bill No. 880 was passed on file, to retain its place.

Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages.

On motion of Senator Cassidy, Senate Bill No. 534 was ordered to the file of unfinished business.

Senate Bill No. 1546—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered sixty-three c, relating to the sale, giving away or serving of intoxicants on a legal holiday and prescribing a penalty therefor.

On motion of Senator Butler, Senate Bill No. 1546 was ordered passed on file.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office.

In the absence of the author, Senate Constitutional Amendment No. 9 was passed on file.

Senate Bill No. 979—An Act to amend an Act entitled "An Act to prevent the propagation by the production of seed of that certain plant known as *Sorghum halepense*, otherwise known as Johnson grass," approved March 20, 1901, amended, approved March 22, 1907, relating to the propagation of noxious weeds.

In the absence of the author, Senate Bill No. 979 was passed on file.

Senate Bill No. 670—An Act to amend Section 14 of an Act entitled "An Act to regulate the manufacture, sale, adulteration, and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 670 passed by the following vote:

AYES—Senators Anderson, Ayer, Birdsall, Bonnheim, Boyd, Brown, Burnett, Campbell, Carr, Chandler, Caldwell, Cogswell, Cohn, Finn, Flint, Gerdes, Gesford, Gregory, Hewitt, Jones, Juilliard, Kehoe, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 629g, relating to sea otter.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 281 passed by the following vote:

AYES—Senators Anderson, Ayer, Birdsall, Bonnheim, Boyd, Brown, Burnett, Campbell, Carr, Chandler, Cohn, Flint, Gerdes, Gesford, Gregory, Hewitt, Jones, Kehoe, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1201—An Act to add a new section to the Penal Code to be known as section twelve hundred two a, relating to "indeterminate sentences."

On motion of Senator Finn, Senate Bill No. 1201 was re-referred to Committee on Judiciary and ordered on the file of unfinished business.

Senate Bill No. 1202—An Act to repeal section six hundred seventy-nine

of the Penal Code of the State of California, entitled "Second term of imprisonment, when to commence."

On motion of Senator Finn, Senate Bill No. 1202 was re-referred to Committee on Judiciary and ordered on the file of unfinished business.

Senate Bill No. 1284—An Act entitled an Act to repeal an Act entitled "An Act to regulate and governing the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

On motion of Senator Finn, Senate Bill No. 1284 was re-referred to Committee on Judiciary and ordered on the file of unfinished business.

Senate Bill No. 1240—An Act to amend sections ten *c*, and ten *n*, of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer Senate Bill No. 1240 to Senator Anderson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

In line 1 of the title, after the words "ten *c*", insert the words "ten *g*".

AMENDMENT No. 2.

On page 2, of the bill, after line 18, add a new section, as follows:

"SEC. 3. Section 10*g* of said Act is hereby amended to read as follows:

Section 10*g*. In counties of the seventh class there shall be one probation officer and two assistant probation officers. The salaries of the officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; and one assistant probation officer at one hundred dollars per month."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1240, with instructions to amend, respectfully reports the same back, amended as per instructions.

ANDERSON, Committee.

Report read and adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Anderson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Amend the title in line 2 by striking out the word "and" and substituting a comma, and inserting after the words "ten *n*" the following: "ten *r*."

AMENDMENT No. 2.

Amend the title to line 2 after the word "of", by inserting the following: "and to add two new sections, to be numbered [illegible] and [illegible]"

AMENDMENT No. 3.

Add a new section to the bill to be numbered Section 4, and to read as follows:

Sec. 4. Section [illegible] of said Act is hereby amended to read as follows:

Section [illegible]. In addition to the [illegible] there shall be one [illegible] officer. The salary of said [illegible] officer shall be [illegible] dollars per month.

AMENDMENT No. 4.

Add a new section to said bill, to be numbered Section 5, and to read as follows:

Sec. 5. That said sections [illegible] hereby added to said Act, to be numbered [illegible] and [illegible], and to read as follows:

Section [illegible]. In each of the counties of the third [illegible] there shall be one [illegible] officer. The salary of said [illegible] officer shall be [illegible] per month.

Section [illegible]. In each of the counties of the [illegible] there shall be one [illegible] officer. The salary of said [illegible] officer shall be [illegible] per month.

Motion carried.

REPORT OF ENGROSSING COMMITTEE ON [illegible].

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your [illegible] committee [illegible] Senate Bill No. [illegible] with instructions to amend, respectfully reports the same back amended as per instructions.

ANDERSON, *Chairman*.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—[illegible].

Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 402f, providing that certain buildings shall be provided with fire escapes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1397 passed by the following vote:

AYES—Senators Anderson, Ayer, Birdsall, Boynton, Bond, Bonnet, Bonzer, Butler, Chamberlain, Campbell, Carey, Cassidy, Flint, Flint, Gates, Gerdt, Hewitt, Jones, Juilliard, Kehoe, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 541 passed by the following vote:

AYES—Senators Anderson, Ayer, Birdsall, Boynton, Butler, Chamberlain, Campbell, Cassidy, Cohn, Flint, Flint, Gates, Gerdt, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 338—An Act to amend Section 1272 of the Penal Code of the State of California.

On motion of Senator Juilliard, Senate Bill No. 338 was passed on file, to retain its place.

Senate Bill No. 12—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 410*a*, and relating to the forfeiture of the right to do business by any corporation which shall remove or make application to remove actions brought against it, from the state courts to the courts of the United States.

On motion of Senator Campbell, Senate Bill No. 12 was passed on file.

Senate Bill No. 992—An Act to amend Section 320 of the Penal Code of California, relating to lotteries.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 992 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered three hundred and twenty-seven, relating to lotteries and providing a penalty for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 993 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Mott, Rush, Sanford, Shanahan, and Thompson—22.

NOES—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 261—An Act to amend section eighteen hundred and sixty-one of the Civil Code, relating to the lien of hotel keepers on property of guests for charges.

On motion of Senator Hewitt, Senate Bill No. 261 was passed on file.

Senate Bill No. 140—An Act to provide for a day of rest from labor.

On motion of Senator Regan, Senate Bill No. 140 was passed on file.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

On motion of Senator Anderson, Senate Bill No. 824 was ordered to the unfinished business file.

Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

In the absence of the author, Senate Bill No. 873 was passed on file.

Senate Bill No. 691—An Act to amend Section 1749 of the Political Code, relating to the issuance of bonds of high school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 691 passed by the following vote:

AYES—Senators Anderson, Ams, Birdsall, Boyd, Bryant, Burnett, Chandler, Carr, Church, Cogswell, Cox, Ellis, Estola, Gaffey, Grant, Hewitt, Holohan, Inman, Mott, Rogers, Rush, Saxton, Shearer, Stockwell and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE CHAMBER.

On request of Senator Cluff, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the following Christian Brothers College—Brother Euphronius, Albert Tunstead, L. Farrell, Manogue Memorial, Hugh Mullins, Frank Dillon, Richard Coyle, Raymond Harris, Cyril A. Coyle, Charles A. Tunstead, Lloyd Blackwell, Dave J. Angustus, Edward J. Gallagher, Frank T. Antil, J. Giles Miller, Howard J. Smith, James O'Donnell, Frank T. Flanagan, Edward F. Gillespie, Gerald M. Desmond, Ralph C. Brennan, George Carlson, Ernest A. Williams, Charles A. Kirkland, Clifford Hansen.

On request of Senator Jackson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Dr. J. H. Jess, of Santa Rosa.

THIRD READING OF BILLS.

Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By adding to the proposed bill, as amended in Senate March 27, 1913, a new section to be known as Section 3, as follows:

"SEC. 3. This Act shall not operate to legalize any bonds which have been sold for less than par, nor to legalize any bonds the issuance of which was not approved the assent of two-thirds of the qualified electors of such district, voting at an election held for the purpose of determining whether such indebtedness should be incurred, nor to legalize any bonds which mature at a date later than forty years from the time of their issuance."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 693, with instructions to amend, respectfully reports the same back amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1262—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to make additions thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1262 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Mott, Rush, Sanford, Shanahan, Strobridge, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 517—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 517 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Mott, Rush, Sanford, Shanahan, Strobridge, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 631—An Act to amend Section 817 of the Penal Code, relating to peace officers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 631 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Brown, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Sanford, Shanahan, Strobridge, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

On motion of Senator Cohn, Senate Bill No. 1411 was passed on file.

Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

On motion of Senator Caminetti, Senate Bill No. 54 was passed on file, to retain its place.

Senate Bill No. 26—An Act making an appropriation to pay the town of Suisun City for rights of way heretofore conveyed directly

to the United States of America for a cut-off in reclamation and improvement of the channel and navigation of Suisun Slough.

On motion of Senator Rush, Senate Bill No. 29 was ordered to the file of unfinished business.

Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Read third time.

On motion of Senator Thompson, Senate Bill No. 577 was passed on file, to retain its place.

SENATOR STRADLEY IN THE CHAIR.

At ten o'clock and thirty-five minutes p.m., Senator Stradley, of the Thirteenth District, in the Chair.

THIRD READING OF BILLS [CONTINUED].

Senate Bill No. 947—An Act to amend Section [illegible] of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

On motion of Senator Breed, Senate Bill No. 947 was passed on file to retain its place.

Senate Bill No. 201—An Act to amend Section 721 of the Political Code, relating to notaries public.

In the absence of the author, Senate Bill No. 201 was passed on file.

Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered fourteen hundred ten a, relating to the waste of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

In the absence of the author, Senate Bill No. 412 was passed on file.

Senate Bill No. 521—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate school districts and to the annexation of additional territory thereto.

Read third time on previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 521 passed by the following vote:

AYES—Senators Anderson, Avey, Boyd, Breed, Burnett, Caminetti, Campbell, Carr, Cassidy, Chipman, Crow, Flint, Gates, Gerdes, Gesmer, Hewitt, Jones, Juilliard, Kelly, Larkins, Main, Rush, Sanford, Stradley, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient assets to defray burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States,' approved March 23,

1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army and navy of the United States." approved March 24, 1911, by amending section four thereof.

In the absence of the author, Senate Bill No. 413 was passed on file.

Senate Bill No. 1036—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending sections one, two, three, five, six, seven, eight and ten thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1036 passed by the following vote:

AYES—Senators Anderson, Avey, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF RECONSIDERATION.

Senator Cohn gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1036 was passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1173—An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

In the absence of the author, Senate Bill No. 1173 was passed on file.

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

In the absence of the author, Senate Bill No. 1172 was passed on file.

Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 15 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Breed, Brown, Butler, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or

employment, prohibiting the dividing of fees, providing for the withholding of fees and expenses in the event of failure to procure employment and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

In the absence of the author, Senate Bill No. 1433 was passed on the file.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

On motion of Senator Gerdes, Senate Bill No. 1169 was ordered to the file of unfinished business.

Senate Bill No. 985—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

In the absence of the author, Senate Bill No. 985 was passed on the file.

Senate Bill No. 975—An Act to amend Section 4229 of the Political Code, relating to the compensation of officers of counties of the twenty-sixth class.

On motion of Senator Sanford, Senate Bill No. 975 was passed on the file to retain its place.

Senate Bill No. 489—An Act to amend Section 4474 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 489 was passed on file, to retain its place.

Senate Bill No. 1134—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

On motion of Senator Sanford, Senate Bill No. 1134 was passed on file, to retain its place.

Senate Bill No. 894—An Act to add two new sections to the Political Code of the State of California, to be numbered Section 2697 and Section 2698, relating to the abandonment of highways.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 894 passed by the following vote:

AYES—Senators Anderson, Ayer, Beasley, Bencimore, Boxell, Brown, Butler, Campbell, Carr, Cartwright, Cassidy, Chandler, Colton, Finn, Flint, Gerdes, Gould, Hewitt, Jones, Juilliard, Kehoe, Lackenbach, Leavitt, Lewis, Lukens, Miller, Rigdon, Rush, Sanford, Shoemaker, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 682—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

On motion of Senator Finn, Senate Bill No. 682 was ordered to the file of unfinished business.

Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

On motion of Senator Anderson, Senate Bill No. 834 was ordered to the file of unfinished business.

SENATE CONSTITUTIONAL AMENDMENT NO. 66.

To propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a.

The Legislature of the State of California, at the fortieth session of the Legislature, commencing on the sixth day of January, 1913, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that Article XI of the Constitution of the State of California be amended by the addition of a new section, to be known as Section 3a, said new section to read as follows, namely:

Section 3a. The city and county of San Francisco and the county of San Mateo may be consolidated into one city and county, under the name of the city and county of San Francisco, or portions of said county of San Mateo contiguous to the city and county of San Francisco, as it now exists, or hereafter existing, may be merged with and consolidated and made a part of the city and county of San Francisco; *providing*, a majority of the qualified voters of each of said counties and of every incorporated city or town whose territory is so to be annexed, shall approve such annexation or consolidation, at a general election or a special election called for said purpose by the boards of supervisors of said county of San Mateo and said city and county of San Francisco, at which election there shall have been submitted by said boards of supervisors to the voters of their respective counties the proposition of such consolidation or the annexation to the city and county of San Francisco of such territory; and said boards of supervisors shall call such election and submit such proposition whenever petitioned therefor in the manner and by the number of qualified electors as provided by general laws for the proposal of legislation by initiative. The said boards of supervisors shall canvass the returns of such election for their respective counties and shall certify the results thereof to the Secretary of State, who shall immediately certify the results thereof, as provided for by the general laws for state elections, and in the event such proposition has received a majority vote, as hereinbefore specified, such territory shall be so annexed to said city and county of San Francisco or said city and county of San Francisco and said county of San Mateo shall be so consolidated. In the event more than one half of the territory of San Mateo county is so annexed to the city and county of San Francisco, said city and county of San Francisco, as so changed, may, at any subsequent general election, or at elections called for said purpose, adopt freeholders' charter for such city and county, and such charter may provide for a borough system of government. In the event of the consolidation of said city and county of San Francisco or of the annexation of more than one half of the territory of San Mateo County to said city and county of San Francisco, the county government of said county of San Mateo shall not be changed, and the charter of said city and county of San Francisco shall not apply to said annexed territory until the adoption of a freeholders' charter for such new consolidated city and county of San Francisco. In the event of the consolidation of said city and county of San Francisco and said county of San Mateo, the counties as they now exist shall be liable respectively for all their existing debts and liabilities. And in the event of the annexation to the city and county of San Francisco of a portion of said county of San Mateo, said portion so annexed shall be liable for a just proportion of the existing debts and liabilities of said county of San Mateo and shall be entitled to a just proportion of the property and assets thereof, the same to be subsequently determined as may be provided for by general laws, and such portion shall not be liable for any existing debts or liabilities of the city and county of San Francisco as the same now exists. As to said city and county of San Francisco and said county of San Mateo, the provisions of this section shall supersede

all provisions of this article or of any other article of this Constitution, in conflict herewith or different herefrom. The Legislature shall pass all laws necessary to carry these provisions into effect.

The question being on the adoption of the amendment

The roll was called and Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Beverton, Boyd, Brown, Burnett, Butler, Caminetti, Campbell, Carr, Cartwright, Connell, Cornwall, Cutler, Flint, Fink, Gates, Gerdes, Grant, Hans, Heacock, Jones, Leonard, Lewis, Lipman, Main, Rogers, Rush, Sanford, Stanehan, Strobridge, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Constitutional amendment ordered engrossed and transmitted to the Assembly.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

On motion of Senator Gerdes, Senate Bill No. 1171 was ordered to the file of unfinished business.

Senate Bill No. 395—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 428g, relating to shipping or transporting alabama out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any alabama beyond the confines of the State.

On motion of Senator Campbell, Senate Bill No. 395 was ordered to the file of unfinished business.

Senate Bill No. 794—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or unincorporated corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highways or boulevard and providing the manner in which the cost and expense thereof shall be paid.

In the absence of the author, Senate Bill No. 794 was passed on file.

Senate Bill No. 684—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

On motion of Senator Finn, Senate Bill No. 684 was ordered to the file of unfinished business.

Senate Bill No. 547—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

On motion of Senator Anderson, Senate Bill No. 547 was ordered on the file of unfinished business.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p m., on motion of Senator Thompson, the hour of recess was extended thirty minutes.

THIRD READING OF BILLS—(RESUMED).

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

On motion of Senator Boynton, Senate Joint Resolution No. 25 was passed on file.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Senator Strobridge, of the Thirteenth District, in the chair.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

In the absence of the author, Senate Bill No. 1567 was passed on file.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

In the absence of the author, Senate Bill No. 1568 was passed on file.

Senate Bill No. 867—An Act declaring that the tide lands and submerged lands within the boundaries of the city of Los Angeles are required for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for quieting the title to and for the recovery of the possession of said lands.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 1 of the title of the printed bill, strike out the word "the" immediately preceding the word "tide", and insert in lieu thereof the word "all".

Amendment adopted.

AMENDMENT No. 2.

In line 3 of the title of the printed bill, immediately after the word "required", insert a comma (,) and the following: "and require such lands".

Amendment adopted.

AMENDMENT No. 3.

In line 8 of the title of the printed bill, immediately before the word "quieting", insert the following: "the purpose of".

Amendment adopted.

AMENDMENT NO. 4

On page 4, line 8, of the printed bill, strike out the period (.) following the word "leasing", and insert in lieu thereof a comma (,) and add the following: "and for purposes in aid thereof."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 203—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands situate within the limits thereof have been granted by the State of California to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1085—An Act to add a new section to the Political Code of the State of California, to be numbered 1096c, relating to elections and the registration of voters.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 424—An Act to amend Section 1057 of the Political Code of the State of California relating to the qualifications of a voter.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 10, of the printed bill, strike out the word "married", and insert in lieu thereof "has married."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1299—An Act relating to real estate brokers, agents, salesmen and dealers in the State of California.

During second reading of the bill, the following committee substitute was offered by the committee:

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1299

An Act relating to real estate brokers in the State of California, creating a board to be known as the state advertising board, providing for the appointment of its members, prescribing their powers and duties, fixing their term of office, creating a state advertising fund, and providing for its collection and expenditure.

The people of the State of California do enact as follows:

SECTION 1. Any person who shall sell, buy, sell or exchange any real property, or who shall solicit others to buy, sell, lease or exchange any real property, or who shall take, in the capacity of an agent, any application or contract to buy, sell, lease or exchange any real property, or who shall aid or offer to aid or assist in the buying, selling, leasing or exchanging of any real property, or who shall do or perform or advertise or otherwise hold out that he will do or perform any of the foregoing acts for a commission or other compensation, is hereby defined to be a real estate broker within the meaning of this Act.

SEC. 2. No person shall act within the State of California as a real estate broker without first securing from the secretary of state of the State of California a certificate of registration therefor, such certificate to be substantially in the following form:

To all whom it may concern:

This is to certify that _____ of _____, county, with offices at _____ (give street and number, if any), city or town of _____, State of California, is hereby authorized to act as a real estate broker within this

state for the year ending June 30th, _____, unless this certificate is revoked according to law.

In witness whereof, I have hereunto signed my name and impressed my official seal, at Sacramento, California, this _____ day of _____, 19____.

_____

Secretary of State.

SEC. 3. The provisions of this Act shall not apply (*a*) to employees regularly employed in any registered real estate broker's office, other than solicitors or salesmen, nor (*b*) to any person while buying, selling, leasing or exchanging his own property, nor (*c*) to attorneys at law for legal services rendered in any real estate transaction, nor (*d*) to any escrow holder for the discharge of his duties as such escrow holder, nor (*e*) to executors, administrators, commissioners or other officers appointed by a court of competent jurisdiction, when acting in their capacity as such officers, nor (*f*) to trustees when acting in the discharge of their trust, nor (*g*) to any person holding a duly executed and recorded power of attorney from the owner, in cases where no provision is made for the payment of a commission or compensation to the holder thereof in the event of sale.

SEC. 4. Upon receipt of a written application therefor, giving the location of the office of the applicant, with street and number, if any, together with the sum of $10.00, the secretary of state shall issue a certificate of registration, which certificate of registration shall constitute the authority to act as such real estate broker for the term stated in said certificate of registration. Such certificate shall entitle the holder thereof to act as a real estate broker in any part of the State of California from the office or offices designated in such certificate, and every person to whom such certificate is issued to act as a real estate broker must display in a conspicuous place at his office or offices a sign bearing the words "registered real estate broker," which words shall be written or printed with legible letters not less than four inches in length and not less than one inch in width. No certificate shall be transferable from the holder thereof to any other person, and in the event any registered real estate broker shall desire to change the location of his office he shall first make application in writing to the secretary of state for a certificate of change of location, and shall remit to the secretary of state a fee of $1.00 at the time of making such application. Upon the receipt of such application and fee the secretary of state shall issue a certificate of change of location, designating the new location of such offices. Said certificate shall be in such form as may be prescribed by the secretary of state. Such certificate of registration, unless sooner revoked in the manner hereinafter provided, shall continue in force from the date of its issuance until and including the 30th day of June following, and must be renewed annually on July first for the ensuing fiscal year, subject to the provisions of this Act, upon the payment of a fee of $5.00 to the secretary of state of the State of California. Out of each dollar collected under the provisions of this Act, the secretary of state shall pay ten cents (10c) thereof into the general fund of the state and ninety cents (90c) thereof into the state advertising fund, which fund is hereby created.

SEC. 5. From and after the first day of October, 1913, it shall be unlawful for any registered real estate broker to pay, directly or indirectly, any commission, brokerage or other valuable consideration, on account of any real estate transaction covering any real property in the State of California, to any person in said state not duly registered as a real estate broker under the provisions of this Act.

SEC. 6. From and after the first day of October, 1913, whenever any registered real estate broker shall have been found by a final judgment of a court of competent jurisdiction in any civil or criminal action to have been guilty of or to have committed a fraud growing out of or connected with any real estate transaction, or when any such person shall have been convicted of any felony, or whenever any such person shall have been found guilty by final judgment of violating any provision of this Act, then upon the filing of a certified copy of such judgment with the secretary of state, the certificate of registration shall thereupon *ipso facto* be revoked and such revocation shall be noted upon the proper record in the office of the secretary of state, and thereafter such person shall not be entitled to a renewal of such certificate nor to a new certificate for a period of one year.

SEC. 7. Any person who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five ($25.00) dollars nor more than five hundred ($500) dollars, or by imprisonment in the county jail for not less than one (1) day nor more than thirty (30) days, or by both such fine and imprisonment.

SEC. 8. A board to be known as the state advertising board is hereby created, to consist of five members, to be appointed by the governor, who shall serve without compensation other than traveling and other necessary expenses, not more than three of whom shall be of the same political party, and all of whom must be bona fide real estate brokers, who have conducted a real estate business for at least three years prior to appointment.

SEC. 9. The governor must appoint the first five members of said board within thirty days after this Act goes into effect.

SEC. 10. Within ten days after their appointment by the governor, the first five members of the board must organize by electing one of their members as chair-

man and one of their members as vice-chairman, and the said board must at its first meeting in the month of January, of each succeeding year, elect a chairman and a vice-chairman. The chairman and vice-chairman shall hold office for the term of one year or until their successors are elected. A majority of board shall constitute a quorum and the chairman shall be immediately titled by the board.

Sec. 11. The board may hold meetings at such times and places as may be fixed by resolution of the board. Upon members shall receive a per diem for any purpose provided, however, that said consideration shall not exceed the sum of ten dollars at the seat of government of the state.

Sec. 12. The term of office of each member of the state advertising board shall be for six years from the date of his appointment, subject to removal at the will of the governor of the state. All vacancies on said board from whatever cause shall be filled by the governor.

Sec. 13. The board shall have power and it shall be the duty to advertise all of the resources of each portion of the State of Oklahoma, in other states and territories of the United States and foreign countries by such methods and mediums and in such manner as it may deem best suited to advertise the resources of the state of Oklahoma; to keep a record of all its acts and proceedings; to render an annual report of all business transacted by it; to keep and report an itemized list of all moneys received and paid out by the secretary of the board and on the same certificate to the said [illegible] necessary and supreme to properly carry out the provisions and terms of this Act. Such board shall have no authority to expend any moneys other than those provided under the terms of this Act, nor have any indebtedness which shall in any wise be binding or payable out of any other funds than the one that provided, nor shall it have any right to issue any [illegible] in excess of the moneys received by it from the regular levies created for the board prior to such date thereof.

Sec. 14. The board shall have the power to employ all stenographic, [illegible] men and other assistants as [illegible] to carry out the provisions of this Act, and to properly advertise the resources of the State of Oklahoma, and to [illegible] furnish and maintain all necessary offices for same, [illegible] and to make such expenditures for such advertising and for such other purposes as in their judgment necessary to properly and effectively carry out the provisions and terms of this Act. All officers and employees shall hold office at the pleasure of the board.

Sec. 15. The salaries of all employees of the board, all expenses of the board, all expenditures to be made by the board, and all costs of [illegible] to be paid and under the provisions of this Act, shall be paid by the state treasurer out of said [illegible] the state advertising fund only.

Sec. 16. The state [illegible] upon allowance by said board of a resolution signed by the chairman and secretary of the board, [illegible] in favor of the person named in any resolution under the terms hereof, and the state treasurer shall pay such warrant out of said fund.

Committee substitute adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1300—An Act creating a board to be known as the state advertising board, providing for the appointment of its members, fixing the term of office of its members, their salaries, powers and duties.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1301—An Act creating a fund to be known as the state advertising fund, and providing for the formation of such fund.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 357—An Act to amend Section 697a of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, strike out the word "animals", and insert in lieu thereof the word "children".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, of the printed bill, strike out the word "children", and insert in lieu thereof the word "animals".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 8, of the printed bill, strike out the words "animals or children", and insert in lieu thereof the words "children or animals".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, of the printed bill, strike out the words "animals or children", and insert in lieu thereof the words "children or animals".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 11, of the printed bill, after the word "the" where it first occurs, insert the following: "city or".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 12, of the printed bill, after the word "supervisors", insert the following: "or other governing body thereof".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 14, of the printed bill, after the word "said", insert the following: "city or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1298.—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, alienating, encumbering or granting of the real property of religious, social and benevolent corporations.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 10, of the printed bill, change the period to a comma and add the following: "and may authorize the said corporation to sell and convey its said property and to incur indebtedness and secure the same by deed of trust or mortgage upon its said real property."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 264.—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services and earnings of children, and entitling the father and the mother jointly thereto, and providing in case of death or abandonment by either that the other shall be entitled thereto.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1686.—An Act to amend Section 542 of the Code of Civil Procedure of the State of California, relating to attachment liens.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1332.—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violation of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered section three *a*, relative to the issuance of a certificate permitting any person, who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or

territory of the United States or any foreign nation, to practice as a certified public accountant in the State of California.

Bill read second time ordered engrossed and on the for third reading.

Senate Bill No. 1055—An Act to provide for assessments in reclamation districts where such districts have issued bonds payment for the entitled "An Act to provide for the issuing of bonds by reclamation districts and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in said reclamation districts," approved March 27, 1895, as amendatory thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

Bill read second time, ordered engrossed and on the for third reading.

Senate Bill No. 284—An Act to amend Sections 3478, 3481, 3482 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Bill read second time, ordered engrossed and on the for third reading.

Senate Bill No. 1070—An Act authorizing the issuance of letters patent to P. W. Paley for certain swamp and overflowed land in Tuolumne County, California.

Bill read second time, ordered engrossed and on the for third reading.

Senate Bill No. 1456—An Act to amend section 4206 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, strike out lines 13, 14, 15 and 16 and in lieu thereof insert the following:

"6. The tax collector $2,400 per annum, and in counties of sixty-three the tax collector may appoint a deputy, whose salary shall not exceed, in counties so created, $1,200 per annum, shall be authorized and so entered into between the tax collector and his salary shall be $75.00 per month during the time he continues, which shall be paid at the same time and in the same manner as other county officials are paid."

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out lines 22 and 23, and insert in lieu thereof the following:

"8. The district attorney [illegible] dollars per annum, and who is hereby created a new office, to be known as [illegible] to the district attorney, who shall receive a salary of six hundred dollars per annum, payable monthly, at the same time and in the same manner as the salaries of the county officers are paid."

Amendment adopted.

AMENDMENT No. 3.

On page 2, strike out lines 28, 29, 30, 31, 32, 33 and 34 and insert in lieu thereof the following:

"11. The superintendent of schools eighteen hundred dollars per annum and actual traveling expenses, when visiting the schools of the county. The superintendent shall be allowed one deputy, which said deputy shall be allowed a salary of fifty dollars per month, to be paid at the same time and in the same manner as other county officials."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 27, after the word "hundred", where it first appears, strike out the words "and more than six hundred".

Amendment adopted.

AMENDMENT No. 5.

On page 3, strike out lines 33, 34, 35 and 36, and in lieu thereof insert the following:

"15. Each supervisor twelve hundred dollars per annum, which shall be in full for all services as supervisors and road commissioners; and there shall be allowed to each supervisor necessary traveling expenses when strictly on county business without the county."

Amendment adopted.

AMENDMENT No. 6.

On page 4, line 4, after the word "November", strike out "1906" and insert in lieu thereof "1910."

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 6, and portion of line 7, after the word "class", strike out "in criminal cases only."

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 11, after the word "paid", insert "by the".

Amendment adopted.

AMENDMENT No. 9.

On page 4, line 12, after the word "county", insert the word "out".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 512—An Act to amend Section 607 of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 1, insert the letter "*f*" after the word "seven".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 8 and 9, strike out the following words: "and who have been such members for not less than six months next preceding".

Amendment adopted.

AMENDMENT No. 3.

On page 1, lines 13 and 14, strike out the following words: "has been a member of such corporation for not less than six months as aforesaid and".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 37, strike out the word "class", and insert in lieu thereof the following: "and first and one half classes".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, line 22, after the word "person", insert the following: "firm or corporation".

Amendment adopted.

AMENDMENT No. 2

On page 2, line 23, strike out the words "guilty of a misdemeanor" and insert in lieu thereof the following: "punished by a fine of not less than five dollars nor more than one hundred dollars".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 514—An Act to amend Section 599z of the Penal Code of the State of California, relating to old, diseased or disabled animals.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

In the first line of the title, strike out the word "fifty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT No. 2

On page 1, line 1, strike out the word "fifty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT No. 3

On page 1, line 4, strike out the figures "599z", and insert in lieu thereof the figures "599c".

Amendment adopted.

AMENDMENT No. 4

On page 2, lines 1 and 2, strike out the words "and every person who shall offer for sale or sell", and insert in lieu thereof the following: "and any person who shall offer for sale or sell or otherwise dispose of or buy or exchange or otherwise acquire".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 511—An Act to amend Section 599a of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

In the first line of the title, strike out the word "fifty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, strike out the word "fifty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 36, strike out the period after the word "destroyed", and insert in lieu thereof the following: "or otherwise disposed of, as the court may order."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all of Section 1, and insert in lieu thereof the following:

"SECTION 1. Every person, firm or corporation operating a factory or shop, or conducting any business in which power machinery is used for any manufacturing purpose, except for elevators or for heating or hoisting apparatus, where five or more persons are employed, shall at all times keep and maintain, in some accessible place upon the premises upon which such factory, shop or business is located, free of expense to the employees, a medical or surgical chest which shall contain an adequate assortment of absorbent lint, absorbent cotton, sterilized gauze, plain and medicated, adhesive plaster, cotton and gauze bandages, also one tourniquet, one pair scissors, one pair tweezers, one jar carbolized petrolatum, one bottle antiseptic solution, and one First Aid Manual, all of which shall cost not less than six dollars, and to be used in the treatment of persons injured or taken ill upon the premises."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the municipal corporations by water companies.

On motion of Senator Carr, Assembly Bill No. 50 was passed on file.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

On motion of Senator Carr, Assembly Bill No. 63 was passed on file.

Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 5, of the printed bill, strike out the words "including herein,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER

The following reports of standing committees were received and read:

ON IRRIGATION

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Assembly Bill No. 625—An Act to amend Section 1003 of the Political Code of the State of California, relating to private roads and private ways for travel.

Also: Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or condemnation thereof of water for the irrigation of the lands embraced within such districts, and when so organized, for the maintenance of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

MOTT, Chairman.

Assembly Bills Nos. 625 and 1848 ordered on file for second reading.

ON PRISONS AND REFORMATORIES

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 1195—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the government and management of the same, and to make an appropriation therefor," approved March 31, 1889, and amended February 27, 1895, by amending Section 10 thereof.

Also: Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the government of persons committed to any work outside of institutions in this State, and prescribing and providing for the payment of such wages as gratuities of such rules and regulations.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

FINN, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 869—An Act to authorize the purchase of additional land adjoining the south of the present established county road of Marine Lumber Line and also south of such parallel to be known as the Northern State Farm and the Southern State Farm, providing for the maintenance and use of certain prisoners thereon and for the government thereof, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Finance.

FINN, Chairman.

Senate Bills Nos. 1195 and 1211 ordered on file for second reading.
Senate Bill No. 869 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1222—An Act to amend Section 4291 of the Political Code, relating to salaries and fees of officers of counties of the county-seats class—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BREED, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 213—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges for the city and county of San Francisco and providing for their compensation—have had the same under consideration, and respectfully report the same back and recommend that it do pass, and be re-referred to Committee on Finance.

BREED, Chairman.

Senate Bill No. 1222 ordered on file for second reading.
Senate Bill No. 213 ordered re-referred to Committee on Finance.

RESOLUTION.

The following resolution was introduced:

By Committee on Contingent Expenses:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Officers	Address	Mileage	Amount
President—A. J. Wallace	Los Angeles	894	$89 40
Sergeant-at-Arms—J. L. Coughlin	Oakland	162	16 20

Dist	Senators	Address	Mileage	Amount
39	Anderson, John N.	Santa Ana	962	$96 20
30	Avey, J. L.	Redlands	1,036	103 60
24	Beban, D. J.	San Francisco	180	18 00
27	Benson, Frank H.	San Jose	256	25 60
3	Birdsall, E. S.	East Auburn	74	7 40
6	Boynton, A. E.	Oroville	172	17 20
15	Breed, A. H.	Oakland	168	16 80
37	Brown, William E.	Los Angeles	894	89 40
20	Bryant, E. F.	San Francisco	180	18 00
31	Butler, Edwin M.	Los Angeles	894	89 40
10	Caminetti, A.	Jackson	118	11 80
17	Campbell, A. E.	San Luis Obispo	686	68 60
36	Carr, William J.	Pasadena	914	91 40
26	Cartwright, Geo. W.	Fresno	338	33 80
22	Cassidy, John J.	San Francisco	180	18 00
33	Cogswell, Prescott F.	El Monte	924	92 40
7	Cohn, P. C.	Folsom	44	4 40
12	Curtin, J. B.	Sonora	250	25 00
23	Finn, Thos. F.	San Francisco	180	18 00
11	Flint, William R.	Hollister	346	34 60
34	Gates, Lee C.	Los Angeles	894	89 40
21	Gerdes, Fred C.	San Francisco	180	18 00
19	Grant, Edwin E.	San Francisco	180	18 00
14	Hans, Geo. J.	Fruitvale	174	17 40
38	Hewitt, Leslie R.	Los Angeles	894	89 40
28	Jones, Herbert C.	San Jose	256	25 60
8	Juilliard, L. W.	Santa Rosa	180	18 00
1	Kehoe, William	Eureka	624	62 40
32	Larkins, E. O.	Visalia	412	41 20
29	Lyon, Henry H.	Los Angeles	894	89 40
25	Mott, D. W.	Santa Paula	948	94 80
9	Owens, James C.	Richmond	156	15 60
18	Regan, D. P.	San Francisco	180	18 00
5	Rush, B. F.	Suisun	82	8 20
4	Sanford, J. B.	Ukiah	300	30 00
2	Shanahan, T. W. H.	Redding	342	34 20
13	Strobridge, Ed K.	Hayward	196	19 60
35	Thompson, Newton W.	Alhambra	910	91 00
16	Tyrrell, Edward J.	Oakland	168	16 80
40	Wright, Leroy A.	San Diego	1,146	114 60

GERDES, Chairman.
KEHOE.
SHANAHAN.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Avey, Breed, Brown, Bryant, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

REQUEST FOR INTRODUCTION OF JOINT RESOLUTION

The following request for permission to introduce a joint resolution was presented:

By Senator Regan: Permission to introduce a Senate concurrent resolution, relative to legislation for the opening of coal lands.

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS

On motion of Senator Thompson, the Senate took up the consideration of the third reading file of Assembly bills.

Assembly Bill No. 326—An Act to repeal Sections 768, 771, 866 and 869 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 14, 1883.

On motion of Senator Carr, Assembly Bill No. 326 was passed on file.

Assembly Bill No. 328—An Act to amend Section 1584 of the Political Code, relating to the organization, incorporation, and government of municipal corporations," approved March 12, 1883.

On motion of Senator Carr, Assembly Bill No. 328 was passed on file.

Assembly Bill No. 329—An Act to amend Sections 757 and 867 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 14, 1883.

On motion of Senator Carr, Assembly Bill No. 329 was passed on file.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

On motion of Senator Carr, Assembly Bill No. 33 was passed on file.

Assembly Bill No. 482—An Act to amend Sections 3 and 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," approved February 25, 1901.

On motion of Senator Hewitt, Assembly Bill No. 482 was passed on file.

ASSEMBLY JOINT RESOLUTION NO. 20

Relative to a federal income tax.

WHEREAS, The proposed amendment to the federal constitution conferring upon Congress the power to levy and collect an income tax will shortly be ratified by the several states; and

WHEREAS, An income tax would help to equalize the burden of government, and tend to strengthen the central government in time of war and other emergencies; therefore, be it

Resolved, That the Senate and Assembly of the State of California hereby join in requesting the Congress of the United States to enact, at the earliest possible date, appropriate legislation providing for the levy and collection of an income tax; be it further

Resolved, That our Senators and Representatives in Congress be requested to do their utmost to forward such legislation; and be it further

Resolved, That a copy of these resolutions be forthwith transmitted by the Secretary of the Senate to the President of the Senate of the United States and the Speaker of the House of Representatives of the United States, and a copy hereof sent to each member of Congress from the State of California.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 20 adopted by the following vote:

AYES—Senators Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.
NOES—None.

Resolution ordered transmitted to the Assembly.

NOTICE OF RECONSIDERATION.

Senator Kehoe gave notice that he would, on the next legislative day, move to reconsider the vote whereby Assembly Joint Resolution No. 20 was adopted.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 1810*a*, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgment shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 485 passed by the following vote:

AYES—Senators Anderson, Boynton, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 696—An Act to amend Section 1723 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owners' death in certain cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 696 passed by the following vote:

AYES—Senators Anderson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 7—Approving charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5, 1912.

The acting President ordered Assembly Concurrent Resolution No. 7 passed on file.

CONSIDERATION OF MOTION—(CONTINUED).

Senator Finn moved to take up the consideration of his motion to reconsider the vote whereby Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto,

to be numbered three hundred ninety-seven (397), relating to the sale or disposal of intoxicating liquors between certain hours, was passed.

Motion carried.

Senator Finn moved that the reconsideration of the motion to reconsider the vote whereby Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven (397), relating to the sale or disposal of intoxicating liquors between certain hours, was passed be continued until next legislative day.

Motion carried.

SECOND READING OF BILL.

On motion of Senator Boynton, the Senate took up for consideration Senate Bill No. 847, on the second reading file.

Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911.

During second reading of the bill the following amendments were offered by Senator Boynton:

AMENDMENT No. 1.

On page 2, line 27, of the printed bill, after the words "per cent," insert the following: "for a distance of more than one half mile."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 31, of the printed bill, after the words "per cent", insert the following: "for a distance of more than one half mile."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 15, strike out the words "motor or power car", and insert in lieu thereof the word "train."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 16, strike out the words "motor or power car", and insert in lieu thereof the word "train."

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 6, strike out the words "motor or power car", and insert in lieu thereof the word "train."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

QUESTION OF PERSONAL PRIVILEGE.

Senator Boynton rose to a question of personal privilege, and protested against the action of one J. J. Scott in sending out letters to the editors of various Democratic newspapers in California condemning Senate Bill No. 905, known as the Workmen's Compensation Act, said letters being written on the letter heads of the Democratic State Central Committee of California and signed by said J. J. Scott as the secretary of said committee.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Constitutional Amendment No. 16—Proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

During the reading of the resolution, the following amendment was offered by the committee:

On page 1, line 13, of the printed resolution, strike out the words "in furtherance of such public use,".

Amendment adopted.

Senate Constitutional Amendment No. 16 ordered to print and engrossment.

Senate Bill No. 301—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

On motion of Senator Thompson, Senate Bill No. 301 was ordered to the file of unfinished business.

Senate Bill No. 1017—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing and filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

In the absence of the author, Senate Bill No. 1017 was passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1114—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof, and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENSON, Chairman.

Senate Bill No. 1114 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency, Senate Bill No. 1733, by Senator Strobridge—An Act to authorize the superintendents of the Weaver Shaw School and the Preston School of Industry to retain such inmates from the support of either of said schools and to receive such inmates into the other of said schools and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred.

J. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1733 ordered to enrollment.

ADJOURNMENT.

At two o'clock and fifty-five minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, April 3, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lachlan, Leon, Mott, Owens, Regan, Sanford, Shanahan, Stetson, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Sacher.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 2, 1913, the further reading was dispensed with, on motion of Senator Birdsall.

LEAVE OF ABSENCE.

Senator Curtin was, on motion of Senator Wright, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese, and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Also: Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Also: Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 538 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 277 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1280 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit Station.

Also: Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Also: Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines, and tunnels smoke and gases generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence in case of actions for damage to health of employees.

Also: Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the presentation and form of claims against counties.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1372 and 1371 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1306 read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 1401 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 752—An Act to create the office of inspector of mines, fixing his duties and powers; providing for the appointment of a deputy, and fixing the qualification and compensation of both, and fixing the bond of each; providing for his necessary expenses, clerk hire and office expenses; prescribing oath to be taken by said inspector and deputy; imposing duties and penalties and requiring reports from owners, lessors, lessees, agents or managers of mines; defining the duties of district attorneys and of the attorney general under this Act and providing for prosecutions when said district attorney or attorney general refuses or neglects to act; providing for reports of serious or fatal accidents in any mine or mines; and providing for the attendance of the inspector of mines or his deputy at inquests; providing for a yearly report by said inspector of mines to the governor as enumerated in this Act; excluding certain mines from the provisions hereof; making it the duty of the governor to appoint said inspector of mines; prohibiting the storing of explosives in mines except temporary supply and providing for storage of explosives outside of mines; requiring the use of wooden tamping bars, and

removal of rubbish from under ground; directing ordinances or housing ordinances prohibiting the riding of persons on cars; providing with certain exceptions for requiring ladders in shafts and raise compartments; for certain kinds of chutes and requiring landings at certain intervals; and requiring that ladders shall be kept in repair; requiring that in mines of not less than ten persons shall be employed shall be established in charge with a shotfirer, and requiring said shotfirer obtaining direction to exit in case of [illegible] fuse; prohibiting use of [illegible] requiring [illegible] when engaged thereon; providing penalty for violation; providing dangerous places; specifying work and employment of boys in mines; providing [illegible] hundred and fifty feet of shaft; providing the hoisting of persons in [illegible] and means working in mines; prohibiting [illegible] providing that the shaft or entry of any mine; requiring [illegible] or manhole or opening on the surface so as to provide [illegible] outside by way of safety; requiring the use of [illegible] and caution as specified herein and prohibiting the carrying or [illegible] of any kind of [illegible] providing more than a certain per cent of [illegible] or [illegible] requiring [illegible] signal of [illegible]; providing for [illegible] and for the appointment of [illegible] of escape in and around [illegible]; prohibiting [illegible] in shafts while being [illegible]; requiring notice to be [illegible]; requiring [illegible] and [illegible] to be appointed at [illegible] determine [illegible] by [illegible]; providing [illegible] to be [illegible] to answer [illegible]; prohibiting persons from [illegible] on [illegible] or [illegible] or sky; requiring the opening of doors [illegible] of [illegible] to [illegible] or locked at [illegible]; providing [illegible] of [illegible]; requiring [illegible] of smoke [illegible]; providing the [illegible] by [illegible] with [illegible] [illegible] of the Act and repealing all Acts and parts of Acts in conflict herewith.

J. E. MALLOY, Chief Clerk of Assembly.
By [illegible] Assistant Clerk.

Assembly Bill No. 752 read first time and referred to Committee on Mines and Mining.

MESSAGE FROM THE GOVERNOR

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 3, 1913.

To the Senate of the State of California:

I return to you Senate bill No. [illegible] Senate Bill No. 283, concerning and directing the Governor of the State to accept in behalf of the State the U. S. S. "Pennsylvania."

My objections to the bill are as follows:

Under the Act I was authorized and directed to accept the ship as soon [illegible] part from the Government of the United States. The acceptance of such [illegible] duly given to the proper officers of the United States. Whereupon [illegible] Secretary [illegible] investigate as per House of Representatives [illegible] and report and transfer the U. S. S. "Pennsylvania" to San Francisco, California." Now, and therefore [illegible] should this Act or acceptance or some [illegible] upon the [illegible] the acceptance [illegible] and [illegible] which would enable the [illegible] which would enable the [illegible] United States Government did not [illegible] acceptance as set in the [illegible] and the Federal [illegible] protecting the [illegible] to the State of California, provided that the vessel be turned over to [illegible] United States Government. The Secretary of the Navy advises me that the ship is now in the navy yard at Portsmouth, Virginia, in a dismantled condition and will require considerable repairs before being able to proceed to sea. I am advised that to have the repairs necessary will require expenditure [illegible] and the Secretary of the Navy is now building the ship subject to delivery to the State of California at a sum sufficient to cover the completion of the work.

It is [illegible] that the Senate [illegible] Senate Bill No. [illegible] [illegible] the bill shall be duly [illegible] as will enable me to accept the "Pennsylvania" as directed by the United States statutes and the regulations of the Secretary of the Navy.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

SPECIAL ORDER SET

Senator Boynton moved that the further consideration of the objections of the Governor to Senate Bill No. 283 be made a special order for April 4, 1913, immediately after the reading of the Journal.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Joint Resolution No. 16—Relative to the historic Liberty Bell and requesting the common council of the city of Philadelphia to permit the exhibition of the same at the Panama-Pacific International Exposition.

Also: Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Also: Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247*a* and 1247*e* of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeal, in criminal cases.

Also: Senate Bill No. 263—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States.

Also: Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of California, to be numbered 1097*a*, relating to elections and the registration of voters.

Also: Senate Bill No. 1300—An Act creating a board to be known as the state advertising board; providing for the appointment of its members; fixing the term of office of its members, their salaries, powers and duties.

Also: Senate Bill No. 1301—An Act creating a fund to be known as the state advertising fund, and providing for the formation of such fund.

Also: Senate Bill No. 264—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, and earnings of children, and entitling the father and mother jointly thereto, and providing in case of death or abandonment by either that the other shall be entitled thereto.

Also: Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3*a*, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Also: Senate Bill No. 1686—An Act to amend Section 542*a* of the Code of Civil Procedure of the State of California, relating to attachment liens.

Also: Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

Also: Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Also: Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the

consolidated district; providing for its management and control, and not to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Also: Senate Bill No. 445—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and ascertaining the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts, and repealing all Acts and parts of Acts inconsistent therewith.

Have had the same under consideration, also recommend, and respectfully report that Assembly Bill No. 42 is not identical with Senate Bill No. 445.

GRANT, Chairman.

Assembly Bill No. 42 referred to Committee on Drainage, Swamp and Overflowed Lands.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, to amend Section 19 of Article XI, relating to supervisors, regulations and conduct of the affairs of irrigation, reclamation or drainage districts—have had the same under consideration, and respectfully report that same back, and recommend that it be adopted.

BENSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 446—An Act to create a drainage district, to be called Knight's Landing Ridge Drainage District, to provide for the reclamation thereof by the making of a cut through Knight's Landing Ridge, and the maintenance of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district, and fixing the validity of the levy of such assessments and the bonds of such bonds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BENSON, Chairman.

Assembly Constitutional Amendment No. 47 ordered on the Senate Bill No. 939 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 250—An Act providing for the construction and equipment of a dairy barn and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 307—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura or Santa Barbara, and for the planting of said lands, and making an appropriation therefor.

Also: Senate Bill No. 311—An Act appropriating the sum of seventy-five thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Also: Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 229—An Act providing for the completion of improvements and for moving, changing and improving the buildings at, and for the purchase of

equipment, apparatus, furnishings and supplies for the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Also: Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Also: Senate Bill No. 247—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 250, 307, 311, 25, 51, 229, 248, 249, 7, 132 and 247 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 188—An Act to provide an appropriation for the purpose of equipping a machinery building for the use of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 190—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

LARKINS, Chairman.

Senate Bills Nos. 186, 187, 188, 189, and 190 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1130—An Act to amend Section 4280 of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, copyists and employees of the county officers or counties of the fifty-first class, and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 1130 ordered on file for second reading.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

Mr. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 254—"An Act establishing a state mining department, relating the office of state mining inspector, providing for the appointment of a state mining inspector, who shall be an efficient State Mineralogist, and for the appointment of deputy inspectors, assistants, clerks and other employees of said department, fixing their salaries and prescribing their duties, providing for the display at the Panama-Pacific Exposition, providing for the examination of mines, minerals, mineral ores and other substances and for reports and records and for the examination of persons for the purpose of securing certificates of competency and providing for the issuing, suspension or revocation of such certificates, and also providing for the issuing of permits to drill, and giving specific notice of the date of passage in relation to mines, mineral operations and claims to give notice of violations according to mines and operations existing on such date for the purpose of securing for the provisions of this Act, and providing an Act entitled 'An Act to provide for the establishment, maintenance and support of a bureau to be known as the State Mineral Bureau, and for the appointment and duties of a board of governors, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mineral Bureau, and to provide for the appointment, duties and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state Mining Bureau,' approved March 23, 1907, and Acts amendatory thereof and supplementary thereto or in conflict herewith," have had the same under consideration, and respectfully report back a committee substitute therefor and recommend that said committee substitute be adopted, do pass and be referred to Committee on Finance.

REGAN, Chairman.

Senate Bill No. 254 ordered reprinted and referred to Committee on Finance. Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

Mr. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 1122—An Act making an appropriation to be expended by the State Mining Bureau for the purpose of investigating and examining any portable lake or alkaline mining consolidation adjoining mining properties within the State of California, and declaring the State Mineralogist to be supervising agent of this Act, pursuant to the provisions of the Act, and providing that this Act shall take effect immediately," have had the same under consideration, and respectfully report back the same with the recommendation that the author be permitted to withdraw the same.

REGAN, Chairman.

Senate Bill No. 1122 ordered on file for second reading.

WITHDRAWAL OF BILL.

Senator Regan asked and was granted unanimous consent to withdraw Senate Bill No. 1122.

Senate Bill No. 1122 withdrawn, and ordered stricken from the file.

PRIVILEGE OF THE FLOOR EXTENDED.

Senator Breed moved that the privilege of the floor be extended for this day only to the following members of the faculty and students of the University of California:

Marion Arnold, Doris Boggs, Flora Bonnington, Helen Craig, Lurline Hartley, Alice Hawkins, Margaret Hodgins, Ellen Houston, Franklin Jackson, Emma James, Margaret Nichols, Lucy Perry, Mamie Russell, Ruth Searles, Ella Widgen, Emma Wilson, Mrs. Adams, Miss Swensen, Miss Sonnichsen, Nonna Wilmarth, Hazel Jessup, Ruth Jarvis, Martha Reaser, Gilda Bellone, Miss D. P. Bonnington, Gregory Phelps, Ralph Laird, Chase Hart, Alex DeVoogt, Gustavus Woodward, V. W. Aronin, J. V. Breyfogle, Jas. D. Breed, Marion Bonnington, F. H. Reed, F. M. Reed, F. R. Bonnington, T. K. Chang, L. A. Cole, Milton W. Dunnebacke, A. R. Dunnebacke, R. C. Hopkins, Paul Fleming, E. C. Garcia, H. C. Hansel, H. I. Hancock, S. F. James, Walter Kingsley, Sakeo Kurasawa, H. L. Knapp, F. B. Lane, W. J. McKee, J. W. McKelvey, Maurice Martinez, W. H. Mellhenny, W. J. Menefee, L. J. Mesick, R. S. Morgan, H. A. Nielsen, O. K. Patterson, F. M. Pinska, N. Y. Polsgrove, J. H. Quinn, James Rosenberg, M. D. Squire, R. H. Stone, J. W. Snyder, H. M. Stone, A. R. Summer, F. M. Tompson, R. V. Taylor, J. E. Thomas, S. P. Wessing, J. W. Wilson, J. O. Davis, S. R. Yeomans, Prof. D. P. Barrows, J. L. Reed, Prof. Thos. H. Reed.

Motion carried by a unanimous vote.

On request of Senator Benson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to L. E. Bontz.

On request of Senator Wright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Montgomery M. Moulton of San Diego.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 203—An Act to amend Section 1773 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 204—An Act to amend Section 1774*a* of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Assembly Bill No. 958—An Act to amend Section 367*c* of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Also: Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the State for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended; also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken, and also relating to amending or correcting selections, re-selections, amended selections, designations and re-designations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending Section 1 thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Also: Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections and providing the fee therefor.

Also: Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Also: Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said State by said Government," approved May 1, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Senate Bills Nos. 203, 204, and 205 ordered on file for second reading.

Assembly Bills Nos. 958, 1624, 1625, 1626, 1627, and 1628 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions on the power of

counties, cities and other subdivisions of the State to issue interchangeable notes had the same under consideration, have instructed me to report back said measure and recommend that it be adopted.

GATES, Chairman.

Senate Constitutional Amendment No. 34 ordered to file.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Bill No. 321, An Act to amend Section 1681 of the Code of Civil Procedure of the State of California, relating to unauthorized communications, have had the same under consideration and respectfully report the same back and recommend that it do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1064, An Act providing that the board of supervisors of any county or city and county may, in certain cases, compromise and settle claims and demands against the State, providing that such claims shall be brought against the State Board of Examiners for allowance, the amount and terms of payment to be fixed by said board, and providing an appropriation for the payment of the claims, have had the same under consideration and respectfully report the same back with amendments and recommend that it do pass as amended and be referred to Committee on Finance.

GATES, Chairman.

Senate Bill No. 321 ordered on file for second reading.

Senate Bill No. 1064 ordered transferred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1328—An Act to amend Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other public improvement of any kind, and to amend an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings constructed thereon,' approved March 20, 1907," approved March 23, 1909.

Also: Senate Bill No. 1330—An Act to add a new section to the Penal Code, to be numbered Section 587, relating to a fund created by the sale of property no longer needed by the State, and providing for the disposition of balance remaining after payment of claims and expenses thereof.

Also: Senate Bill No. 1512—An Act to amend Section 2787 of the Civil Code of the State of California, relating to bailees' compensation, should be filed.

Also: Assembly Bill No. 1317—An Act authorizing certain of and for certain purposes of consent to those surrendering the consent, or said consent, from or representatives who have been damaged by said The State of California for damages done to the property by reason of the prosecution and maintenance of levees in the Sacramento River Valley, or Sacramento district, and repealing an Act entitled "An Act to authorize the Legislature Commissioners of San Francisco, to sell the State of California approved March 23, 1907," approved March 20, 1911.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 1328, 1330 and 1512 ordered on file for second reading.

Assembly Bill No. 1317 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 1503, An Act to provide for the employment of [illegible] to agriculture and matters relating thereto by the governing boards of irrigation districts, reclamation and

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drainage districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COGSWELL, Chairman.

Assembly Bill No. 1503 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

The following request for permission to introduce a constitutional amendment was presented:

By Senator Caminetti: Permission to introduce a Senate constitutional amendment—A proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature.

Request referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That Miss Ruby Sawyer be, and she is hereby, appointed to the position of Stenographer at $5.00 per day, and that Miss Winifred Merrill be appointed to the position of Committee Clerk at $4.00 per day, compensation payable weekly; and the Controller is hereby directed to draw his warrant for the said amounts, and the Treasurer is hereby directed to pay the same.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

RECONSIDERATION OF VOTE.

Senator Kehoe moved that the vote whereby Assembly Joint Resolution No. 20—Relative to a Federal income tax—was adopted, be reconsidered.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Assembly Joint Resolution No. 20 was adopted was reconsidered by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Brown moved to refer Assembly Joint Resolution No. 20 to Senator Butler, as a special committee of one, to amend as follows:

By striking out of line 3, the words "will shortly be ratified by", and inserting in lieu thereof the following: "has been duly ratified by the legislatures of three fourths of".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Joint Resolution No. 20, with instructions to amend, respectfully reports the same back, amended as per instructions.

BUTLER, Committee.

Report read and adopted.

Resolution ordered to print and on file.

CONSERVATION OF SALT FISH—THIRD READING OF BILLS

Senate Bill No. 207—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

On motion of Senator Breed, Senate Bill No. 207 was passed on the

Senate Bill No. 474—An Act to amend Section 274 of the Code of Civil Procedure of the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 474 passed by the following vote:

Ayes—Senators Anderson, Avey, Benson, Bierman, Boyd, Burke, Chenoweth, Cogswell, Cutler, Cunningham, Curtin, Flint, Gerdes, Gerdes, Gibson, Hayes, Hewitt, Inman, Leavell, Kehoe, Lawlor, Miller, Owens, Sanford, Shoemaker, Thomas, Tyrrell and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 880—An Act to repeal Section 1956 of the Political Code of the State of California and to amend Sections 1906, 1915, 1916, 1917, 1918, 1919, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979,

The roll was called and Senate Constitutional Amendment No. 13 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

Constitutional amendment ordered engrossed and transmitted to the Assembly.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State relating to eligibility to hold office.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Breed, as a special committee of one, to amend as follows:

By adding, after the comma, end line 12, the words: "Nor shall any person be eligible or hold a seat in the Legislature who, at the time of his election, or six months prior thereto, was in the employ, as attorney, or otherwise, of any public service corporation or public utility under the jurisdiction of the Railroad Commission, or any insurance, title, trust or banking company, or any union labor organization."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 9, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

SPECIAL ORDER SET.

Senator Caminetti moved that the further consideration of Senate Constitutional Amendment No. 9 and the pending report and amendment be made a special order for Friday, April 4th, after the consideration of the special order already set.

Motion carried.

SENATOR THOMPSON IN THE CHAIR.

At twelve o'clock m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 745—An Act to amend an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California," approved February 3, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 745 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 338—An Act to amend Section 1272 of the Penal Code of the State of California.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Kehoe, as a special committee of one, to amend as follows:

By striking out of lines 16 and 17 the words "he gave permanent grass for cowdrey."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 865, with instructions to amend, respectfully reports the same back, amended as per amendment.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

Senate Bill No. 838.—An Act to amend Section 956a of the Code of Civil Procedure of the State of California, relating to notice of filing undertaking on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 838 passed by the following vote:

AYES—Senators Anderson, Bennett, Boynton, Brown, Burke, Chamberlain, Campbell, Cory, Cousins, Crawford, Crler, Flint, Filton, Gerdes, Gerdes, Hans, Heath, Juilliard, Kehoe, Lackens, Mott, Owens, Sanford, Shoemaker, Stetson, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

TIME OF MOTION EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Campbell, the hour of recess was extended until one o'clock p.m.

Senate Bill No. 261.—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotelkeepers on property of guests for charges.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 261 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Brown, Burke, Chamberlain, Campbell, Cory, Cousins, Crawford, Crler, Flint, Filton, Gerdes, Gerdes, Hans, Heath, Juilliard, Kehoe, Mott, Owens, Sanford, Shoemaker, Strobridge, Thompson, and Wright—30.

NOES—Senator Lackens—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1452—An Act to add a new section to the Penal Code of the State of California, to be numbered 634½, relating to the protection of fish.

Also, Senate Bill No. 603—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection of fish and game.

Also: Senate Bill No. 1204—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HANS, Chairman.

Senate Bills Nos. 1452, 603 and 1204 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 725—An act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be numbered 1254a, relating to the entering by a municipal corporation on private property for appropriation of a right of way therein for use in any eminent domain proceeding without first making compensation therefor, and without said compensation being first ascertained and paid into court for the owner.

Also: Senate Bill No. 1053—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a new section, to be numbered 34, relating to the manner of effecting certain local improvements.

Also: Senate Bill No. 1720—An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

Also: Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of San Luis Obispo, in the county of San Luis Obispo, State of California, which was voted for and ratified by the qualified electors of said city at a special municipal election held therein for that purpose on the 18th day of March, 1913.

Have had the same under consideration, and respectfully report the same back, and recommend that the bill do pass and the resolution be adopted.

CARR, Chairman.

Senate Bills Nos. 725, 1053 and 1720 ordered on file for second reading.

Assembly Bill No. 1061 ordered on file for second reading.

Assembly Concurrent Resolution No. 25 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860—have had the same under consideration and respectfully report the same back with amendments, and recommend that it do pass as amended.

CARR, Chairman.

Senate Bill No. 389 ordered on file for second reading.

[illegible]

[illegible]

Mr. PRESIDENT: Your Committee on [illegible] to which was referred Senate Bill No. [illegible] to be called "Immigration Bureau Act," and [illegible] the same back with [illegible] and recommend that it do pass.

[illegible] Chairman.

Senate Bill No. 436 ordered on file for second reading.

[illegible]

[illegible]

Mr. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1467—An act to regulate the building and management of hotels and lodging houses in incorporated cities, municipalities, towns and villages, and to provide penalties for the violation thereof.

Also, Senate Bill No. 1517—An act to provide against using or [illegible] and preventing from [illegible] and regulations and conditions deemed [illegible] and [illegible] and amendment by the Senate to its [illegible].

Have had the same under consideration, and respectfully report the same back and recommend that they be [illegible] in Committee on [illegible].

JONES, Chairman.

Senate Bills Nos. 1467 and 1517 ordered re-referred to Committee on Municipal Corporations.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate to recess until two o'clock p.m.

AFTERNOON.

At two o'clock p.m., the Senate reconvened. Lieutenant Governor Alfred J. Wallace, President of the Senate, in the chair.

[illegible]

On motion of Senator Campbell, the Senate took up the consideration of the second reading file of Assembly Bills.

Assembly Bill No. 675—An act to amend Section 2392 of the Political Code of the State of California, relating to private roads and private ways for canals.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 4, after the word "canal," insert the words "or conduit for carrying water".

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 18, after the word "canal," insert the words "or conduit for carrying water".

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 2, after the word "canal," insert the words "or conduit for carrying water".

Amendment adopted.

AMENDMENT NO. 4.

On page 2, line 4, after the word "canal," insert the words "or conduit for carrying water".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 5, after the word "canal", insert the words "or conduit for carrying water".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 7, after the word "canals", insert the words "or conduits for carrying water".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

During second reading of the bill, the following amendment was offered by the committee:

On page 3, line 27, after the word "incurred", strike out the period and insert in lieu thereof a comma, and begin the next word, "In", with a lower case "i".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, inn keepers and warehouse men in the sale of unclaimed property.

On motion of Senator Boynton, Senate Bill No. 1567 was passed on file.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

On motion of Senator Boynton, Senate Bill No. 1568 was passed on file.

Senate Bill No. 445—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend by striking out the word "twelve", where it first occurs in line 10, on page 4, and in lieu thereof insert the word "one".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 10, after the word "county" add the following: "None of the funds contained herein for construction are hereby appropriated for the purpose of paying for any work done by the foreman of Indian Reservation Number Two, and no Reservation District No. 2 shall be created for any purpose, and no appropriation shall be made in Section 1 hereof, and no claim for any labor performed or obligations of labor incurred before this Act shall take effect."

Amendment adopted.

Bill read second time, and ordered to grossment, and third reading.

Senate Bill No. 1195—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1895, by amending Section 10 thereof.

Bill read second time, ordered engrossed and on its for third reading.

Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates employed in any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Bill read second time, ordered engrossed and on its for third reading.

Senate Bill No. 1222—An Act to amend Section 4297 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

During second reading of the bill, the following amendments were offered by the committee.

AMENDMENT No. 1.

On page 4, Section 7, strike out all of Amendment No. 7, beginning on line 4, page 1, and ending on line 6, page 2, and insert in lieu thereof the following:

"7. The county clerk, whose thereupon written application shall be made to the county court for the appointment of such deputy, to be nominated by the said county clerk, who shall be paid a salary of one hundred dollars per month, and the deputy appointed, shall, on the nomination by said county clerk, take and subscribe the oath of office and file the same with the said county clerk, who shall be paid a salary of seventy-five dollars per month, and shall perform all such duties as the said county clerk may require of him, and in the absence of the said county clerk or his deputy, the said deputy shall have full power and authority to perform any and all acts which the said county clerk or his deputy may perform, and the said deputy shall receive such salary for his own use as may be provided by the county court; provided, that in counties of this class the county clerk shall not be required to keep a record of the proceedings of the county court, but the same may be kept by the clerk of the district court, who shall receive such compensation therefor as the county court may allow, not to exceed the sum of one hundred dollars per month, to be paid out of the county treasury; and provided further, that in counties of this class the county clerk shall not be required to keep a record of the proceedings of the board of county commissioners, but the same may be kept by the clerk of the district court, who shall receive such compensation therefor as the board of county commissioners may allow, not to exceed the sum of one hundred dollars per month, to be paid out of the county treasury; and provided further, that in counties of this class the county attorney shall receive such salary for his own use as may be provided by the county court, not to exceed the sum of one hundred dollars per month, and shall perform all such duties as the said county court may require of him, and in the absence of the said county attorney, his deputy shall have full power and authority to perform any and all acts which the said county attorney may perform, and the said deputy shall receive such salary for his own use as may be provided by the county court, not to exceed the sum of one hundred dollars per month, to be paid out of the county treasury; and provided further, that in counties of this class the county attorney shall receive such salary for his own use as may be provided by the county court, not to exceed four dollars per day, while engaged in the performance of their duties, provided, that the premium paid for services as deputy assessors shall not exceed twenty four hundred dollars in any one year, provided that one third of all commissions received by the assessor on the publication of state and municipal taxes and two thirds of all commissions on personal property taxes shall be turned in to the county treasury."

Amendment adopted.

AMENDMENT No. 2.

On page 5, line 1, strike out the words "eighty-two dollars," and insert in lieu thereof the following: "one hundred."

Amendment adopted.

AMENDMENT No. 4

On page 10, line 19, after the word "exist", strike out the period and insert a semicolon and the following: "*provided*, that Subdivisions 1, 2 and 19 shall be so construed that the county clerk shall at all times be allowed not to exceed one deputy clerk at a salary not to exceed one hundred dollars per month, and one deputy registration clerk at a salary of seventy-five dollars per month, and the sheriff shall at all times be allowed not to exceed one deputy sheriff at a salary of not to exceed one hundred dollars per month.

SEC. 2. Subdivisions 1, 2, 4, 6, 12, and all of Subdivision 8 except the salary therein provided for the district attorney at $3000 per annum, shall go into effect ninety days after the final adjournment of this session of the legislature."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out all commencing with the word "beginning," and ending with the word "beginning", in line 33, on page 2, and in lieu thereof insert the following:

"Beginning at a point on the section line between sections thirteen (13) and twenty-four (24), township thirteen (13) north, range two (2) east, M. D. B. and M., said point being 700 feet west of the southeast corner of said section thirteen (13), thence south 51 degrees 20 minutes east 1444 feet, thence south 39 degrees 48 minutes east 19,574 feet; thence south 5 degrees 58 minutes east 11.32 feet to a point 580 feet east of the southwest (S. W.) corner of the northwest quarter (N. W. ¼) of section thirty-five (35), township twelve (12) north, range three (3) east, M. D. B. and M.; thence along a meander line, parallel to and 5,695 feet from the right bank of the Feather river, to a point 200 feet east of the northeast (N. E.) corner of the southeast quarter (S. E. ¼) of section seventeen (17), township eleven (11) north, range three (3) east, M. D. B. and M., thence south 3 degrees 48 minutes east 4,120 feet, thence south 13 degrees 37 minutes west 3,025 feet, thence south 23 degrees 52 minutes west 2,160 feet to a point which bears west 70 feet from the northwest (N. W.) corner of the southeast quarter (S. E. ¼) of the northeast quarter (N. E. ¼) of section twenty-nine (29), township eleven (11) north, range three (3) east, M. D. B. and M.; thence south 34 degrees 52 minutes west 2,354 feet to a point on the left bank of the Sacramento river at Kinney's Bend, thence south 34 degrees 52 minutes west to a point on the left bank of the Sacramento river at Wild Irishman Bend, thence following the meanderings of the left bank of the Sacramento river upstream to the south line of section twenty-six (26), township fourteen (14) north, range one (1) east, M. D. B. and M.; thence east to the southeast (S. E.) corner of section twenty-five (25), township fourteen (14) north, range one (1) east, M. D. B. and M.; thence east to a point on the section line between sections twenty-seven (27) and thirty-four (34), township fourteen (14) north, range two (2) east, M. D. B. and M., said point being 3,875 feet west of the southeast (S. E.) corner of section twenty-seven, (27), thence south 14 degrees 2 minutes east 13,080 feet; thence south 51 degrees 20 minutes east 1,365 feet to the point of beginning."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 11, after the word "proper", add the following:

"It shall be the duty of said Reclamation District No. 1500 to construct a levee, forming the south side of the Tisdale by-pass, and a portion of the westerly side of the Sutter Basin by-pass, the center line of which levee shall be substantially along the following lines; the same having been approved by the State Reclamation Board, March 31, 1913:

Beginning at a point [illegible] feet from the left bank of the Sacramento River in section thirty-five (35), township fourteen (14) north, range one (1) east, M. D. B. and M. [illegible] No. 1500 to do any and all of said acts. No part of the land which may be [illegible] thereover, or in connection therewith, shall be deemed dedicated to the public use.

Amendment adopted.

AMENDMENT No. 3

On page 3, line 17, after the word "thereon" add the following: "except as otherwise provided in this Act" and strike out the period after said word "thereon" and insert a comma.

Amendment adopted.

AMENDMENT No. 4.

On page 3, strike out all commencing with the word "the", in line 17, and ending with the word "California", in line 35, same page, and in lieu thereof insert the following:

"The management and control of said Reclamation District No. 1500 shall be vested in five trustees, who shall hold office for a term of four years and until their successors are elected and qualified. F. W. Kiesel, Edward H. Gerber, Charles F. Silva, P. J. Hiatt and A. T. Spencer are hereby appointed trustees for the said reclamation district to act until their successors are elected and qualified. An election of five trustees shall be held in said district on the third Tuesday in October, 1917, and on the third Tuesday in October every four years thereafter, and the term of office shall be four years and until their successors are elected and qualified. In case of any vacancy in the office of trustee of said district, the governor of the state shall appoint a qualified person as trustee, who shall hold said office for the portion of said unexpired term. The office of said district shall be in the city of Sacramento and in such place as the board of trustees thereof may from time to time fix. The board of supervisors of the county of Sutter shall have jurisdiction of all matters concerning said district to the same extent as if the said district was formed under the provisions of the said Political Code of the State of California, except as otherwise provided in said Act."

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 27, strike out the word "and", and in lieu thereof insert the word "or".

Amendment adopted.

AMENDMENT No. 6.

On page 5, line 7, after the word "law", add the following: "Any reclamation district, levee district or swamp land district mentioned in this section shall have the right to grant and sell to the said Reclamation District No. 1500 any levees, reclamation works, rights of way, easements or other property owned or controlled by any such reclamation district or levee district or swamp land district, and the said Reclamation District No. 1500 is authorized and empowered to purchase the same or any part thereof; *provided*, that nothing in this Act shall be construed to take away any power from the state reclamation board; *and provided, further*, that the lines of levee described in this Act shall not be changed, except by the legislature, but shall remain as herein provided."

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 2, strike out all commencing with the word "the", and ending with the word "proper", in line 11, same page.

Amendment adopted.

AMENDMENT No. 8.

On page 5, line 11, strike out all commencing with the word "as", and ending with the word "best", in line 11, same page.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

ASSEMBLY CONCURRENT RESOLUTION No. 7.

Approving charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5, 1912.

WHEREAS, At a special election duly held in the county of San Bernardino, State of California, on the 14th day of May, 1912, under and in accordance with the provisions of Section 7½ of Article XI of the Constitution of said State, a board of fifteen freeholders, duly qualified, were elected by the qualified electors of said county to prepare and propose a charter for the government of said county.

AND WHEREAS, Said board of freeholders, within one hundred and twenty days after the result of said election was declared by the board of supervisors of said county, did prepare and propose a charter for the government of said county, which charter was signed in duplicate by all the members of said board of freeholders on the 14th day of September, 1912, and thereupon filed, one copy in the office of the county clerk of said county and the other in the office of the county recorder of said county;

AND WHEREAS, Said board of supervisors thereupon caused said proposed charter to be published for at least ten times in a daily newspaper of general circulation, printed, published and circulated in said county, the first of such publications hav-

ing been made within fifteen days after the filing of [illegible] in the office of said county clerk.

AND WHEREAS, Said proposed charter was, by said board of supervisors, submitted to the qualified electors of said county at a general election [illegible] said county not less than thirty days [illegible] 1912.

AND WHEREAS, At said general election, a majority of said qualified electors voting thereon, voted in favor of said proposed charter, [illegible] which said charter as so proposed, [illegible] was and is in words and figures as follows:

CHARTER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

ARTICLE I.

BOARD OF SUPERVISORS.

SECTION 1. The board of supervisors shall consist of [illegible]

SEC. 2. At the general election [illegible]

SEC. 3. The board of supervisors [illegible]

SEC. 4. It shall be the duty of the board of supervisors [illegible]

SEC. 5. It shall be the duty of the board of supervisors [illegible]

SEC. 6. It shall be the duty of the board of supervisors [illegible]

SEC. 7. It shall be the duty of the board of supervisors [illegible] that any person appointed as assistant, deputy, [illegible] county shall, before entering upon the [illegible] bond for the faithful performance of his duties [illegible] form as in the case of a county officer, [illegible] and which bond shall be first approved by the board.

SEC. 8. At the first regular meeting of the board of supervisors after noon of the first Monday after the first day of January, 1915, the board shall elect one of its members as chairman of the board, to serve until noon of the first Monday in January, 1917, and at the first regular meeting held after noon of the time last stated, the board shall elect a chairman, to serve until noon of the first regular meeting after noon of the first Monday in December, 1918. At the first regular meeting after noon of the first Monday in the month of December, 1918, and of every second year thereafter, the board shall elect a chairman for a term of two years. Any vacancy in the position of chairman shall be filled by the board by election for the unexpired term.

SEC. 9. The chairman of the board of supervisors shall be the general executive agent of the board. It shall be his duty, subject to regulation and control by the board, to exercise general supervision over the official conduct of all county officers, and officers of all districts and other subdivisions of the county charged with the assessing, collecting, safe-keeping, management or disbursement of public revenues; also over all county institutions, buildings and property; and to make report to the board from time to time, with such recommendations as he shall deem proper. He shall be ex officio county purchasing agent, and shall perform the duties of that officer as prescribed in this charter. He shall devote his entire time during usual office hours to the duties of his office. He shall keep an office in the room or rooms where the board usually meet, and shall be in attendance at such office during usual office hours, except when elsewhere engaged in the performance of his official duties.

SEC. 10. The chairman of the board of supervisors, as compensation for his services as supervisor, chairman of the board and county purchasing agent, shall be paid an annual salary of two thousand four hundred dollars, and each of the supervisors other than the chairman shall be paid an annual salary of one thousand two hundred dollars.

SEC. 11. A supervisor may be removed from office in the manner provided by law. Any vacancy in the office of supervisor shall be filled by appointment, in the manner and for the term provided by law; and in the case of the election of a supervisor for an unexpired term, or for a remainder of an unexpired term, such officer shall be nominated by district and elected at large, in like manner as hereinbefore provided for the nomination and election of such officer.

ARTICLE II.

COUNTY OFFICERS OTHER THAN SUPERVISORS

SECTION 1. The county officers other than supervisors shall be a sheriff, a county clerk, a treasurer, a recorder, a license collector, a tax collector, a public administrator, a coroner, a surveyor, a district attorney, an auditor, an assessor, a superintendent of schools, a horticultural commissioner, and such others as are or shall be provided for by the constitution or by general law or by this charter.

SEC. 2. The following county officers are hereby consolidated:

(*a*) The district attorney shall be ex officio public administrator.

(*b*) The sheriff shall be ex officio coroner.

(*c*) The treasurer shall be ex officio tax collector and license collector.

(*d*) The county clerk shall be ex officio recorder.

SEC. 3. All county officers, other than supervisors, shall be appointed by the board of supervisors, and such appointments shall be made at the times and for the terms specified in this charter under the head of "board of supervisors," except as otherwise specially provided in this charter.

SEC. 4. Each county officer shall have the powers and perform the duties now or hereafter prescribed by general law as to such officer, except as otherwise provided by this charter; and shall have and perform such other powers and duties as are or shall be prescribed by this charter.

SEC. 5. The annual salary of each of the following county officers shall be as follows:

Sheriff and ex officio coroner	$2400 00
County clerk and ex officio recorder	2500 00
Treasurer and ex officio tax collector and license collector	2400 00
District attorney and ex officio public administrator	2700 00
Auditor	2400 00
Assessor	2400 00
Superintendent of schools	2400 00
Horticultural commissioner	2400 00

The compensation of other county officers and of such fish and game wardens, probation and other officers as are or may be provided for by general law or by this charter shall be fixed by the board of supervisors.

SEC. 6. Any county officer other than supervisor may be removed from office in the manner provided by law; also any such officer may be removed by the board of supervisors, for cause, after first serving upon such officer a written statement of the alleged grounds for such removal and giving him a reasonable opportunity to be heard in the way of explanation or defense.

SEC. 7. Any vacancy in a county office, other than that of supervisor, shall be filled by the board of supervisors by appointment for the unexpired term.

ARTICLE III

CONSTABLES AND JUSTICES

SECTION 1. There shall be one justice of the peace and one constable for each judicial township.

SEC. 2. Justices of the peace and constables shall be nominated and elected at the times and in the manner provided by general law.

SEC. 3. The compensation of justices of the peace and constables shall be fixed by the board of supervisors and paid in equal monthly installments out of the county treasury, but the amount of such compensation shall not be increased nor diminished during the term for which any justice or constable may have been elected.

ARTICLE IV

OFFICERS AND BOARDS

SECTION 1. There is hereby created the office of county surveyor. The chairman of the board of supervisors shall be ex officio the county surveyor, unless and the term of office of the county surveyor shall coincide with that of the chairman of the board of supervisors.

SEC. 2. Except the officers hereinbefore provided for, county surveyors or road district officers shall construct and do purchasing and contracting therein, except material or other expenses or properties for use for any such officer, or for the use or performance of his official duties by and through any purchasing agent, and in the manner herein provided.

SEC. 3. Whenever any such officer shall require any such furniture, building, [illegible] materials or other articles or properties for use by any such officer, or for the use or performance of his official duties and powers by and through any purchasing agent, and in the manner herein provided.

SEC. 4. Subject to regulations and directions of the board of supervisors, it shall be the duty of the purchasing agent to purchase from time to time, as required, such supplies of every kind and description [illegible] and other articles that may be required by [illegible] and to contract for the board, and keep an accurate record of the [illegible] and the amount so ordered by each board, and keep an account of the [illegible] of each commodity for the orders as shall be allowed by the board as hereinbefore provided.

SEC. 5. The foregoing provisions shall not apply to persons or firms who purchase by an officer of such school articles or materials as may be necessary for immediate use in case of emergency; but all such purchases shall be reported to the board of supervisors and shall be audited, [illegible] and paid for in the usual manner.

SEC. 6. Subject to regulations and directions of the board of supervisors, it shall be the duty of the purchasing agent to contract for and purchase all furniture, supplies and material required for use by or in connection with any and all county institutions; except and provided that perishable foodstuffs and other perishable articles may be purchased as required by the officers in charge of such institutions, subject to such rules and regulations as shall be prescribed by the board of supervisors.

ARTICLE V

REPORTS AND ACCOUNTS

SECTION 1. Every county officer other than the auditor and county treasurer and road district officer shall, within five days after entering upon the discharge of the duties of his office make and file with the auditor a complete detailed statement of all property belonging to or pertaining to the office, received or [illegible] by the county officer and the purpose which the same was used, and file a like statement as to the office with the clerk of the board of supervisors.

SEC. 2. Every such officer other than the auditor shall monthly, within five days after the expiration of such calendar month, make and file with the auditor a report for such month, showing in detail all moneys in the possession of or pertaining to his office during such month, and how and from whom received, and any moneys in detail what property of or pertaining to his office has during such month been lost, destroyed, converted, or otherwise disposed of; and the auditor within the same time shall make and file a like monthly report as to his office with the clerk of the board of supervisors.

SEC. 3. Every such officer, other than the auditor shall monthly, within five days after the expiration of each calendar month, make and file with the auditor an account for such month showing in detail all moneys received by him as such officer from any and all sources during such month, and also, in detail, the amounts of all moneys, if any, that shall during such month have become due or payable to such

officer upon any and all accounts, but not received or collected by such officer, and also showing in detail all expenditure, payment, or other disposition of any and all moneys made by him during such month; and the auditor, within the same time, shall make and file a like monthly account as to his office with the clerk of the board of supervisors.

SEC. 4. It shall be the duty of the auditor to examine and audit each and all of such reports and accounts as received by him, and if it shall appear to him that any such report or account is erroneous, or not sufficiently full, complete or detailed, he shall forthwith, in writing, direct the attention of the officer making such report or account to such apparent error or insufficiency, and require from such officer such correction or such new or supplemental or further report or account as to the auditor shall seem proper; and it shall be the duty of such officer to comply forthwith with such requirement of the auditor.

SEC. 5. The auditor shall not audit, nor shall the treasurer pay, the monthly salary of any officer whose duty it is to make monthly report and account to the auditor as aforesaid, until after such report and such account shall have been made to the auditor and accepted by him.

SEC. 6. It shall be the duty of the auditor to make thorough inspection and examination from time to time, and at least once every three months, of all books and accounts of all other county officers and of all township and road district officers, and of the methods of keeping the accounts and transacting the business of such officers, and to prescribe in writing as to each or any or all of such offices such rules, regulations, forms and methods as to keeping the accounts thereof, and as to making the reports and accounts hereinbefore provided for, as to the auditor shall seem proper; and it shall be the duty of each and all of such officers to comply with such requirements of the auditor.

SEC. 7. It shall be the duty of the auditor to make written report, quarterly, to the board of supervisors, as to the condition, affairs, business and accounts of each and all county, township and district offices, with such criticisms, commendations, suggestions and recommendations as he shall deem proper as tending to the correction of defects or abuses, or the promotion of efficiency or economy, in the administration of all or any of such offices; and it shall be his duty in such report to point out particularly any known or apparent misconduct, neglect or failure in regard to official duty, as to all or any of such offices. It shall also be the duty of the auditor to make special examination and report as to any particular office or officer, or as to any matter relating to any particular office or officer, whenever directed so to do by the board of supervisors.

SEC. 8. It shall be the duty of the board of supervisors to employ from time to time, and at least once every six months, an expert accountant, whose duty shall be to make thorough examination and report as to the condition, business and affairs of the auditor's office and particularly as to the books and accounts of that office; and the board may, whenever it shall deem it necessary or expedient so to do, employ an expert accountant to make examination and report as to any other office or officer, independent of and in addition to any report or account made, or required to be made, by the auditor.

SEC. 9. The auditor shall keep a "property account" with each county, township and road district officer, in which account such officer shall be charged with all property received by him from his predecessor, as shown by the inventory and report hereinbefore provided for, and shall be charged with all property thereafter received by such officer, as shall appear from the monthly reports of such officer or from the duplicate inventories filed with the auditor by the county purchasing agent; and such officer shall be officially responsible for all property so charged to him until the same shall properly be consumed or be delivered to his successor, or be disposed of or accounted for as authorized or provided for by the board of supervisors.

SEC. 10. All reports and accounts hereinbefore provided for shall be kept on file in the proper office, and shall be open to inspection there, during office hours, by any citizen or taxpayer of the county.

ARTICLE VI.

ROADS AND HIGHWAYS.

SECTION 1. The board of supervisors shall divide the county into such road districts as they shall deem proper, and may change the boundaries or create new districts from time to time. The road districts now existing shall constitute the road districts here provided for, until changed by the board.

SEC. 2. There is hereby created the office of county highway commissioner, who shall be appointed by the board of supervisors at any time and shall hold office at the pleasure of the board; and the board shall fix his compensation. It shall be the duty of the board to appoint to such office a competent, experienced road engineer.

SEC. 3. Except as otherwise specially provided by law or by the board of supervisors in connection with an issue of bonds for highway construction, the county highway commissioner, subject to such general rules and directions as shall be prescribed by the board of supervisors, shall have general supervision, direction and control over all work of construction, maintenance and repair of any and all roads,

highways and bridges in any and all of said road districts when said work has been under contract entered into by the board of supervisors, and as to such contract work it shall be his duty to examine and inspect all such work as the same progresses and see that it is done in accordance with the contract.

SEC. 4. There is hereby created the office of district road commissioner to and for each road district, who shall be appointed or any vacancy filled by the board of supervisors and shall hold office at the pleasure of the board, and the supervising of each and all of the district road commissioners shall be had by the board of supervisors, and such supervising and care be uniform in manner.

SEC. 5. Except as otherwise specially provided by law or by the board of supervisors in connection with the issue of bonds for highway improvements, and subject to such general rules and directions as shall be prescribed by the board of supervisors, and subject to the general supervision, direction and control of the county highway commissioner, each district road commissioner shall have the immediate charge, direction and control of all work of construction, maintenance and repair of any and all roads, highways and bridges in his road district, under such rules from the contract, and of the employment and discharge of all employees required in the performance of such work, and the hiring of such teams and the purchasing of such tools, implements, supplies and materials as may be required for such work except as such purchase may be required to be made from the county purchasing agent. All bills by this charter is required to be made by the county purchasing agent.

SEC. 6. No member of the board of supervisors shall be appointed county highway commissioner or district road commissioner, nor shall any appointee have, or exercise any power or duty conferred by this charter upon a county highway commissioner or a district road commissioner.

SEC. 7. The county highway commissioner and each of the district road commissioners, before entering upon the duties of his office, shall give an official bond for the faithful performance of his duties, in a penal sum to be fixed by the board of supervisors, which bond shall be approved by the board.

ARTICLE VII.

MISCELLANEOUS.

SECTION 1. In all cases in which the board of supervisors are authorized by law or by this charter to fix the compensation of any officer, such compensation shall be fixed prior to the election or appointment of such officer, and shall not be increased or diminished during the term for which such officer shall be elected or appointed.

SEC. 2. In all cases in which an officer is entitled a fixed yearly, monthly or other salary to be fixed by this charter or by the board of supervisors, such salary shall be in full compensation for all services by such officer, and in all cases in which such officer is, by general law, required to charge or receive and turn in all commissions, fees, percentages or other compensation for official services, he shall be the duty of such officer to charge collect and receive such fees and compensations and to pay the same monthly to the county treasurer, provided, that the necessary actual traveling expenses incurred by any officer, or by any assistant or deputy clerk or employee of such officer in the performance of his official duties, shall be a legal charge against the county.

SEC. 3. All special salaries of officers, assistants, deputies, clerks and attendants, whether fixed by general law or by this charter or by the board of supervisors, shall be payable in equal monthly installments.

SEC. 4. The board of supervisors may, by ordinance, provide for the establishment of a board of civil service commissioners, and prescribe such duties and fix their compensation and their term of office and the board may by ordinance, prescribe such civil service rules and regulations as they shall deem proper to govern themselves in the appointment of any of the officers, employees, deputies, clerks and attaches whose appointment they are authorized to make by general law or by this charter.

SEC. 5. Nothing in this charter is intended to affect, or shall be construed as affecting, the tenure of office of any of the elective officers of the county, or of any district, township or division thereof in office at the time this charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they may have been elected, unless sooner removed in the manner provided by law; nor shall anything in this charter be construed as changing or affecting the compensation of any such officer during the term for which he shall have been elected. But the successors of each and all of such officers shall be elected or appointed as in this charter provided and not otherwise.

SEC. 6. This charter is so far as it relates to the compensation and duties of supervisors and township officers shall take effect and be in force from and after the time of its approval by the legislature, and as to all other matters it shall take effect and be in force from and after twelve o'clock, noon, of the first Monday after the first day of January, 1915.

We, the undersigned, members of the board of fifteen freeholders of the county of San Bernardino, in the State of California, elected at a special election held in said

county on the 14th day of May, 1912, to prepare and propose a charter for said county, under and in accordance with Section 7½ of Article XI of the Constitution of this State, have prepared and we do hereby propose the foregoing as and for a charter for said county.

In witness whereof, we hereunto sign our names in duplicate this 14th day of September, 1912

W. M. PARKER,
Chairman.
THOMAS DONNELLY,
Secretary.
[SEAL]
EDGAR H. PRICE.
JACOB JESSON.
ISAAC JONES.
M. D. KATZ.
W. H. REED.
J. S. WHITEMAN.
G. W. BEATTIE.
M. F. PALMER.
CHARLES RUEDY.
J. B. HANNA.
C. S. LOMBARD.
L. WM. GURR.
CHAS. A. ROUSE.

CERTIFICATE.

I, Charles Post, county clerk of the county of San Bernardino, State of California, hereby certify that the proposed charter for said county, as set forth in the annexed preamble and concurrent resolution, is a true copy of such charter, filed in my office as recited in said preamble, and that each and all of the recitals in said preamble are true.

In witness whereof, I have hereto set my hand and affixed my official seal, this 20th day of January, 1913.

[SEAL]
CHARLES POST,
County Clerk and ex officio Clerk of the Superior Court in and for San Bernardino County, State of California.

AND WHEREAS, said proposed charter has been duly presented and submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring herein), That said proposed charter of the county of San Bernardino be, and it is hereby approved as a whole, as and for the charter of said county.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Anderson, Benson, Boynton, Brown, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Lyon, Owens, Regan, Sanford, and Tyrrell—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 326—An Act to repeal Sections 768, 771, 866 and 869 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 326 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Sanford, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 328—An Act to amend Section 576 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 11, 1883.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Breed, Butler, Cammetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Leon, Mott, Owens, Regan, Sanford, Shanahan, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 329—An Act to amend Sections 737 and 827 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 11, 1883.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 329 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Breed, Butler, Cammetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Leon, Mott, Owens, Regan, Sanford, Shanahan, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 33—An Act to amend Section 812 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 11, 1883.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 33 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Butler, Cammetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Sanford and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 482—An Act to amend Sections 3 and 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 482 passed by the following vote:

AYES—Senators Anderson, Boynton, Breed, Butler, Cammetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Leon, Mott, Owens, Regan, Sanford, Shanahan, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO AMEND RULES.

Senator Boynton gave notice that on the next legislative day he would move to amend subdivision one of rule twenty-eight of the Standing Rules of the Senate as follows:

Strike out the period at the end of said subdivision, and insert in lieu thereof a semicolon and the following words: "*and provided further*, that joint and concurrent resolutions and constitutional amendments shall not be deemed 'bills' within the meaning of Section 2 of Article IV of the Constitution and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction."

Proposed amendment to rules ordered referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 140—An Act to provide for a day of rest from labor.

On motion of Senator Lyon, Senate Bill No. 140 was passed on file.

Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Read third time.

On motion of Senator Caminetti, Senate Bill No. 873 was passed on file, to retain its place.

Senate Bill No. 694—An Act to amend section fifteen hundred ninety-seven of the Political Code, relating to the time that polls shall be open at elections in school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 694 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 933—An Act to amend Section 1696 of the Political Code, relating to the duties of teachers.

On motion of Senator Anderson, Senate Bill No. 933 was passed on file.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

On motion of Senator Cohn, Senate Bill No. 1411 was passed on file.

Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

Read third time.

The question being on the passage of the bill.

The roll was called

CALL OF THE SENATE.

Pending the announcement of the vote Senator Caminetti moved a call of the Senate.

Motion carried.

Time, three o'clock and seven minutes p.m.

The President directed the Sergeant at Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called and the following answered to their names:

Senators Anderson, Avey, Benson, Burnam, Bunn, Bussey, Bryson, Bullis, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cole, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lawrence, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Tyrrell and Wright—34.

The Secretary announced the absentees.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and fifteen minutes p.m. Senators Birdsall and Thompson were brought to the bar of the Senate, and on motion of Senator Wright, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twenty minutes p.m. further proceedings under the call of the Senate were dispensed with on motion of Senator Caminetti.

The roll of absentees was called, and Senate Bill No. 54 refused passage by the following vote:

AYES—Senators Belcher, Benson, Bryson, Campbell, Flint, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Regan, Sanford, Shanahan and Tyrrell—15.

NOES—Senators Anderson, Avey, Bullis, Burnam, Bunn, Bussey, Caminetti, Carr, Cassidy, Cogswell, Cole, Flint, Gates, Hewitt, Jones, Lawrence, Mott, Owens, Strobridge, Thompson, and Wright—22.

NOTICE OF RECONSIDERATION.

Senator Caminetti gave notice that he would on the next legislative day, move to reconsider the vote whereby Senate Bill No. 54 was refused passage.

Committee Substitute for Senate Bill No. 588.—An Act to amend sections four, six, eight and nine of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer Committee Substitute for Senate Bill No. 588 to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT NO. 1.

On page 2, line 32, of the printed committee substitute, insert the word "sheets" immediately after the word "more".

AMENDMENT No. 2.

On page 4, line 13, of the printed committee substitute, immediately after the word "reserved", insert the words "or indicated".

AMENDMENT No. 3.

On page 5, line 13, of the printed committee substitute, immediately after the word "plat", insert the words "which is not".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Committee Substitute for Senate Bill No. 588, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

On motion of Senator Thompson, Senate Bill No. 577 was passed on file, to retain its place.

Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered one thousand four hundred ten *a*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

In the absence of the author, Senate Bill No. 843 was passed on file.

Senate Bill No. 947—An Act to amend Section 3898 of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

On motion of Senator Breed, Senate Bill No. 947 was passed on file, to retain its place.

Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 201 passed by the following vote:

AYES—Senators Beban, Birdsall, Breed, Brown, Bryant, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—Senator Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1410*a*, relating to the water of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

In the absence of the author, Senate Bill No. 412 was passed on file.

Senate Bill No. 413—An Act to amend "An Act to amend an Act

entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without having sufficient means to defray burial expenses," approved March 14, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 24, 1911, by amending Section 4 thereof.

In the absence of the author, Senate Bill No. 413 was passed on file.

Senate Bill No. 1173—An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

On motion of Senator Gerdes, Senate Bill No. 1173 was ordered to the file of unfinished business.

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

On motion of Senator Gerdes, Senate Bill No. 1172 was ordered to the file of unfinished business.

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

In the absence of the author, Senate Bill No. 1413 was passed on file.

Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

On motion of Senator Sanford, Senate Bill No. 335 was passed on file, to retain its place.

Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 489 was passed on file, to retain its place.

Senate Bill No. 1124—An Act to amend Section 4273 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

On motion of Senator Sanford, Senate Bill No. 1124 was passed on file, to retain its place.

Senate Bill No. 794—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of

supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highways or boulevard and providing the manner in which the cost and expense thereof shall be paid.

In the absence of the author, Senate Bill No. 794 was passed on file.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

In the absence of the author, Senate Joint Resolution No. 25 was passed on file.

Senate Bill No. 1017—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing and filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory with certain exceptions; and providing penalties for such offenses." approved April 4, 1911.

On motion of Senator Owens, Senate Bill No. 1017 was ordered to the file of unfinished business.

Senate Bill No. 1510—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1510 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Lyon, Mott, Regan, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 50—An Act to declare the Sonora and Mono road in Tuolumne County a state highway.

In the absence of the author, Senate Bill No. 50 was passed on file.

Senate Bill No. 971—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

On motion of Senator Caminetti, Senate Bill No. 971 was passed on file, to retain its place.

Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, pro-

viding for the voting, issuing and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

On motion of Senator Anderson, Senate Bill No. 1710 was passed on file, to retain its place.

Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

On motion of Senator Jones, Senate Bill No. 1522 was passed on file to retain its place.

Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 passed by the following vote:

AYES—Senators Ayer, Beban, Benson, Boyd, Brown, Burnett, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cutten, Flint, Finn, Gerdon, Gesford, Jones, Juilliard, Larkins, Lyon, Owens, Rigas, Saunders, Stevenson, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all properties necessary therefor, and also to provide for the distribution and sale of water by such districts.

Read third time.

On motion of Senator Caminetti, Senate Bill No. 265 was passed on file to retain its place.

Senate Bill No. 531—An Act to amend Sections 1240, 1247, 1247a and 1247c of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of the records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeals in criminal cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 531 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boyd, Brown, Burnett, Caminetti, Campbell, Cassidy, Cogswell, Cutten, Flint, Finn, Gerdon, Gesford, Juilliard, Larkins, Lyon, Marr, Owens, Rigas, Saunders, Stevenson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 429 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Larkins, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated eleven hundred and seventy*a* (1170*a*), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

On motion of Senator Gates, Senate Bill No. 885 was passed on file.

Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered and known as Section 1872, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

In the absence of the author, Senate Bill No. 916 was passed on file.

Senate Bill No. 1125—An Act to amend Sections 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1125 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Butler, Caminetti, Campbell, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

In the absence of the author, Senate Bill No. 1492 was passed on file.

Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California by providing a limitation within which execution may be issued upon money judgments.

On motion of Senator Gates, Senate Bill No. 615 was passed on file.

Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpœna.

In the absence of the author, Senate Bill No. 863 was passed on file.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

On motion of Senator Anderson, Senate Bill No. 824 was passed to file, to retain its place.

MOTION.

Senator Juilliard moved that Senate Bill No. 880 be taken up for the purpose of amendment.

Motion carried.

Senate Bill No. 880—An Act to repeal Section 1900 of the Political Code of the State of California and to amend Sections 1899, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1937, 1939, 1940, 1943, 1944, 1945, 1947, 1964, 2076, 2077, 2079, 2080, 2111, and 2113 of the Political Code of the State of California and to add four new sections to said Code to be known as Sections 1928a, 1928b, 1928c and 1928d, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Regan, as a special committee of one, to amend as follows:

AMENDMENT No. 1

On page 12, Section 18, line 29, after the comma (,) insert the words, "to have served four years as a commissioned officer with troops of the line of this state,".

AMENDMENT No. 2

On page 22, Section 27, line 5, strike out the word "twelve", and insert in lieu thereof the words "fourteen (fourth grade)".

AMENDMENT No. 3

On page 22, Section 27, lines 20, 24, 25, 26, 27, 28 and 29, strike out the words "The regular and commissioned staff of a brigade to rank next to and above the officers in this chapter for officers of senior grades of regiments. The division commanders shall be entitled to the officers of the respective divisional staffs to the battalion which said divisional commander is to command and shall give office as prescribed in this title for officers of similar grades of regiments", and insert in lieu thereof the following: "The regular, commissioned and noncommissioned staff of a brigade to rank next to and above the officers in this chapter for officers of similar grades of regiments or battalions."

AMENDMENT No. 4

On page 23, Section 27, lines 15, 16, 17 and 18, strike out the words "The pay department of the naval militia shall consist of one paymaster with the rank of lieutenant (junior grade) and one assistant paymaster with the rank of ensign," and insert in lieu thereof the following: "The pay department of the naval militia shall consist of one paymaster with the rank of lieutenant, one pay inspector, one paymaster with the rank of lieutenant (junior grade), and one assistant paymaster with the rank of ensign."

AMENDMENT No. 5

On page 24, Section 27, lines 26, 27 and 28, strike out the words "Ordnance manual for the naval militia, which manuals shall be issued by the commander-in-chief", and insert in lieu thereof the following: "Manual of the naval militia, for the naval militia such necessary manuals as required by the commanding officer of the naval militia and general instructions for the home service, which necessary shall be ordered by the commander-in-chief."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 880, with instructions to amend, respectfully reports the same back, amended as per instructions.

REGAN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF MOTION—(CONTINUED).

Senator Finn moved to take up the consideration of his motion to reconsider the vote whereby Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven *c* (397*c*), relating to the sale or disposal of intoxicating liquors between certain hours—was passed.

Motion carried.

Senator Finn moved that the consideration of the motion to reconsider the vote whereby Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven *c* (397*c*), relating to the sale or disposal of intoxicating liquors between certain hours—was passed, be continued until next legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 126—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also: Senate Bill No. 127—An Act appropriating money for repairing and calcimining the training school building at San Francisco State Normal School.

Also: Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Finance.

AVEY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1205—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands, and to amend Section 3415 of said Political Code, relating to contests of the right to purchase state lands—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary.

AVEY, Chairman.

Senate Bills Nos. 126, 127 and 128 ordered re-referred to Committee on Education.

Senate Bill No. 1205 ordered re-referred to Committee on Judiciary.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 16 and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or

convenient for such purposes and for the establishment of assessment districts and the government of property therein to pay the expenses of such improvements," approved March 24, 1909, and to add a new section to said Act to be numbered Section 89a relating to the form of notices, protests and determinations subsequent to the ordering of improvements, and the doing under consideration, and respectfully report the same back, with consideration and recommend that it do pass as amended.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 742—An Act to amend Sections 1, 11 and 34 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, public places and sidewalks, and for the assessment of expenses of such work upon property benefited thereby, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvements and adding a new section thereto to be numbered Section 5a, relating to the manner in the case of a portion of the cost of the improvement being paid by the same under consideration, and respectfully report back a substitute therefor for the same and recommend that said substitute be adopted.

CARR, Chairman.

Senate Bills Nos. 743 and 742 ordered on file for second reading.

ADJOURNMENT.

At four o'clock p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,

Friday, April 4, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Allen J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Boggs, Bonnifield, Borden, Boynton, Bread, Brown, Bryant, Butler, Cashmore, Campbell, Carr, Cassidy, Caminetti, Colton, Curtin, Flint, Flint, Garrick, Gaylen, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lawlor, Leon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Stetkovich, Thompson, Tyrrell, and Wright—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 3, 1913, the further reading was dispensed with, on motion of Senator Rush.

SPECIAL ORDER RESET.

Senator Shanahan moved that the further consideration of the objections of the Governor to Senate Bill No. 383 be made a special order for Monday, April 7, 1913, at eleven o'clock and thirty minutes a.m.

Motion carried.

CONSIDERATION OF SPECIAL ORDER.

The President laid before the Senate the consideration of Senate Constitutional Amendment No. 9 and the pending report of Senator Breed, as a special committee of one, to amend the same:

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Breed, as a special committee of one, to amend as follows:

By adding, after the comma at end of line 12, the following: "nor shall any person be eligible or hold a seat in the legislature who, at the time of his election, or six months prior thereto, was in the employ, as attorney, or otherwise, of any public service corporation or public utility under the jurisdiction of the railroad commission, or any insurance, title, trust or banking company, or any union labor organization."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 9, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and refused adoption.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Breed, as a special committee of one, to amend as follows:

By adding, after the comma at end of line 12, the following: "nor shall any person be eligible for a seat in the senate or assembly of this state, who at the time of his election, or six months prior thereto, was in the employ as attorney, or otherwise, of any public utility mentioned in Section 23 of Article XII of the Constitution of the State of California."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 9, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

The question being on the adoption of the report.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Wright, Curtin and Owens.

The roll was called, and the report of the special committee of one adopted by the following vote:

AYES—Senators Avey, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—Senators Anderson, Beban, Birdsall, Cohn, Curtin, Finn, Gates, and Strobridge—8.

Constitutional amendment ordered to print and re-engrossment.

RUSH ORDER TO PRINT.

On motion of Senator Wright, the Secretary was directed to have a rush order for printing Senate Constitutional Amendment No. 9.

SPECIAL ORDER SET.

Senator Kehoe moved that the further consideration of Assembly Concurrent Resolution No. 19 be made a special order for eleven o'clock a.m. on Friday, April 11, 1913.

PRESIDENT PRO TEM. ROTATION IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

AMENDMENT TO MOTION.

Senator Gates moved to amend the motion as follows:

By striking out the words "Wednesday, April 9, 1913," and inserting in lieu thereof the words "Friday, April 11, 1913".

Amendment accepted.

SENATOR BREED IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Senator Breed, of the Fifteenth District, in the chair.

SUBSTITUTE FOR MOTION.

Senator Curtin moved as a substitute that Assembly Concurrent Resolution No. 19 be re-referred to Committee on Finance.

The question being on the adoption of the substitute,

The roll was called, and the substitute lost by the following vote:

AYES—Senators Campbell, Curtin, Hewitt, Owens, Rogers, Sanford, Stanford, and Wright—8.

NOES—Senators Anderson, Ayer, Belshe, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cammetti, Carr, Cassidy, Chipman, Cohn, Finn, Flint, Gates, Gerdes, Gesmer, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Strobridge, Thompson, and Tyrrell—30.

The question being on the motion of Senator Kehoe,

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Curtin, Wright and Kehoe.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Ayer, Belshe, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cammetti, Carr, Chipman, Cohn, Finn, Flint, Gates, Gerdes, Gesmer, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Strobridge, Thompson, and Tyrrell—31.

NOES—Senators Campbell, Larkins, Owens, Sanford, and Wright—5.

COMMUNICATION.

The President presented the following telegram to the Senate:

CHICO, CAL., April 3, 1913.

Lieutenant Governor Wallace, President of the Senate, State Capitol, Sacramento:

It has pained and surprised me to be quoted by Attorney Benson in his arguments against the Kehoe bill at the public hearing of the Joint Committee on Morals

in the Judiciary Chamber on the Capitol Tuesday evening, April 1st, that I, Mrs. John Bidwell, was against a bill affecting my name in the way it has as one of the committee that drafted the resolutions condemning the Kehoe bill. As a member of the Women's Board of the Panama-Pacific Exposition, I declare that I knew nothing of these resolutions when I would emphatically have opposed had I known thereof. My position on the question is so well known that I cannot believe my name could be affixed to those resolutions.

I request that this letter be read in the Senate and also made public through the daily Journal.

MRS. JOHN BIDWELL

RECONSIDERATION OF VOTE.

Pursuant to a notice given on the previous day, Senator Cannetti moved that the vote whereby Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases—was refused passage, be reconsidered.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 54 was refused passage was reconsidered by the following vote:

AYES—Senators Ach, Beban, Benson, Birdsall, Boynton, Braud, Brown, Bryant, Butler, Cannetti, Cartter, Cassidy, Chigwell, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Leavitt, Lyon, Metz, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—33.

NOES—None.

SPECIAL ORDER SET.

Senator Cannetti moved that the further consideration of Senate Bill No. 54 be made a special order for eleven o'clock a.m., on Tuesday, April 7, 1913.

Motion carried.

COMMUNICATION—(OUT OF ORDER).

The following communication was presented by Senator Brown:

LOS ANGELES, CAL., April 1, 1913.

President of the Senate, Sacramento, Cal.

The Church Federation of Los Angeles urges the adoption of Senate Bill No. 1124, providing for minimum wage commission and earnestly would strongly emphasize the immoral conditions produced by inadequate wages.

EDWIN P. RYLAND,
President Church Federation of Los Angeles.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 560—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

Also: Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Also: Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

Also: Assembly Bill No. 1095—An Act to provide for the free treatment of persons exposed to rabies and for their free transportation and support while undergoing treatment in their own homes under the direction and treatment by the State Board of Health.

Also: Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation

of poor cattle for sixty or breeding purposes affected with contagious pox, the State of California," approved March 1, 1911, to amend an Act entitled "An Act governing the introduction of horses, mares and mules affected with glanders into the State of California," approved March 7, 1911.

J. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNE, Assistant Clerk.

Assembly Bills Nos. 360 and 412 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 403 read first time and referred to Committee on Corporations.

Assembly Bills Nos. 1295 and 370 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1386—An Act to amend Section 11 of the Act of the extraordinary session of the Legislature of California of 1911, entitled "An Act to aid in the construction of a system of State highways, and making an appropriation therefor, and to provide for the maintenance thereof, and repealing all Acts and parts of Acts inconsistent herewith," approved June 10, 1911, known as the Higher Division Act, and amending Section 2, 3, 10, 11, 12, 30, 37, and 38 thereof.

Also: Assembly Bill No. 1295—An Act to amend Section 3691 of the Political Code of the State of California, relating to consolidation of county offices.

J. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNE, Assistant Clerk.

Assembly Bill No. 196 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1305 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Imperial-Coachella state road.

Also: Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Also: Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Morgan's Station to Mt. Konocti.

Also: Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Tracy-Hetchy state road.

Also: Assembly Bill No. 1152—An Act to amend Section 16 of the Code of Civil Procedure, relating to holidays.

Also: Assembly Bill No. 1132—An Act to amend Section 10 of the Political Code of California, relating to holidays.

J. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNE, Assistant Clerk.

Assembly Bills Nos. 1377, 1376, 1375, and 1373 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 1152 and 1132 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Concurrent Resolution No. 20—Concurring in the amendments to the charter of the city and county of San Diego, a municipal corporation of the State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held therein for that purpose, on the 27th day of February, 1913.

J. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNE, Assistant Clerk.

Senate Concurrent Resolution No. 20 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

Also: Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be numbered 632c, relating to the taking of trout by using salmon or trout roe or eggs.

Also: Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

HANS, Chairman.

Senate Bills Nos. 52, 962, and 961 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of textbooks for use in the public schools of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

AVEY, Chairman.

Senate Bill No. 1007 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Also: Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Also: Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Judiciary.

AVEY, Chairman.

Senate Bills Nos. 789, 790 and 791 ordered re-referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State, and making an appropriation of two thousand dollars for such purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

AVEY, Chairman.

Senate Bill No. 515 ordered re-referred to Committee on Finance

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers, and providing for the proper distribution of such books.

Also: Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day" in all departments of the public school system of the State of California of the twenty-fourth of January, the date of the discovery of gold in California, by James W. Marshall.

Also: Assembly Bill No. 471—An Act to amend Section 1770a of the Political Code of the State of California, relating to the employment of clerks in certain school districts.

Have had the same under consideration and respectfully report the same back with amendments and recommend that same do pass as amended.

[illegible]

Senate Bills Nos. 1011 and 745 ordered on file for second reading. Assembly Bill No. 444 ordered on file for second reading.

[illegible]

Mr. President: Your Committee on Judiciary, Finance and Chartered Cities, to whom was referred Assembly Bill No. [illegible] respectfully reports that it has had the same under consideration and recommends that the bill be passed.

[illegible]

Assembly Bill No. 42 ordered on file for second reading.

[illegible]

Mr. President: Your Committee on Engrossed and Enrolled Bills, to which was referred [illegible] respectfully reports that it has had the same under consideration and recommends that the bill be passed.

[illegible]

Also: Senate Bill No. 1049—An Act to add a new section to the Penal Code to be numbered [illegible] relating to compelling [illegible] to testify.

Also: Senate Bill No. 414—An Act to amend Section 3667, and repealing Section 3668, relating to the salaries of the [illegible] and the [illegible].

Also: Senate Bill No. 1150—An Act to provide for the licensing and regulation of [illegible] and [illegible] persons in the State of California.

Also: Senate Bill No. 795—An Act to amend Section 1203 of the Code of Civil Procedure, relating to [illegible] and [illegible].

Also: Senate Bill No. 810—An Act to amend Section [illegible] of the Penal Code of the State of California, relating to the [illegible] of [illegible] and the [illegible] of [illegible] and [illegible].

Also: Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerks' offices of the various counties throughout the State.

Also: Senate Bill No. 330—An Act to amend Section 1772 of the Penal Code, relating to witnesses and testimony of husband and wife.

Also: Senate Bill No. 75—An Act relating to [illegible] and [illegible], making [illegible] and [illegible] [illegible] [illegible], defining the powers of the Attorney General in regard thereto, declaring [illegible] [illegible] and providing [illegible] thereto, providing for [illegible] of [illegible] [illegible] and [illegible] [illegible] [illegible]

Constitution of the State of California, relating to the place of payment of bonds, and the interest thereon, of counties, cities and counties, cities, municipalities, irrigation districts, and other public corporations, and to the money in which such bonds and interest may be made payable.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 211—An Act to amend an Act entitled "An Act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," approved Feb. 6, 1911, by adding a new section, granting to the board of commissioners the power to acquire property by gift, bequest, donation, contribution, devise, purchase, condemnation, and otherwise—and report that the same has been correctly enrolled, and presented the same to the Governor on this third day of April, 1913, at four o'clock and twenty minutes p.m.

GRANT, Chairman.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor—have had the same under consideration, and respectfully report the same back, without recommendation.

BRYANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Also: Senate Bill No. 238—An Act amending Section 602*a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Also: Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BRYANT, Chairman.

Senate Bills Nos. 896, 235, 238, and 239 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be re-referred to Committee on Finance.

BRYANT, Chairman.

Senate Bill No. 891 ordered re-referred to Committee on Finance.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California, relating to the regulation of loading and unloading of vessels, to be known as and numbered 368*a* of said code.

Also: Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Also: Senate Bill No. 322—An Act to repeal an Act entitled "An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the

passage; and is ready for consideration and respectfully recommends that it do pass.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LYON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1005—An Act to provide for the inspection of factories, workrooms, shops and other manufacturing establishments, have had the same under consideration and respectfully report the same back, and recommend that it do pass as amended.

LYON, Chairman.

Senate Bills Nos. 131, 292, 322 and 1023 ordered on the list for second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1034—An Act providing for the organization of boards and bureaus and prescribing the duties, compensation of Commissioners and their deputies and employees, including a stenographic report, for the appointment, duration and filling vacancies in the membership of the Advisory Board, and the appointment, duration and filling vacancies in the membership of the Industrial Accident Board, providing for the publication of this Act, have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Finance.

LYON, Chairman.

Senate Bill No. 1134 ordered re-referred to Committee on Finance.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1281—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other person, from any person or persons, according to whom or assisting in any way in the accomplishing or selling of spirits or other thing or drink in any place of business conducted in the State of California, have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be referred to Committee on Judiciary.

BUTLER, Chairman.

Senate Bill No. 1281 ordered re-referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 672—An Act to amend Section 17a of the Penal Code, relating to the sale of cocaine, have had the same under consideration, have had one hearing upon said subject and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 804—An Act to provide for the payment of a license tax upon every person, firm, or corporation engaging in the business of selling or dispensing of alcoholic spirituous or vinous liquors, or intoxicating liquors, and providing a penalty for a violation hereof, and appropriating for the expenses of the Board to be appointed hereunder, have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bills Nos. 672 and 804 ordered on the list for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1220—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis and for investigation of the prevalence and dangers of tuberculosis therefrom, have had the same under consideration, and respectfully report the same back, and recommend that it do pass be amended, and be referred to Committee on Finance.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code, relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks and assistants and their compensation—have had the same under consideration, and respectfully report the same back, with recommendation that it do pass, and be re-referred to Committee on Finance.

JONES, Chairman.

Senate Bill No. 1239 and Assembly Bill No. 593 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members, who shall act under and in accordance with the provisions of this Act; to provide for their appointment and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof, providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1895, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a new section, to be numbered 13, relating to the collection of fees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1308—An Act to amend Section 14 of an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885,' approved March 23, 1901."

Also: Senate Bill No. 1309—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick and afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Also: Senate Bill No. 1310—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Also: Senate Bill No. 346—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1116, An Act to provide for the licensing, examining and regulation of optometrists or persons or partnerships, and corporations employing optometrists or persons or partnerships, and corporations employing optometrists to practice optometry in the State of California, and providing for the creation of a board to be known as the State Board of Optometry, and prescribing its powers and duties, and providing for the payment of the expenses of this Act, and to fix the time when this Act shall take effect, and repealing all Acts or parts of Acts inconsistent herewith, has had the same under consideration, and respectfully report the same back with recommendation that it do pass as amended.

JONES, Chairman.

Senate Bills Nos. 1207, 1208, 1209, 1210, 928, and 946 ordered to file for second reading.

Assembly Bill No. 312 ordered to file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1017, An Act to amend [illegible] relating to the [illegible] revenue, [illegible] and to [illegible] and to provide for the [illegible] against [illegible] [illegible] [illegible]

of the United States to initiate proceedings therein for the preparation of and submission to the several States of an amendment to the Constitution of the United States placing women and men on an equality with respect to citizenship and the exercise of the elective franchise.

Also, the request of Senator Caminetti for permission to introduce a Senate constitutional amendment to Article IV of the Constitution, relative to sessions of the Legislature by amending Sections 1, 14, 15, and 16 of said Article IV and by adding a new section thereto, to be numbered Section 24.

Have had the same under consideration, and respectfully report the same back, and recommend that said requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Behan, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cassidy, Curtin, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Caminetti: Senate Joint Resolution No. 30—Relative to memorializing the Congress of the United States to initiate proceedings therein for the preparation of and submission to the several states of an amendment to the Constitution of the United States, placing women and men on an equality with respect to citizenship and the exercise of the elective franchise.

Resolution referred to Committee on Federal Relations.

By Senator Regan: Senate Joint Resolution No. 31—Relative to recommending to our representatives in Congress that a speedy settlement be made in the conflicting coal claims in Alaska, now pending.

Resolution referred to Committee on Federal Relations.

By Senator Caminetti: Senate Constitutional Amendment No. 70—A proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature.

Constitutional amendment referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KEHOE, Chairman.

Assembly Bill No. 722 ordered on file for second reading.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Boynton, the hour of recess was extended ten minutes.

MOTION TO AMEND RULES.

Senator Boynton moved to amend subdivision one of rule twenty-eight of the Standing Rules of the Senate as follows:

Strike out the period at the end of said subdivision and insert in lieu thereof a semicolon and the following words: and provided further that said concurrent resolutions and amendments shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Engrossment of Bills and shall not require a vote to authorize their introduction."

Referred to Committee on Rules.

REPORT OF COMMITTEE ON ENGROSSMENT OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. PRESIDENT: Your Committee on Enrollment of Bills has examined the following bills, and finds that they have been correctly enrolled, and that they have been signed by the President of the Senate and the Speaker of the Assembly, and recommends that they be presented to the Governor for his approval:

Senate Bill No. 1.
Senate Bill No. 2.
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Senate Bill No. 1000.

Respectfully submitted,

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called and the report adopted by the following vote:

AYES—Senators Anderson, Bolton, Boynton, Bradley, Brown, Campbell, Carpenter, Cartwright, Chandler, Cogswell, Cutten, Finn, Flint, Gerdes, Gerlach, Hare, Harris, Harrison, Hatch, Holohan, Inman, Irwin, Jones, Kehoe, Lane, Leavitt, Lewis, Lukens, Mahan, Mathews, Mattoon, Miller, Owen, Rigdon, Roseberry, Rush, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weeks, Wright and Young—40.

NOES—None.

MOTION.

Senator Wright moved that Senate Bill No. 898 be transferred to Committee on Insurance.

TIME OF RECESS EXTENDED.

At twelve o'clock and forty minutes p.m., on motion of Senator Campbell the time of recess was extended until the completion of the question under discussion.

MOTION CARRIED.

The question being on the motion of Senator Wright the motion was carried.

LEAVE OF ABSENCE.

Senator Gerdes was on his own motion granted leave of absence for Saturday, April 5, 1913.

RECESS.

At one o'clock and fifteen minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened. Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the municipal corporations by water companies.

On motion of Senator Thompson, Assembly Bill No. 50 was passed on file.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

On motion of Senator Thompson, Assembly Bill No. 63 was passed on file.

Assembly Bill No. 958—An Act to amend Section 367*c* of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the State for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken and also relating to amending or correcting selections, re-selections, amended selections, designations and re-designations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending section one thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certifi-

cates of the states of sixteenth and thirty-sixth sections and providing the fee therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1074—An Act to amend Section 2494 of the Political Code of the State of California, relating to the sale of school lands.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1078—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States of certain lands erroneously conveyed or patented to said State by said Government," approved May 1, 1911.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1311—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction, and maintenance or the construction or maintenance, by the State of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newton jetties' and repealing an Act entitled 'An Act to authorize the Imperial Company of San Francisco, a corporation, to sue the State of California,' approved March 23, 1907," approved March 20, 1911.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 12, of the title of the printed bill, strike out the word "Newton," and insert in lieu thereof the word "Newtown".

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 13, of the title of the printed bill, strike out the word "Lauritzen," and insert in lieu thereof the word "Lauritzen".

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 26, of the printed bill, strike out the word "Newton" and insert in lieu thereof the word "Newtown".

Amendment adopted.

AMENDMENT NO. 4.

On page 2, line 27, of the printed bill, strike out the name "Lauritzen," and insert in lieu thereof the word "Lauritzen".

Amendment adopted.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79*a*, defining a certain portion of said Act.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, inn keepers and warehouse men in the sale of unclaimed property.

On motion of Senator Boynton, Senate Bill No. 1567 was passed on file.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

On motion of Senator Boynton, Senate Bill No. 1568 was passed on file.

Senate Bill No. 939—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, add the letter "s" to the word "ment" at the beginning of the last line of the title of the printed bill.

Amendment adopted.

AMENDMENT No. 2.

Strike out all of Section 1 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A drainage district is hereby created, to be known and dsignated 'Knight's Landing Ridge Drainage District,' the boundaries of which said district shall be as follows:

Beginning at a point which is the intersection of the township line dividing township 12 north, range 1 east and township 13 north, range 1 east, Mt. Diablo base and meridian, and the right or west bank of the Sacramento river, said point being on the boundary line between the counties of Colusa and Yolo, State of California; and thence southeasterly along and with the said right or west bank of the said Sacramento river, to the intersection with the east boundary line of section 12 in township 12 north, range 1 east; thence south along the east line of said section 12

to its intersection with the right bank of said Sacramento river; thence northwesterly along the right or west bank of said Sacramento river to its intersection with the quarter section line running north and south through the center of section 33, township 11 north, range 3 east, Mount Diablo base and meridian; thence north to the center of section 9, township 11 north, range 3 east, Mount Diablo base and meridian; thence west to the quarter section corner common to section 7, township 11 north, range 3 east and section 12, township 11 north, range 2 east; thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 12; thence west to the east line of section 11, township 11 north, range 2 east; thence north to the section corner common to sections 1, 2, 11 and 12, township 11 north, range 2 east; thence west to the southwest corner of the southeast quarter of the southeast quarter of said section 2; thence north to the center of the southeast quarter of said section 2; thence west to the center of the southwest quarter of said section 2; thence north to the mid-section line running east and west through the said section 2; thence west to the east line of section 3, township 11 north, range 2 east; thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 3; thence west to the center of the northeast quarter of said section 3; thence north to the center of the southeast quarter of section 34, township 12 north, range 2 east; thence west to the mid-section line running north and south through said section 34; thence north to the center of said section 34; thence west to the southeast corner of the southwest quarter of the northwest quarter of said section 34; thence north to the mid-section line running east and west through section 27, township 12 north, range 2 east; thence west to the center of said section 27; thence north to the south line of section 22, township 12 north, range 2 east; thence east to the southeast corner of the southwest quarter of the southwest quarter of said section 22; thence north to the mid-section line running east and west through the said section 22; thence east to the west line of section 23, township 12 north, range 2 east; thence north to the northwest corner of said section 23; thence west to the northwest corner of said section 22; thence north to the one-fourth section corner between sections 15 and 16 said township and range; thence west to the one-fourth section corner between sections 17 and 18, said township and range; thence north to the northeast corner of the southeast quarter of the northeast quarter of section 18; thence west to the center of the northeast quarter of the said section 18; thence north to the center of the southeast quarter of section 7, township 12 north, range 2 east; thence west to the center of the southwest quarter of the said section 7; thence north to the center of the northwest quarter of the said section 7; thence west to range line between ranges 1 and 2 east and the northwest corner of said northwest quarter of the northwest quarter of said section 7; thence north along the range line to the southeast corner of section 12 in township 11 north, range 1 east, Mount Diablo base and meridian; thence west one and one half miles to the quarter section corner between sections 11 and 14 in said last mentioned township and range; thence north through the center of said section 11, to the quarter section corner between said section 11 and section 2 in said last mentioned township and range; thence west one mile to the quarter section corner between sections 3 and 10 said last mentioned township and range; thence north one mile through the center of said section 3 to the township line between townships 11 and 12 north, and to the quarter section corner between section 3 in said township 11 and said section 34 in said township 12 north, range 1 east; thence west one mile to the quarter section corner between section 4 in township 11 north and section 33 in township 12 north, range 1 east; thence north sixty degrees 30 minutes west to a point nine hundred eighty-four and three tenths (984.3) feet north of the center of said section 33 in township 12 north, range 1 east; thence north 84 degrees 30 minutes west twenty-six hundred and eighty and four tenths (2,680.4) feet to the line between sections 32 and 33 in said last mentioned township and range; then south along said line to the southeast corner of said section 32; thence west one mile to the southwest corner of said section 32; thence north along the section line between sections 31 and 32 in said township and range to a point seven hundred and forty-six and two tenths (746.2) feet north of the quarter section corner between said sections 31 and 32; thence north 71 degrees 14 minutes 30 seconds west, eleven thousand five hundred and twenty-seven and one tenth (11,527.1) feet to a point six hundred feet west of the quarter section corner between sections 19 and 24 and townships 1 east and 1 west; thence parallel with the meridian line north 00 degrees 04 minutes east to the north boundary line of section 1, in said township 12 north, range 1 west and the line between the counties of Yolo and Colusa; thence northeasterly in a straight line to the southeast corner of the southeast quarter of section 36 in township 13 north, range 1 west, Mount Diablo base and meridian, in the county of Colusa; thence north to the northeast corner of said section 36; thence continuing north to an intersection with a line running parallel with and five hundred feet westerly from the westerly base of 'Howell Point' levee, which point of intersection is one and ninety-six hundredths (1.96) chains south of the southeast corner of section 25 in said township 13 north, range 1 west, M. D. M.; thence north 31 degrees, 45 minutes west, parallel with and five hundred feet westerly of the base of said 'Howell Point' levee, sixty-six and ninety-six hundredths (66.96) chains; thence north 48 degrees, 15 minutes west, to an intersection with the south line of section

11, said last mentioned township and range at a point one and sixty-four hundredths (1.64) chains east of the southwest corner of said section 11.

Thence west one and sixty-four hundredths (1.64) chains to the southwest corner of section 11; thence (variation 18 degrees, 30 minutes east) north 90 degrees, 07 minutes east, three and ninety-three hundredths (3.93) chains to the westerly boundary of a certain tract of land over which Henry Gregory granted to Reclamation District No. 108 a right of way for levee and canal purposes, by deed recorded in the office of the county recorder of the county of Colusa, on the 31st day of March, 1903, in book 55 of deeds at page 514; thence (variation 18 degrees, 30 minutes east) north 42 degrees, 27 minutes west, along the western boundary of said last mentioned tract, one hundred and four and twenty-four hundredths (104.24) chains to a stake on the line between sections 3 and 10 said last mentioned township and range at a point 14.29 chains east of the northwest corner of said section 10, thence west, along the line between said section 3 and 10 to the said northwest corner of said section 10, thence north, on the line between sections 3 and 4 in said last mentioned township and range, fifteen and sixty hundredths (15.60) chains to the westerly boundary of a certain tract of land over which Andrew Hopkins granted to Reclamation District No. 108 a right of way by deed recorded in the office of the county recorder of Colusa county, on the 31st day of August, 1906, in book "62" of deeds, at page 102; thence north 42 degrees, 27 minutes west, forty-three and twenty nine hundredths (43.29) chains to an intersection, with the north boundary line of land now owned by Andrew Hopkins in section 4; thence, continuing on same course, forty-three and eleven hundredths (43.11) chains to township line between townships 13 and 14 north, range 1 west, at a point seven and twenty-seven hundredths (7.27) chains west of the quarter section corner between said section 4 and section 33 in township 14 north, range 1 west; thence west to the quarter section corner between section 5, township 13 north, range 1 west, and section 32 in township 14 north, range 1 west, Mount Diablo base and meridian; thence north to the center of section 29, township 14 north, range 1 west; thence east to the center of section 27 in said township and range; thence north to the center of the south half of section 22, said township and range; thence east to the northeast corner of the southeast quarter of the southeast quarter of said section 22; thence north to the quarter section corner between sections 22 and 23; thence east to the quarter section corner between sections 25 and 24, said township and range; thence north to the northwest corner of the southwest quarter of the northwest quarter of said section twenty four; thence east to the center of the northwest quarter of said section 24, thence north to the south line of section 13, same township and range, thence west to the southwest corner of said section 13; thence north to the quarter section corner between sections 13 and 14, same township and range; thence east through the center of said section 13 to the quarter section corner between sections 13 and 18 on the meridian line between ranges 1 west and 1 east; thence south along the meridian line, and east boundary of said sections 13 and 24, to the southwest corner of the northwest quarter of the northwest quarter of section 19 in township 14 north, range 1 east, M. D. M.; thence east to the mid-section line running north and south through the center of said section 19; thence south to the southeast corner of the northeast quarter of the northwest quarter of section 30, in said township and range; thence west to the center of the northwest quarter of said section 30; thence south to the mid-section line running east and west through said section 30; thence east to the center of said section 30; thence south to the southwest corner of the northwest quarter of the northeast quarter of section 31; thence east to the center of the northeast quarter of said section 31; thence south to the mid-section line running east and west through said section 31; thence east to the east line of said section 31; thence north to the southeast corner of the northeast quarter of the southeast quarter of said section 30; thence west to the center of the southeast quarter of said section 30; thence north to the mid-section line running east and west through the center of said section 30; thence east to the east line of said section 30.

Thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 30; thence east to the mid-section line running north and south through the center of section 29, same township and range; thence north to the north line of said section 29; thence east to the northeast corner of the northwest quarter of the northeast quarter of said section 29; thence south to the mid-section line running east and west through the center of said section 29, thence east to the center of section 28 in said township 14 north, range 1 east, thence south to the southeast corner of the northeast quarter of the southwest quarter of section 33, said township and range; thence west to the center of the southwest quarter of said section 33; thence north to the mid-section line running east and west through the center of said section 33, thence west to the west line of said section 33; thence south to the southwest corner of section 33; thence east to the southwest corner of the southeast quarter of the southwest quarter of said section 33; thence south to the center of the northwest quarter of section 4 in township 13 north, range 1 east, M. D. M.; thence west to the west line of said section 4, thence south to the quarter section corner between sections 4 and 5 in said last mentioned township and range; thence east to the southeast corner of the southwest quarter of the northwest corner of said section 4; thence north to the center of the northwest quarter of said section 4; thence east to the east line of said section 4,

thence north to the northeast corner of said section 1 and the intended line, thence east, along said township line between townships 10 and 11 north, range 1 east, to the quarter section corner between sections 36 in township 11 north, range 1 east and section 6 in township 11 north, range 1 east, M. D. B. & M.; thence south to the quarter section corner between sections 31 and 36, in said township 11 north, range 1 east; thence west to the center of the east half of said section 31; thence south to the south line of said section 31; thence west to the quarter section corner between sections 31 and 36 in said township and range; thence north on the range line between said sections 31 and 36 to the point of beginning. It is hereby declared that the lands of said section 31 and the remaining two tiers of sections 6 and 7 in said township 11 north, range 1 east, M. D. B. & M., and the lands of Colusa and Yolo, Glenn and Tehama counties lying within the boundaries of the said proposed Yolo irrigation district will be benefited by the irrigation and drainage works proposed to be constructed by said district, and that the said lands will be benefited to the amount of the assessments to be levied to pay the cost of said works."

Amendment adopted.

AMENDMENT No. 2

Strike out the word "County" line 8 page 10 of the printed bill and insert in lieu thereof the word "Counties".

Amendment adopted.

AMENDMENT No. 4

Strike out the word "County" line 28 page 10 of the printed bill and insert in lieu thereof the word "Counties".

Amendment adopted.

AMENDMENT No. 5

Strike out the comma after the word "Capitol" line 26 and the word "and" line 30 page 13 of the printed bill.

Amendment adopted.

AMENDMENT No. 6

Insert the word "and" following word "Districts" and before the word "corporations" line 32 page 13 of the printed bill.

Amendment adopted.

AMENDMENT No. 7

Strike out all of Section 5 beginning with the word "of" line 1 and ending with the word "employees" line 18 page 14 of the printed bill and insert the following: "It shall be the duty of said board of directors immediately to take such steps as may be necessary to cause a map through Knights Landing ridge in Yolo county and to construct a canal leading from said map for the purpose of conducting and discharging of the waters of Colusa basin by carrying the canal to the head of the proposed Yolo by-pass in section 5, township 10 north, range 3 west, M. D. B. and M., in said county of Yolo, as indicated on said map in accordance with the general plan of the California debris commission, recommended by the chief of the bureau of representatives of the United States in the engineering act, approved the 27th day of June, 1911, until such modifications or amendments be duly authorized to be adopted to said reclamation board and be hereinbefore with such plans as shall be approved by said reclamation board, or shall be amendments with any and all the manner hereinbefore provided. The said canal shall be of such size and such improvements thereof as shall from time to time be determined. The whole district from overflowing its banks. No levee shall be constructed or any obstruction or excavation in said ridge provided for by section 4 of this Act, until the same be constructed as hereinbefore provided shall have been completed so as to permit the waters flowing or to flow through said ridge to the head of said proposed Yolo by-pass in said section 5 in a manner satisfactory to the said reclamation board. Said reclamation board shall have power to direct the method of the construction of said ridge, canal and levee. Said directors, commissioners shall also have power to construct such gates in said canal or weirs, as to the said Sacramento river, where the same enters the Sacramento river above said ridge as may be necessary to carry out such plan. If required by the said reclamation board such gates shall be constructed before such ridge is cut or excavated."

Amendment adopted.

AMENDMENT No. 8.

Strike out all of Section 6, beginning with the word "said", in line 9, page 15, and ending with the word "money" in line 5, page 16, of the printed bill, and insert the following:

"Said lists, when completed, shall be filed with the clerk of the board of supervisors of the county of Yolo, State of California. The said board of supervisors shall appoint a time when it will meet for the purpose of hearing objections to said assessment, and notice of such hearing shall be given by publication for four weeks in a newspaper of general circulation published in the county of Yolo, and in a newspaper of general circulation published in the county of Colusa. At any time before the date of such hearing any person interested in any land upon which any charge has been assessed may file written objections to such assessment, with the clerk of said board of supervisors, stating the grounds of such objections, which said statement shall be verified by the affidavit of such person, or some other person who is familiar with the facts. At said hearing the said board of supervisors shall hear such evidence as may be offered in support of said written objection, and may modify or amend the assessment in any particular, or make a reapportionment of the entire assessment. If the amount of any assessment in said list shall be changed, the said board of supervisors shall set a day for hearing objections to said assessment as changed, and shall give notice thereof by publication for four weeks in a newspaper of general circulation published in the county of Yolo, and in a newspaper of general circulation published in the county of Colusa. At such hearing objections in writing may be made by any person interested, and the said board of supervisors shall proceed to hear the same in the same manner as upon the original hearing. If the amount of any assessment shall again be changed, the said board of supervisors shall proceed as before to give notice and to hear objections thereto, and shall proceed in a similar manner until the amount of each assessment shall be finally fixed and approved. The said board of supervisors shall then make an order approving said assessment, and shall endorse such order upon such assessment list, which said endorsement shall be signed by the chairman of said board of supervisors and attested by the clerk thereof, and such decision of said board of supervisors shall be final, and thereafter said assessment list shall be conclusive evidence that the said assessment has been made and levied according to law, except in an action commenced, as hereinafter provided.

Immediately after the approval of said assessment, the order approving same shall, by the clerk of said board of supervisors, be deposited in the office of the county treasurer of Yolo county, and a copy thereof shall be certified to by said clerk and deposited by said clerk in the office of the treasurer of Colusa county.

Any person aggrieved by the decision of the said board of supervisors may commence an action in the superior court of the county in which the greater part of said district it situated, to have said assessment corrected, modified or annulled. Such action must be commenced within thirty days after said assessment list has been filed in the office of the county treasurer of the county in which the land affected is situated. If said action shall not be commenced within said thirty days, no action or defense shall thereafter be maintained attacking the legality of said assessment in any respect."

Amendment adopted.

AMENDMENT No. 9.

Strike out all of line 6, beginning with and including the word "after" on said line, all of lines 7, 8, 9 and 10, down to and including the period on said line 10, page 16, of the printed bill.

Amendment adopted.

AMENDMENT No. 10.

Add the words "of the county in which such tract is situated," after word "treasurer," line 22, page 16, of the printed bill.

Amendment adopted.

AMENDMENT No. 11.

Strike out the words "making the order approving the list," line 20, page 19, of the printed bill, and insert in lieu thereof the following: "filing of such list with the clerk of the board of supervisors".

Amendment adopted.

AMENDMENT No. 12.

Strike out the word "fact," line 33, page 20, of the printed bill, and insert in lieu thereof the word "face".

Amendment adopted.

Amendment No. 3.

After the word "thereof," line 8, page 14, of the printed bill, add the words "per annum".

Amendment adopted.

Amendment No. 4.

After the word "Act," line 18, page 15, of the printed bill, insert the words "and the Legislature".

Amendment adopted.

Amendment No. 5.

After the word "be," line 2, page 16, of the printed bill, insert the word "repaid".

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 236—An Act providing for the construction and equipment of a dairy room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 307—An Act providing for the purchase by the use of the Department of Agriculture of the University of California of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 311—An Act appropriating the sum of seventy-five thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the state in relation thereto.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California to be at either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 248—An Act providing for the construction of small buildings and for the repair of the present buildings, at the University

Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 1, strike out the word "four", and insert in lieu thereof the word "one".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 247—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 1, strike out the word "eighty", and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT No. 2.

In line 5, Section 1, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 3.

In line 2 of the title, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 4.

In lines 2 and 3, title, strike out the word "dormitories", and insert in lieu thereof the word "dormitory".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 5, strike out the word "dormitories," and insert in lieu thereof the word "dormitory".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1130—An Act to amend Section 4280 of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, copyists and employees of the county officers of counties of the fifty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 9, after the word "annum", insert the following: "and also be entitled per hour at the published salary any statute."

Amendment adopted

AMENDMENT No. 2.

On page 2, line 3, cancel out the words "United States" and insert in lieu thereof the words "eight hundred".

Amendment adopted

AMENDMENT No. 3.

On page 2, line 12, strike out the word "eight" and insert in lieu thereof the words "one thousand four".

Amendment adopted

AMENDMENT No. 4.

On page 2, lines 31 and 32, strike out the words "eight dollars per day while the board is in session", and insert in lieu thereof the words "one thousand dollars per annum."

Amendment adopted

AMENDMENT No. 5.

On page 3, line 26, strike out the words after the semicolon, and all of lines 27, 28, 29, 30, 31, 32 and 33, and insert in lieu thereof the following: "as in no case the portion rendered to exceed and no more commissioner."

Amendment adopted

AMENDMENT No. 6.

On page 3, line 34, strike out the words "law and court of all persons entitled to the" and insert in lieu thereof the following: "three months after [illegible] shall be in full force and effect from and after its passage."

Amendment adopted

Bill read second time, ordered to print, engrossed and third reading.

Senate Bill No. 203—An Act to amend Section 1772 of the Code of Civil Procedure of the State of California relating to guardians.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 204—An Act to amend Section 1778a of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1328—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1878," approved March 22, 1909.

During second reading of the bill the following amendment was offered by the committee:

AMENDMENT No. 1.

On page 2, line 18, of the printed bill, strike out the period and add the following: "and designated in such notice".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1339—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theatre or other place of indoor amusement and fixing penalty thereof.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 10, of the printed bill, after the word "patrons," insert the following: "without displaying in a conspicuous place a sign containing the words, 'Standing room only,'".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the county.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, strike out the word "may," and insert in lieu thereof the word "must".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, of the printed bill, after the word "appointment," insert the following: "A vacancy is created whenever a sole trustee, or any one of several co-trustees, of a trust, dies, resigns, or is discharged."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 7, of the printed bill, after the word "trustee," insert the words "or trustees".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 8, of the printed bill, strike out the words "trust is," and insert in lieu thereof the following: "*trustent*, or any one of them are".

Amendment adopted.

AMENDMENT No. 5.

On page 1, lines 8 and 9, of the printed bill, strike out the words "he may nominate such trustee," and insert in lieu thereof the following: "they, or the one or more of them of the age of fourteen years, may make nominations to the court".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 9, of the printed bill, strike out the words "is found" and insert in lieu thereof the words "or nominees or any of them are".

Amendment adopted.

[illegible]

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1462.—An Act to add a new section to the Penal Code of the State of California, to be numbered [illegible], relating to the protection of fish.

Bill read second time, ordered engrossed and on the [illegible] reading.

Senate Bill No. 695.—An Act to amend Section 3256 of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read second time, ordered engrossed and on the [illegible] reading.

Senate Bill No. 1204.—An Act to amend Section 3253 of the Penal Code of the State of California, relating to [illegible] fish and game.

Bill read second time, ordered engrossed and on the [illegible] reading.

Senate Bill No. 77.—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be numbered 1254a, relating to the entering of a municipal corporation, or private property for appropriation of a right of way thereto for use in any eminent domain proceeding without first making application therefor and without said compensation being first assessed and paid into court for the owner.

Bill read second time, ordered engrossed and on the [illegible] reading.

Senate Bill No. 1008.—An Act to amend Sections 2, 8, 9, 11, 31 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes [illegible] and for the establishment of assessment districts and the assessment of property thereto to pay the expenses of acquiring such land," approved April 22, 1909, and to add to said Act a certain section, to be numbered Section 34, relating to the names of adjoining certain land improvements.

Bill read second time, ordered engrossed and on the [illegible] reading.

Senate Bill No. 1709.—An Act to amend Section 2 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Bill read second time, ordered engrossed and on the [illegible] third reading.

Senate Bill No. 389.—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 880.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 1, of the printed bill, at the beginning of said line, before the words "An Act", insert the following: "Section 1."

Amendment adopted.

AMENDMENT No. 2.

Strike out all of said bill from and after the enacting clause thereof, the word "follows" on page 1, line 10, of the printed bill and insert in lieu thereof the following:

Section 1. This Act shall be known as the tenement house Act, and its provisions shall apply to and be operative in all incorporated cities and towns in the State of California.

It shall be the duty of the department of health of incorporated cities, incorporated cities and towns and counties to enforce all the provisions of this Act; *provided, however*, that incorporated cities, incorporated cities and towns and counties in the State of California shall have and are hereby given authority to prescribe and charge by ordinance any other department than the department of health with the enforcement of this Act or any portion thereof; *provided, further*, that the department of health of incorporated towns, incorporated cities and towns and counties shall always have supervision over and shall enforce the provisions of this Act relating to sanitation, ventilation and health in all tenement buildings not in course of actual construction or alteration.

In the event that an incorporated city, incorporated city and county, shall by municipal ordinance designate another and different department than the department of health to enforce the provisions of this Act or any of them which by the provisions of this Act shall by such ordinance be transferred to the control of another department than the department of health, all powers and duties shall be and remain in the department of health.

Sec. 2. For the purpose of this Act certain words and phrases are defined as follows:

A tenement house is any house or building, or portion thereof, of more than one story, which is occupied, kept, rented, leased, let or hired out, to be occupied or is occupied as the home or residence of four families or more living independently of each other, and doing their cooking upon the premises, or by those families so living and cooking and having a common right in the halls, stairways, yards, water-closets, or some or any of them.

Provided, that a building of not more than two stories in height, which is designed, built, erected, leased, let or hired out, to be occupied or is occupied as the home or residence of not more than four families living independently of each other, and so constructed that each family is arranged to be occupied as the home or residence of a separate family and each section having an entirely independent and separate entrance and stairway from the street or from an outside vestibule at the head of the first flight of said building and with no cross hall, hallway, water-closet, kitchen or other convenience used in common by two or more families occupying said building, shall not come within the definition of a tenement house contained in this Act.

An "apartment" in a tenement house is a room or suite of rooms which is occupied, or is intended or designed to be occupied as a family domicile.

A "yard" is an open, unoccupied space on the same lot with a tenement house, situated in the rear of said tenement house; *provided*, that in case of a corner lot the yard may be placed in the rear of either frontage.

A "court" is an open, unoccupied space other than a yard, on the same lot with a tenement house. A court not extending to the street or yard is an inner court. A court extending to the street or yard and bounded on three sides by a tenement house on the same lot is an outer court. If it extends to the street it is a street court. If it extends to the yard it is a yard court. If it extends from the street to the yard it is a street-yard court. A court bounded on one side and both ends by a tenement house and on the remaining side by a lot-line is a "lot-line" court.

A "court" bounded on one side and one end by a tenement house and on the remaining sides by lot lines and the remaining end open to the street or yard is a lot line outer court.

A "shaft" includes exterior and interior shafts, whether for air, light, elevator, dumbwaiter or any other purpose. A vent shaft is one used solely to ventilate or light a water-closet compartment or bathroom.

A "public hall" is a hall, corridor or passageway not within an apartment.

A "private hall" is a hall, passageway, corridor or vestibule within an apartment.

A "stair" hall includes the stairs, stair landings and those portions of the public halls through which it is necessary to pass in going between the entrance hall and the roof.

A "basement" is a story partly below the level of the earth, the ceiling of which is not less than [illegible] above the curb level.

A "cellar" is any floor partly or wholly below the level of the earth, the ceiling of which is less than [illegible] above the curb level.

A "detached apartment house" is one the walls of which are constructed of brick, stone, iron or other incombustible material and in which there are no dwelling rooms or living and no sleeping rooms, except [illegible] rooms and suites, built for the exclusive occupancy of [illegible] and their housekeeping employees, and in which no [illegible] goods or other [illegible] are stored or kept for sale, [illegible] hotels or lodgings. The term detached shall not be considered [illegible] because [illegible] by the [illegible] [illegible] the use of [illegible] heating or use of the aforesaid [illegible] or the use of [illegible] [illegible] and [illegible] wood [illegible].

A "dwelling" [illegible] is a structure of which the exterior walls or a portion thereof are of wood. Wooden buildings covered with [illegible] [illegible] [illegible]

height abut upon the yard of a width as herein provided for a single tenement house. To determine the depth of yard as described in this section, the measurement shall be taken of the rear wall of such tenement house abutting on said yard and from the top of such wall to the level of the floor of the yard at such rear wall.

SEC. 10. The depth of the yard behind every tenement house hereafter erected upon a corner lot shall be not less than ten feet in every part and at every point open and unobstructed from the level of the second tier of beams (the second floor level); *provided*, that where any such lot is less than one hundred feet in depth the depth of the yard be not less than ten per centum of the greatest depth of such lot, but shall never be less than five feet in every part, nor less than the minimum width of an outer court on the lot line as prescribed by this Act. If rooms on the ground floor are used as sleeping apartments the yard shall be taken from the ground up. When a corner lot is more than fifty feet in width, the yard for that portion in excess of fifty feet shall conform to the provisions of section nine of this Act.

SEC. 11. Whenever a tenement house is hereafter erected upon a lot which runs through from one street to another street or public alley or public park and said lot is not more than one hundred and fifty feet in depth one half of the width of the street or alley upon which the yard abuts may be included in the depth of the yard required by sections nine and ten, but said one half not to exceed in width the depth of the yard for such lot provided in sections nine and ten; *provided*, that on such lot no tenement house hereafter erected shall occupy more than ninety per centum of a corner lot, or more than seventy-five per centum of any other lot.

One half the width of the rear street or public alley or public park, immediately behind said lot, may be included in the portion of lot that is left uncovered in computing the percentage; *provided*, that whenever said one half the width of said rear street, or public alley or public park equals or exceeds the depth of yard required in section ten, if the lot be a corner lot, or in section nine, if the lot be not a corner lot, only such portion of such street, or public alley or public park may be included in computing the percentage to be left uncovered as will equal the depth of yard required for said lot.

When one half the width of such rear street, or public alley or public park is less than the depth of the yard required for such lot by the provisions of sections nine and ten it may be included in computing the percentage of the lot to remain uncovered.

If a lot is surrounded upon its four sides by streets or streets and public alleys twenty feet or more wide or public parks over twenty-four feet wide, the provisions relating to yards in sections eight, nine, ten and eleven need not be complied with; *provided*, that the tenement house to be constructed on such lot does not occupy more than seventy-five per centum of the lot and contains an outer court at least eighty feet deep and of a width twice as great as the depth prescribed for yards in section nine and open to one of the surrounding streets, public alleys, or public parks; *provided*, that said outer court shall not be required to be of a depth which shall leave less than fifty feet between the rear line of said court and the line of said lot immediately behind said court.

SEC. 12. No court or vent shaft of a tenement house hereafter erected shall be covered by a roof or skylight, but every such vent shaft or court shall be at every point open from at least two feet above the floor of the lowest apartment abutting upon such vent shaft or court to the sky, unobstructed, except that open iron fire escapes, as provided by law, or by ordinances or regulations of incorporated towns, incorporated cities or cities and counties, may project into the court, but not more than four feet from the wall of the house. All courts in tenement houses hereafter erected shall conform to the requirements of the following sections.

Except that recesses may be built on the street or yard or a court, provided the depth of same is no greater than the width and that their area be not counted in computing the area of the court.

SEC. 13. The outer courts of all tenement houses hereafter erected shall have not less than the following minimum widths nor more than the following maximum lengths:

Building.	Least width.	Maximum length.
2 stories	4 feet	16 feet.
3 stories	4 feet 6 inches	25 feet.
4 stories	5 feet 6 inches	30 feet.
5 stories	6 feet	35 feet.
6 stories	8 feet	35 feet.
7 stories	10 feet	40 feet.
8 stories or more	12 feet	40 feet.

The length of outer courts shall not be more than the maximum lengths given in the above table unless six inches be added to the minimum widths for each additional five feet or fraction thereof in length. The lot line outer courts and street to yard courts shall have the same minimum width as outer courts but are not governed by the provision in this section regarding maximum lengths.

SEC. 14. The inner courts of all tenement houses hereafter erected shall have

[illegible] [illegible] [illegible] [

Every rear tenement hereafter erected, or every tenement that hereafter becomes a rear tenement by the erection of a building on the lot in front of the same lot, shall have direct access to a street or to a public alley at least sixteen feet wide, by a passageway not less than five feet wide by seven feet high.

SEC. 18. In every tenement house hereafter erected every room, except water-closet compartments and bathrooms shall have a window or windows of the area required by Section 19 of this Act, opening directly upon the street or upon a yard of a court of the dimensions as specified in sections eight to sixteen of this Act, and such windows shall be located so as to properly light all portions of such rooms.

SEC. 19. In every tenement house hereafter erected, the total window area of each room within each apartment, except water-closet compartments and bath-rooms shall be at least one eighth of the superficial area of the room, except in the cellar or basement, where it shall be one sixth, and the upper half of all windows shall be made so as to open the full width. The total window area of each such room shall never be less than twelve square feet, measured to outside of sash.

SEC. 20. In every tenement house hereafter erected, all rooms, except water-closet compartments and bathrooms shall be of the following dimensions: In each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area and each other room shall contain at least eighty square feet of floor area. Each room shall be in every part not less than nine feet from the finished floor to the finished ceiling; *provided*, that no room need be but nine feet high in the half its area. Except that small closets and water-closet compartments, and bathrooms may be not less than seven feet six inches in height and except that kitchens or pantries may be less than eighty square feet of floor area; and that rooms not occupied or intended or designed to be occupied as bedrooms.

SEC. 21. In every tenement house hereafter erected an alcove in any room shall be separately lighted and ventilated and shall conform in all the requirements of other rooms, and shall not be less than twenty square feet in area. No part of any room in a tenement house hereafter erected shall be enclosed or subdivided at any time, wholly or in part by a curtain or partition fitted or movable sliding or other contrivance or device, unless such part of the room so enclosed or subdivided shall contain a separate window as herein required, and shall have a floor area of not less than ninety square feet; *provided, however*, that closets or alcoves of not more than twenty-five square feet floor area, and not containing the provisions of this section; *provided further*, that it shall be unlawful to do any reducing or remove any wall in closets or recesses unless such reducing is to all the provisions of sections eighteen and nineteen of this Act relative to windows.

SEC. 22. In every tenement house which is hereafter erected, which is occupied or arranged to be occupied by more than two families on any floor of which exceeds four stories and sixty feet in height, every public hall and stair hall shall have at least one window at each floor opening directly upon the street or upon a yard or court, except as otherwise provided in this section.

Any part of a hall divided off from any other part of said hall by a door or doors shall be deemed a separate hall within the meaning of this section and if no window from such hall opens directly upon a street or upon a yard or court there shall be a skylight over each public hall with louvres and at least twenty square feet of glass area over buildings two stories in height. The area of glass in such skylight shall be increased at a ratio of six square feet for each additional story in height of the building, and a stair well be provided. The clear open area of such stair well at each floor to be equal to one third of the area of the glass in such skylight, and all doors leading from such public halls shall be provided with transparent glass panel of an area of not less than five square feet for each door and one inch fixed transom of transparent glass over each door; *provided*, that in a stair hall that does not have a window opening directly upon a street or upon a yard or court in lieu of such window a skylight with louvres and at least twenty square feet of glass area shall be constructed in the roof over such stairway.

SEC. 23. In every tenement house hereafter erected, one at least of the windows provided to light each public hall or part thereof shall have an area of at least twelve square feet measured to outside of sash.

SEC. 24. In every tenement house hereafter erected, the windows required by law on each floor to light or ventilate stair halls, shall be at least fifteen square feet of area measured to outside of sash. Such doors in entrance halls and public halls shall be deemed the equivalent of a window for lighting purposes; *provided*, that such doors contain the amount of glazed surface prescribed for windows.

SEC. 25. Every vent shaft hereafter constructed in a tenement house shall be at least sixteen square feet in area and the least dimension of such vent shaft shall be at least four feet; and, if such vent shaft is above sixty feet in height measured from the bottom to the top of said shaft, such vent shaft shall throughout its entire height be increased in area three square feet for each addition of twelve feet or fraction thereof above fifty feet.

Every such vent shaft shall be constructed of fireproof materials or shall be covered on the outside (except reads) with metal and on the inside (room side) with metal lath and plaster, excepting that portion of such vent shaft extending from

Plumbing, gas, steam or other similar pipes may be placed in a vent shaft.

Sec. 28. In every tenement house all stairs, stairways, landings and balconies shall be kept well lighted at all times when in use, and the gas burners shall be protected by wire guards.

Sec. 29. In every tenement house all floors, walls, ceilings, stairs, stairways, halls, closets, water closets, privies, cellars, basements, yards and lots shall be kept clean and free from vermin, dirt, filth, garbage and other matter detrimental to health.

Sec. 30. In every tenement house all water closets, privies, ash pits and garbage receptacles shall be kept clean and free from offensive odors, and shall be whitewashed at least once in each year between the first day of April and the first day of November.

Sec. 31. In every tenement house all water closets, privies, ash pits and garbage receptacles shall be provided with sufficient means of ventilation, and shall be so constructed as to be easily accessible for cleaning.

Sec. 32. No wooden tenement house shall hereafter be erected which shall exceed in height two stories and fifty feet in front.

Sec. 33. No wooden tenement house shall hereafter be erected which shall contain more than one family on each floor.

Sec. 34. In every tenement house all water closets, privies, ash pits and garbage receptacles shall be kept clean and free from offensive odors, and shall be whitewashed at least once in each year between the first day of April and the first day of November.

Sec. 35. In every tenement house all water closets, privies, ash pits and garbage receptacles shall be provided with sufficient means of ventilation, and shall be so constructed as to be easily accessible for cleaning.

Sec. 36. No wooden tenement house shall hereafter be erected which shall exceed in height two stories and fifty feet in front.

Sec. 37. No wooden tenement house shall hereafter be erected which shall contain more than one family on each floor.

height as to have more than nine feet between the finished floor and finished ceiling.

Where such wooden tenement contains three stories designed for living purposes no stores shall be placed therein.

Whenever in a wooden tenement three stories of apartments designed for living purposes are constructed above such last mentioned basement or story, such basement or story may contain reception or amusement rooms which shall be for the use of the tenants of the building and are not to be used for commercial purposes, but shall not contain apartments used or designed to be used for living purposes.

No wooden tenement shall contain more than three stories used or designed to be used for living purposes and a basement containing living apartments shall be counted as a story in determining the number of stories of a tenement building. Such tenement building may step up or down to follow the grade.

SEC. 34. A non-fireproof tenement house may be built four stories in height provided the exterior walls are all of brick or stone or concrete and all other municipal requirements for this class of building are complied with. If in addition to these requirements all joists, girders, sheathing, furring and the soffits of stairs be lathed with metal lath and plastered, such tenement houses may be built not to exceed six stories, provided the height limits imposed by municipal ordinance for all buildings of this particular class be not exceeded. A cellar is not a story within the meaning of this section. However, the building may step up or down to follow the grade, provided that no part of said building exceeds the number of stories provided for in this section.

SEC. 35. Every tenement house hereafter erected exceeding six stories or parts of stories in height (above the curb) shall be a fireproof tenement house. A cellar is not a story within the meaning of this section.

SEC. 36. Every tenement house shall be provided and equipped with stand pipes and with metallic fire escapes, combined with suitable metallic balconies, platforms and railings, as provided for, or which shall be provided for by the ordinances of the incorporated town, incorporated city or city and county in which the tenement house is situated. No incumbrance of any kind shall at any time be placed before, upon or against any stairway, steps or landings or fire escapes in or upon any tenement house. All fire escapes upon tenement houses shall be kept in good order and repair, and every exposed part thereof shall at all times be protected against rust by durable paint.

SEC. 37. Every tenement house hereafter erected, more than two stories in height, shall have a stairway not less than three feet in width leading to an opening on to the roof and provided with a pent house over such stairway (such pent house to be constructed on the inside and ceiling, of the same materials as required in this section for the walls enclosing stairway and provided with a door). Such stairway shall be provided with proper handrail and be enclosed with walls of fireproof materials or wood studs lathed on the stair side with metal lath and plaster, or such wood studs may be covered with metal in lieu of metal lath and plaster. Any door opening from such stairway to the roof space shall be covered on the stair side with metal. The soffits of all such stairs shall be covered with metal or metal lath plastered.

SEC. 38. Every tenement house hereafter erected shall have at least one flight of stairs, extending from the entrance floor to the roof and the stairs and public halls thereon, shall be at least three feet wide in the clear and every non-fireproof tenement house containing not more than fifty rooms shall have a secondary flight of stairs extending from the top floor down to the second floor and not less than two feet six inches wide. A fire escape may take the place of this second stairway, provided said fire escape connects directly with a public hallway or is accessible to each apartment.

SEC. 39. Every non-fireproof tenement house hereafter erected containing over fifty rooms, exclusive of bath rooms, above the entrance story, shall also have an additional flight of stairs for every additional eighty rooms or fraction thereof, if said house contains not more than one hundred rooms above the entrance story, in lieu of an additional stairway, the stairs, stair halls and entrance halls throughout the entire building shall be at least one half wider than is specified in sections thirty-eight and forty-two of this Act. However, where an additional flight of stairs is added in accordance with the provisions of this section, the secondary stairway required in section thirty-eight may be omitted.

SEC. 40. Every fireproof tenement house hereafter erected containing over one hundred and twenty rooms above the entrance story, exclusive of bath rooms, shall have an additional flight of stairs for every additional one hundred and twenty rooms or fraction thereof, but if said house contains not more than one hundred and eighty rooms above the entrance story, exclusive of bath rooms, in lieu of an additional stairway the stairs, stair halls and entrance halls throughout the entire building may each be at least one half wider than is specified in sections thirty-eight and forty-two of this Act, and if such house contains not more than three hundred rooms above entrance story, exclusive of bath rooms, in lieu of four stairways there may be but three stairways: *provided*, that one of such stairways and the stair halls and entrance halls connected therewith are at least one half wider than is specified in sections thirty-eight and forty-two of this Act.

SEC. 41. Each flight of stairs mentioned in the last two sections shall have an

or replaced with a ladder, unless a new stairway is built in conformity with requirements of section thirty-seven.

SEC. 57. No public hall or stairs in a tenement house shall be reduced in width so as to be less than the minimum width prescribed in sections thirty-eight and forty-two of this Act.

SEC. 58. In every tenement house containing fifteen rooms or more, where the public halls and stairs are not in the opinion of the health department or other department designated by municipal ordinance for that purpose sufficiently lighted, the owner of such house shall keep a proper light burning in the hallway upon the stairs upon each floor from sunrise to sunset.

SEC. 59. In every tenement house containing fifteen rooms or more, a proper light shall be kept burning by the owner in the public hallways, near the stairs, upon the entrance floor, and upon the second floor above the entrance door of said house, every night from sunset to sunrise throughout the year, and upon all other floors of the said house from sunset until ten o'clock in the evening.

SEC. 60. No water-closets shall be maintained in the cellar of any tenement house without a special permit in writing from the health department, or other department designated by municipal ordinance for that purpose which shall have power to make rules and regulations governing the maintenance of such closets.

SEC. 61. In every tenement house existing prior to the passage of this Act, at least one water-closet shall be provided for every two families: *provided, however*, that the health department or other department designated by municipal ordinance for that purpose may exempt any tenement house existing prior to the passage of this Act from the provision in this section above contained, whenever, in the judgment of said department, it would not be detrimental to the health of the occupants of said tenement house and the written permit be signed by an officer of said department authorized so to do and filed in said department as a part of its records: *provided, further*, that the above exemption shall not apply to extensions of or additions to tenement houses existing prior to the passage of this Act.

SEC. 62. In no now existing tenement house shall any room in the cellar be constructed, altered, converted or occupied for living purposes; and no room in the basement of a tenement house shall be constructed, altered, or converted to be occupied for living purposes, unless all of the following conditions of this Act be complied with, and at least two thirds of the basement shall be above grade for building: *provided*, in each case it shall be at least seven feet above the street grade and actual ground level. Such rooms shall be at least eight feet six inches high in all new existing tenement houses in every part, from the floor to the ceiling. There shall be appurtenant to such room or apartment a water-closet conforming to the regulations and ordinances relating to water-closets, of the incorporated town, incorporated city, or city and county in which the tenement house is or is to be built. All walls shall be damp proofed, and there shall be an open area way extending to bottom of basement floor and running clear across outside of at least one room in each apartment.

SEC. 63. In all tenement houses the floor and wall surfaces beneath and around all water-closets and sinks shall be maintained in good order and repair, and if of wood shall be kept well painted with light colored paint.

SEC. 64. The owner of every tenement house shall see that such house and all parts thereof shall be kept in good order and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom, as to prevent its dripping on the ground or causing dampness in the walls, ceilings, yards, or areas.

SEC. 65. The owner of every tenement house shall see that such house and every part thereof shall be kept clean and free from any accumulation of dirt, filth or garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected or belonging to the same.

SEC. 66. The walls of all yard courts, inner courts and shafts, unless built of light colored brick or stone, shall be thoroughly whitewashed by the owner, lessee or tenant, or shall be painted a light color and so maintained.

SEC. 67. In all tenement houses, the health department or other department designated by municipal ordinance for that purpose may require the walls and ceilings of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such rooms, and may require this to be renewed as often as may be necessary.

SEC. 68. No wall paper shall be placed upon a wall or ceiling of any tenement house unless all wall paper shall be first removed therefrom and said wall and ceiling thoroughly cleaned.

SEC. 69. The owner of every tenement house shall provide for said building proper and suitable conveniences or receptacles for ashes, rubbish, garbage, refuse and other matter.

SEC. 70. No horse, cow, calf, swine, goat, rabbit or sheep, chickens or poultry shall be kept in a tenement house, or within twenty feet thereof on the same lot, and no tenement house or the lot or premises thereof shall be used for a lodging house or stable or for the storage or handling of rags.

SEC. 71. Whenever there shall be more than eight families living in any tenement house, in which the owner does not reside, there shall be a janitor, housekeeper, or some responsible person who shall reside in said house and have charge of same, as the department charged with the enforcement of this Act shall so require.

SEC. 77. The owner or occupant of every premises shall, at his own expense, cause the same to be cleaned whenever ordered to do so by the health officer.

SEC. 78. The owner or occupant of every house, cellar, or other building which is so situated that it is impossible to secure sufficient light and air for the occupants thereof without the use of artificial light and ventilation, shall cause the same to be lighted and ventilated sufficiently for the health and comfort of the occupants thereof during the time they occupy the same.

SEC. 79. In all new existing tenement houses the woodwork enclosing all water-

closets shall be removed from the floor of said closets and the space underneath the seat shall be left open. The floor and other surface beneath and around the closet shall be maintained in good order and repair and if of wood shall be kept well painted with light colored paint.

SEC. 80. In all now existing tenement houses the woodwork enclosing sinks, or lavatories located in rooms, located in private halls or stairs shall be removed, and the space underneath sink or lavatory shall be left open. The floors and other surfaces beneath and around the sink or lavatory shall be maintained in good order and repair, and if of wood shall be well painted.

SEC. 81. In all now existing tenement houses there shall be at the bottom of every shaft or inner court, a door or window giving sufficient access to such shaft or court to enable it to be properly cleaned out.

SEC. 82. In all tenement houses erected prior to the passage of this Act, where a connection with a sewer is possible, all school sinks, privy vaults or other similar receptacles used to receive fecal matter, urine or sewage, shall be completely removed and the place where they are located properly disinfected under the direction of the health department or other department designated by municipal ordinance for that purpose. Such appliances shall be replaced by individual water-closets of durable, non-absorbent material, properly sewer connected and with proper trap, and properly connected flush tanks providing an ample supply of water to thoroughly cleanse the bowl. Each water-closet shall be located in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than three square feet in area opening directly to the street, or yard, or on a court of the minimum size prescribed in section twenty-five of this Act. The floors of the water-closet compartments shall be water-proof as provided in section thirty-one of this Act. Where water-closets are placed in the yard to replace school sinks or privy vaults, the structure containing the water-closets shall not exceed ten feet in height; such structure shall be provided with a ventilating skylight in the roof, of adequate size, and each water-closet shall be located in a compartment separated completely from every other water-closet. Proper and adequate means for lighting the structure at night shall be provided. There shall be provided at least one water-closet for every two families in every tenement house existing on the day this Act takes effect, subject to the provisions of section sixty-one of this Act. Except as in this section otherwise provided such water-closets and all plumbing in connection therewith shall be in accordance with the ordinances and regulations in relation to plumbing and drainage.

SEC. 83. Every tenement house of more than two stories in height erected prior to the passage of this Act, shall have in the roof a scuttle which shall be not less than twenty-one by twenty-eight inches, and located in the ceiling of a public hall. All scuttles shall be covered on the outside with metal and shall be provided with stairs or stationary ladders leading thereto and easily accessible to all tenants of the building. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or locks. All key locks on scuttles and on pent house doors shall be removed.

SEC. 84. Before the construction or alteration of a tenement house or the alteration or conversion of a building for the use of a tenement house is commenced, and before the construction or alteration of any building or structure on the same lot with a tenement house, the owner or his agent or architect shall submit to the health department or other department designated for that purpose by ordinance of the municipality in which said work is contemplated, a detailed statement in writing, verified by the affidavit of the person making the same, of the construction of such tenement house or building or of such alterations proposed to be made to the said tenement house or building upon blanks or forms to be furnished by such department. Also a full and complete copy of the plans and specifications of the building proposed to be erected or altered, as the case may be, together with a plan of the lot on which such building is proposed to be erected or altered or such portion of the lot as will be set aside exclusively for and under the control of the said tenement house building. Such statement shall give in full the name and residence by street and number of the owner or owners of such tenement house or building. Also the name and business address by street and number of the architect and the contractor. Said affidavit shall allege that said plans, specifications and lot plan are true and contain a correct description of such tenement house building, lot, structure, and proposed work. The statements and affidavits herein provided for may be made by the owner or his agent or architect. No person, however, shall be recognized as the agent of the owner unless he shall file with said department an affidavit alleging that he is authorized by the said owner to act for him and to sign the required affidavit. Any false swearing in a material point in such affidavit shall be deemed perjury. Such plans, specifications and statements shall be filed in said department and shall be deemed public records. Said department charged with the enforcement of this Act shall cause all such plans and specifications to be examined and if such plans and specifications conform to the provisions of this Act, shall issue a written certificate to that effect to the person submitting the same. Such certificate shall state that "Tenement House Act has been complied with."

Said department may from time to time approve changes in any plans or specifica-

correct or abate such violation or nuisance, to prevent the occupation of said tenement house, building or structure, or to prevent any illegal act, conduct or

be filed at the time of the commencement of the action or proceeding, or at any time afterwards before final judgment or order, or at any time after the service of any notice or order issued by said department. Such notice shall have the same force and effect as the notice of pendency of action provided for in the Code of Civil [illegible]. Each county recorder will please note receipt of [illegible] and shall index it in the name of each person specified in a direction subscribed by an officer of the department instituting such action or proceeding. Any such notice may be vacated upon the order of a judge of the court in which such action or proceeding was instituted or is pending. The recorder of the county where such notice is filed is hereby directed to mark such notice and any record or docket thereof as canceled of record, upon the presentation and filing a certified copy of such order.

SEC. 94. Every owner of a tenement house and every lessee of the whole house, or other person having control of a tenement house, shall file in the department of health a notice containing his name and address, and also a description of the property, by street and number, and otherwise, as the case may be, in such manner

rooms in each apartment, and the number of families occupying the apartments. In case of a transfer of any tenement house, it shall be the duty of the grantee of

department of health a notice containing his name and address, and also a description of such property, by street and number, and otherwise, as the case may be, in such

[illegible]

Sec. 96. The owner and tenants [illegible] shall not [illegible] [illegible]

Sec. 97. [illegible] [illegible]

Sec. 98. [illegible] [illegible]

Sec. 99. [illegible] [illegible]

Sec. 100. [illegible] [illegible]

Sec. 101. [illegible] [illegible]

Sec. 102. [illegible] [illegible]

Sec. 103. [illegible] [illegible]

Sec. 104. [illegible] [illegible]

Sec. 105. [illegible] [illegible]

Sec. 106. [illegible] [illegible]

Sec. 107. Except as herein otherwise provided, every tenement house shall be constructed and maintained in conformity with the existing law, but no ordinance, regulation or ruling of any municipal authority shall repeal, modify or determine any provisions of this Act.

SEC. 108. All improvements specifically required by this Act upon tenement houses erected prior to its date of passage, shall be made within one year from said date, or at such earlier period as may be fixed by the boards of health charged with the enforcement of this Act.

SEC. 109. All steam boilers, heating batteries, or water heating apparatus, using any fuel other than coal gas, or natural gas, installed in the basement or cellar of any tenement building, shall be enclosed in a room with walls of masonry, reinforced concrete, terra cotta or tile from the basement to cellar floor to the bottom of the first floor joists, and the ceiling of the same construction or of not less than three fourths (¾) inch plaster on metal lath.

All windows shall be of wire glass not less than one quarter of an inch thick in metal frames and sashes. All doors leading from said rooms shall be self closing and either run on trucks or arranged to swing out and to close automatically.

All fire doors shall overlap the wall at least three inches at side and top. Sills shall be of metal at least one quarter of an inch thick or masonry, or of concrete, and have horizontal faces extending under the doors and outer edges flush with outer surface of fire doors.

Top of sliding door shall conform to incline on the track, which shall be three quarters inch to the foot. No door shall be hung on wooden frame or in contact with any woodwork.

Doors shall be made of three (3) thicknesses of seven eighths inch (⅞ or .66) inch tongued and grooved redwood boards surfaced both sides, the outer thickness to be placed vertical or diagonal and the inner thickness to be horizontal, nailed with clinched nails.

Doors shall be entirely covered with good tin plate (.10" charcoal, 100 pounds to the box), not over fourteen (14) inches by twenty (20) inches in size, and with locked joints covering nail heads, and all vertical seams shall be double locked. No solder shall be used.

All doors shall have hinges, hangers, latches and chafing strips of wrought iron bolted to the doors and shall have steel tracks (when sliding doors), and wrought iron stops and keepers bolted through the wall. Swinging doors shall have wall eyes of wrought iron built into or bolted through the wall.

Where oil is burned every doorway shall have a massive sill rising not less than six (6) inches from the floor.

Where oil is burned the oil shall not be fed to the furnace by a gravity flow.

All tenement houses hereafter constructed of more than two stories in height shall have at least one standard fire escape on the front and one standard fire escape at the rear thereof.

The fire escape balcony shall commence at the level of the second floor and one such fire escape balcony shall be placed at the level of each floor above said second floor and from the topmost balcony shall extend an iron gooseneck ladder over the firewall to the roof.

SEC. 110. Every person desiring to construct or alter a tenement house shall obtain a permit from the department charged with the enforcement of this Act. Every owner or lessee of a tenement house shall obtain at the beginning of each year a license from the health department of the incorporated town, incorporated city, or city and county, in which said tenement house is situated.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District No. 999," and providing for the control and management thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 16 and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, and to add a new section to said Act, to be numbered Section 33*a*, relative to the form of notices, resolutions, orders and determinations subsequent to the ordinance of intention.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 4

On page 2, strike out the last four lines on the 17th and insert in lieu thereof the following: "five new members to be appointed by the President, three of whom shall be representative of the general public, one of whom shall be a person experienced in administration and the laws of housing agencies, and one a person experienced in"

Amendment adopted.

Amendment No. 5

On page 3, line 20, strike out the words "which is to be" and in lieu of "public and the words "shall be representative of the general public, and insert in lieu thereof the following: "Provided, That not more than five members of the Commission shall be appointed from any one political party, and not more than two members shall be representative of any one group, as"

Amendment adopted.

Amendment No. 6

On page 5, [illegible] strike out "3" and insert "4".

Mr. [illegible] I ask unanimous consent that the amendment be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

Mr. [illegible] I ask unanimous consent that the amendments be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. [illegible] I ask unanimous consent that the bill be considered as read the third time and passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was read the third time, and passed.

said improvement, notwithstanding that the proceedings of the city council or other officers or agents of the city, or other persons connected therewith may have been irregular, illegal or defective, or not in full conformity with the requirements of this statute. Such reassessment shall be made without a repetition of the proceedings had prior to the issuance of the assessment and shall be made and issued in the following manner: The superintendent of streets shall, upon the entering of a decree of court directing the reassessment, or upon the passage of a resolution of the city council directing a reassessment, proceed at once to make a reassessment in accordance with the said decree of court, or said resolution of the city council. Such reassessment shall be made upon the district described in the ordinance of intention for said improvement, and in the event that there shall have been informalities, uncertainties or ambiguities in the description of the limits of said district, then upon the district which the court or council shall find to be that actually benefited by said improvement, but in so finding said court or council shall follow the lines described in the ordinance of intention so far as the same can be ascertained, and in all cases of uncertainty or ambiguity they shall give regard to the lines described and make such a determination as to the lines where there is any uncertainty or ambiguity in the ordinance of intention as may be just and equitable. In the event that a portion of the reassessment has been found to be entirely without the power of said city to order, then said assessment shall be for the remainder of the improvement only, and the benefit arising from the improvement entirely without the jurisdiction of the city to cause shall not be considered in making the reassessment. Upon the completion of the reassessment it shall be presented to the city council and a day of hearing shall be fixed by it which shall be at least twenty (20) days after the filing of the reassessment. The city clerk shall then advertise the fact of filing by publishing a notice in the official newspaper, or in such other paper as the council may direct, by five (5) insertions if the paper be a daily, or by two (2) insertions if it be a weekly or semi-weekly newspaper, stating the fact that the reassessment has been filed with him and that objections to said reassessment will be heard at the time specified by the city council. At the time fixed for said hearing, or at such time or times to which the same may be thereafter adjourned, the city council shall consider the objections to said reassessment and in its discretion revise, correct and modify such reassessment in such manner as is most equitable, and it shall thereupon pass a resolution approving and confirming such reassessment, and such decision shall be a final determination of all matters relating to the actual benefits derived, or to be derived from the improvement by the respective lots, pieces and parcels of land enumerated in the reassessment. Said reassessment shall thereupon be recorded by the street superintendent and it shall in all respects have the same effect and weight as the original assessment, and shall be enforced in the same manner. All payments made upon the original assessment shall be credited upon the reassessment and in the event that the reassessment in any instance is less than the amount of the original assessment, the excess shall be payable to the persons who paid the original assessments."

Amendment adopted.

AMENDMENT No. 4.

On page 7, line 21, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT No. 5.

On page 7, line 34, strike out the figure "6", and insert in lieu thereof the figure "7".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 742—An Act to amend Sections 2, 12, and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvement and adding a new section thereto, to be numbered Section 3a, relating to the payment by the city of a portion of the cost of improvement.

During second reading of the bill, the following committee substitute was offered by the committee:

Committee Substitute for Senate Bill No. 14.

AN ACT to amend Sections 2, 3, 6, 7, 12 and 13 of an Act entitled "An Act to provide for local option elections, boards, duties, powers and proceedings, and for the regulation of the sale, manufacture, transportation, possession and prohibition and for the enforcement of certain penalties in connection therewith," approved March 18, 1907, by further regulating the sale of liquors.

Be it enacted by the General Assembly of the State of Texas:

SECTION 1. Section 2 of an Act entitled "An Act to provide for local option elections, boards, duties, powers and proceedings, and for the regulation of the sale, manufacture, transportation, possession and prohibition and for the enforcement of certain penalties in connection therewith," approved March 18, 1907, is hereby amended so that said section shall hereafter read as follows:

Section 2. Whenever one hundred persons of supposed legal majority who have resided in the county, justice precinct or city, town or village for which an election is sought to be held, for one year next preceding the date of the petition hereinafter filed, shall desire to have prohibition or local option elections in said county, justice precinct or city, town or village, they shall present a petition to the county judge of the county in which said county, justice precinct or city, town or village is situated, praying that an election be held in such county, justice precinct or city, town or village, on the question of prohibiting the sale of intoxicating liquors therein, which petition shall state the name of the county, justice precinct or city, town or village in which the election is desired to be held, and the names of the persons signing the petition shall be entered on the poll list of the county, justice precinct or city, town or village in which they reside, and shall be verified by the oath of one or more of the petitioners, which oath shall be made before some officer authorized to administer oaths, and shall state that the affiant believes that the petitioners whose names are subscribed to the petition are qualified voters of the county, justice precinct or city, town or village in which the election is desired to be held, and that they have resided in the county, justice precinct or city, town or village for one year next preceding the date of the petition, and that the petition was signed by the petitioners in the presence of the affiant. Upon the presentation of such petition to the county judge, he shall order an election to be held in such county, justice precinct or city, town or village, and shall issue a writ of election directed to the sheriff of the county, commanding him to give notice of such election by posting up notices thereof at five public places in the county, justice precinct or city, town or village, and by publishing a notice thereof in a newspaper published in the county, justice precinct or city, town or village, if there be one, for a period of thirty days next before the election, which notice shall state the time when the election is to be held, the hours during which the polls will be open, the name of the county, justice precinct or city, town or village in which the election is to be held, and the purpose of the election, and shall require the sheriff to make return of the writ to the county judge on the first day of the next regular term of the county court after the election. The sheriff shall also cause a copy of the notice to be posted at the door of each voting precinct in the county, justice precinct or city, town or village in which the election is to be held, at least ten days before the election. The election shall be held at the voting precincts established by law for the election of county officers, and shall be conducted in the manner provided by law for the election of county officers, and the returns thereof shall be made to the county judge. The county judge shall appoint the presiding officer and clerks of each election precinct, and shall appoint two persons to act as judges of election in each election precinct, who shall be citizens of the county, justice precinct or city, town or village in which they are appointed to act, and who shall have resided in the county, justice precinct or city, town or village for one year next preceding the election, and who shall be qualified voters therein, and who shall not be candidates for any office to be voted for at the election. The judges of election shall appoint the clerks of election. The judges and clerks of election shall be sworn by some officer authorized to administer oaths, before entering upon the discharge of their duties, to faithfully perform the duties required of them by this Act, and to make a true return of the election to the county judge. The judges and clerks of election shall receive for their services the same compensation as is allowed by law for holding general elections in the county, justice precinct or city, town or village. The county judge shall publish the returns of the election in the newspaper in which the notice of election was published, and if there be no newspaper published in the county, justice precinct or city, town or village, he shall post the returns at the court house door of the county, and at five other public places in the county, justice precinct or city, town or village, and the returns shall be published or posted by the county judge within ten days after the election. The county judge shall, within ten days after the election, declare the result thereof, and shall enter an order to that effect on the minutes of the county court. The county judge shall issue certificates of election to the persons declared elected, and shall report the result of the election to the Secretary of State. The county judge shall be allowed the same compensation for holding the election and making the returns thereof as is allowed by law for holding general elections in the county, justice precinct or city, town or village. The county judge shall have the power to appoint a deputy to perform the duties required of him by this Act, and the deputy shall be entitled to the same compensation for his services as is allowed by law to the county judge for holding general elections in the county, justice precinct or city, town or village. The county judge shall have the power to appoint a deputy to perform the duties required of him by this Act, and the deputy shall be entitled to the same compensation for his services as is allowed by law to the county judge for holding general elections in the county, justice precinct or city, town or village.

SEC. 2. Section 3 of an Act entitled "An Act to provide for local option elections, boards, duties, powers and proceedings, and for the regulation of the sale, manufacture, transportation, possession and prohibition and for the enforcement of certain penalties in connection therewith," approved March 18, 1907, is hereby amended so that said section shall hereafter read as follows:

Section 3. Before ordering any such election the commissioners' court shall require the petitioners to execute a bond payable to the county judge in the sum of one thousand dollars, with two or more sureties, conditioned that they will pay all costs of such election in case the proposition to prohibit the sale of intoxicating liquors therein shall be defeated at such election. Whenever the commissioners' court shall be satisfied that the petition is signed by the requisite number of persons, and that the petitioners have executed the bond required, they shall order an election to be held in the county, justice precinct or city, town or village described in the petition, and shall appoint the presiding officer and clerks of election, and shall appoint two persons to act as judges of election in each election precinct, who shall be citizens of the county, justice precinct or city, town or village in which they are appointed to act, and who shall have resided in the county, justice precinct or city, town or village for one year next preceding the election, and who shall be qualified voters therein, and who shall not be candidates for any office to be voted for at the election. The judges of election shall appoint the clerks of election. The judges and clerks of election shall be sworn by some officer authorized to administer oaths, before entering upon the discharge of their duties, to faithfully perform the duties required of them by this Act, and to make a true return of the election to the commissioners' court. The commissioners' court shall also appoint a deputy to perform the duties required of him by this Act, and the deputy shall be entitled to the same compensation for his services as is allowed by law to the county judge for holding general elections in the county, justice precinct or city, town or village. The commissioners' court shall have the power to appoint a deputy to perform the duties required of him by this Act, and the deputy shall be entitled to the same compensation for his services as is allowed by law to the county judge for holding general elections in the county, justice precinct or city, town or village.

SEC. 3. Section 6 of an Act entitled "An Act to provide for local option elections, boards, duties, powers and proceedings, and for the regulation of the sale, manufacture, transportation, possession and prohibition and for the enforcement of certain penalties in connection therewith," approved March 18, 1907, is hereby amended so that said section shall hereafter read as follows:

Section 6. Before ordering any such election the commissioners' court shall require the petitioners to execute a bond payable to the county judge in the sum of one thousand dollars, with two or more sureties, conditioned that they will pay all costs of such election in case the proposition to prohibit the sale of intoxicating liquors therein shall be defeated at such election. Whenever the commissioners' court shall be satisfied that the petition is signed by the requisite number of persons, and that the petitioners have executed the bond required, they shall order an election to be held in the county, justice precinct or city, town or village described in the petition, and shall appoint the presiding officer and clerks of election, and shall appoint two persons to act as judges of election in each election precinct, who shall be citizens of the county, justice precinct or city, town or village in which they are appointed to act, and who shall have resided in the county, justice precinct or city, town or village for one year next preceding the election, and who shall be qualified voters therein, and who shall not be candidates for any office to be voted for at the election. The judges of election shall appoint the clerks of election. The judges and clerks of election shall be sworn by some officer authorized to administer oaths, before entering upon the discharge of their duties, to faithfully perform the duties required of them by this Act, and to make a true return of the election to the commissioners' court. The commissioners' court shall also appoint a deputy to perform the duties required of him by this Act, and the deputy shall be entitled to the same compensation for his services as is allowed by law to the county judge for holding general elections in the county, justice precinct or city, town or village. The commissioners' court shall have the power to appoint a deputy to perform the duties required of him by this Act, and the deputy shall be entitled to the same compensation for his services as is allowed by law to the county judge for holding general elections in the county, justice precinct or city, town or village.

petitioned by said city, said notice shall be posted on six conspicuous places on or near the chamber door of said council, and in two other conspicuous places in said city as herein provided. The city clerk shall, [illegible] after the passage of said resolution of intention mail, postage prepaid, to each property owner whose property is to be assessed to pay the costs and expenses of said improvement at his last known address as the same appears upon the tax rolls of said city, or when no address so appears, to the general delivery, a postal card containing a notice which shall be in the following, or substantially the following form (filling blanks):

"You are hereby notified that on the _____ day of _____, 19____, the council of the city of _____, California, by virtue of an Act commonly known as 'the Vrooman Act,' passed a resolution of intention providing for the improvement of _____ street between _____ street and _____ street. You are hereby referred to the said resolution for further particulars. Property belonging to you is to be assessed for this improvement.

_____, City Clerk."

If any lots or parcels of land in the assessment district be assessed to "unknown owners" on the tax rolls of said city, no postal cards concerning such lots shall be mailed in the envelope thereof.

The [illegible] shall, upon the completion of the mailing of said postal cards file in the office of the superintendent of streets an affidavit setting forth the fact and manner of the compliance with this requirement; provided that the failure of the city clerk to mail said cards or the failure of the property owners to receive the same or the failure of the superintendent of streets to file the affidavit of such mailing shall in no wise affect the validity of the proceedings or prevent the city council from acquiring jurisdiction to order the work proposed hereunder, but the city council must require affidavits to be filed showing the posting and mailing of notices as herein provided before adopting the work. The owners of a majority of the frontage of the property fronting on said proposed work or improvement where the same is for one block or more, may make a written objection to the same within ten days after the expiration of the time of the publication and posting of said notice, which objection shall be delivered to the clerk of the city council, who shall endorse thereon the date of its receipt by him, and such objections so delivered and indorsed shall be a bar for six months to any further proceedings in relation to the doing of said work or making said improvements, unless the owners of one half or more of the frontage as aforesaid shall prepare petition for the same to be done. At any time before the issuance of the assessment roll, All owners of lots or lands liable to assessment therein, who, after the first publication of said resolution of intention, may feel aggrieved, or who may have objections to any of the subsequent proceedings of said council in relation to the performance of the work mentioned in said notice of intention, shall file with the clerk a petition or remonstrance, wherein they shall state in what respect they feel aggrieved or the proceedings to which they object; said petition or remonstrance shall be passed upon by the said city council, and its decision therein shall be final and conclusive. But when the work or improvement proposed to be done is the construction of sewers, manholes, culverts, or crossings crosswalks, or sidewalks, curbs and gutters, and the petition thereto is signed by the owners of a majority of the frontage liable to be assessed for the expense of said work, as aforesaid, the city council shall, at its next meeting, fix a time for hearing said objections, not less than one week thereafter. The city clerk shall thereupon notify the persons making such objections by depositing a notice thereof in the postoffice of said city, postage prepaid, addressed to each objector, or his agent, when he appears for such objector. At the time specified said city council shall hear the objections urged, and pass upon the same, and its decision shall be final and conclusive, and the said bar for six months to any further proceedings shall not be applicable thereto. And when not more than two blocks, including street crossings, remain ungraded to the official grade, or otherwise unimproved, in whole or in part, and a block or more on each side upon said street has been so graded or otherwise improved, or when not more than two blocks at the end of a street remain so ungraded or otherwise unimproved, said city council may order any of the work mentioned in this Act to be done upon said intervening ungraded or unimproved part of said street, or at the end of a street, and said work upon said intervening part, or at the end of a street, shall not be stayed or prevented by any petition or other objection unless such council shall deem proper. And if one half or more in width or in length, or as to grading, one half or more of the grading work of any street lying and being between two successive main street crossings, or if a crossing has been already partially graded or improved as aforesaid, said council may order the remainder improved, graded or otherwise, notwithstanding such objections of property owners. At the expiration of twenty days after the expiration of the time of said publication by said street superintendent, and at the expiration of twenty five days after the advertising and posting, as aforesaid, of any resolution of intention if no written objection to the work therein described has been delivered, as aforesaid, by the owners of a major frontage of the property fronting on said proposed work or improvement, or if any written objection purporting to be signed by the owners of a major frontage is

the warrant, extend the time for the making of said return for a period not to exceed thirty days additional, which extension shall, with its date, be noted on the warrant. After the return of the assessment and warrant as aforesaid, all amounts remaining due thereon shall draw interest at the rate of ten per cent per annum until paid.

SEC. 4. Section twelve of said Act is hereby amended to read as follows:

Section 12. At any time after the period of thirty-five days from the day of the date of the warrant as herein provided, or if an appeal is taken to the city council as provided in section eleven of this Act, or an extension of time is granted to the contractor in which to make his return as provided in section ten of this Act, at any time after five days from either the decision of said council or the expiration of said extension or after the return of the warrant or assessment, after the same may have been corrected, altered or modified as provided in said section eleven (but not less than thirty-five days from the date of the warrant), the contractor or his assignee may sue, in his own name, the owner of the land, lots, or portions of lots, assessed on the day of the date of the recording of the warrant, assessment, and diagram, or any day thereafter during the continuance of the lien of said assessment, and recover the amount of any assessment remaining unpaid, with interest thereon at the rate of ten per cent per annum until paid. And in all cases of recovery under the provisions of this Act, where suit has been brought after one year from the date of the assessment or after personal demand has been made on the owner as hereinafter provided, the plaintiff shall recover the sum of fifteen dollars, in addition to the taxable costs as attorney's fees, but not any percentage upon said recovery; but no suit shall be brought for the recovery of any such assessment and no attorney's fees or costs shall be recovered until a demand in writing has been served personally on the owner of the lot or parcel of land assessed and such owner has failed to pay such assessment before the expiration of ten days after the service of such demand, or unless one year has elapsed from the date of the assessment. Proof of service of such demand shall be made by affidavit in like manner as proof of service of summons in a civil action. If the contractor or his agent, or any person acting in behalf of the contractor shall, prior to the filing of a complaint for the recovery of any assessment as herein provided, make any written demand upon or present any bill or notice in writing to such owner, demanding, requesting or notifying such owner to pay or that there is due, attorney's fees or court costs in connection with the collection of such assessment, then the contractor shall forfeit to such owner the amount of such assessment and the superintendent of streets is authorized, upon written demand of such owner, accompanied by the affidavit of such owner, that such written demand, bill or notice for the payment of attorney's fees and costs, or either thereof, prior to the commencement of suit, to mark said assessment "Paid" and such assessment shall thereby be deemed to be paid and the lien thereof released. When the ownership of two or more lots or parcels of land on which assessments in the same proceeding have not been paid is identical, one action may be brought to collect the assessments on all of said lots or parcels of land, and in case more than one action is brought against the owner of more than one lot or parcel of land where the ownership is identical, as aforesaid, the court shall, upon the motion of such owner or owners, consolidate such actions, and in the event of such consolidation of actions and recovery therein, only fifteen dollars as attorney's fees shall, unless otherwise ordered by the court, be recovered; and when suit has been brought as in this section provided, the plaintiff shall be entitled to have and recover said attorney's fee, and taxable costs, notwithstanding that the suit may be settled or a tender may be made before a recovery in said action, and he may have judgment therefor. Suit may be brought in the superior court within whose jurisdiction the city is in which said work has been done, and in case any of the assessments are made against lots, portions of lots, or lands the owners of which cannot, with due diligence, be found, the service of summons in such of such actions may be had in such manner as is prescribed in the codes and laws of this state. The said warrant, assessment, certificate, and diagram, with the affidavit of service of demand and non-payment shall be held prima facie evidence of the regularity and correctness of the assessment and of the prior proceedings and acts of the superintendent of streets and city council upon which said warrant, assessment and diagram are based, and like evidence of the right of the plaintiff to recover in the action. The court in which said suit shall be commenced shall have power to adjudge and decree a lien against the premises assessed, and to order such premises to be sold on execution, as in other cases of the sale of real estate by the process of said court; and on appeal, the appellate courts shall be vested with the same power to adjudge and decree a lien and to order such premises to be sold on execution or decree as is conferred on the court from which an appeal is taken. Such premises, if sold, may be redeemed as in other cases. In all suits now pending, or hereafter brought to recover street assessments, the proceedings therein shall be governed and regulated by the provisions of this Act, and also, when not in conflict herewith by the codes of this state. This Act shall be liberally construed to effect the ends of justice.

SEC. 5. A new section is hereby added to said Act to be known as Section 12½, and to read as follows:

Section 12½. Whenever any assessment made and issued under the provisions of this Act, or whenever any bond or bonds issued to represent the amount of any such assessment in accordance with the provisions of "An Act to provide a system

council. At the time fixed for said hearing, or at such time or times to which the

in such manner as is most equitable, and it shall thereupon pass a resolution

determination of all matters relating to the actual benefits derived from the improvement. Said reassessment shall thereupon be recorded by the street superintendent and it shall in all respects have the same effect and weight as the original assessment, and shall be enforced in the same manner. All payments made upon the reassessment in any instance is less than the amount of the original assessment, the excess shall be payable to the owner by the contractor.

Section 55. In all resolutions, notices, orders and determinations subsequent to the resolution of intention a description of the assessment district by reference to the resolution of intention shall be sufficient, and in all resolutions, notices, orders, and determinations subsequent to the "notice of street work" a description of the

Committee substitute read and adopted.

Bill read second time and ordered to print, engrossment and third reading.

PRIVILEGE OF FLOOR IN SENATE EXTENDED.

On request of Senator Cammetti, the privilege of the floor of the Senate Chamber for this day, was unanimously extended to James A. H. Scherer, President Throop Polytechnic Institute of Pasadena.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

The President pro tem ordered Assembly Bill No. 199 passed on file.

Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1740 of the Political Code of the State of California, relating to bonds for county high schools.

On motion of Senator Anderson, Assembly Bill No. 734 was passed on file.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the state of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Read third time.

On motion of Senator Hewitt, Senate Bill No. 1685 was passed on file.

Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Read third time.

On motion of Senator Juilliard, Assembly Bill No. 364 was passed on file.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 11 of Article XI relating to supervision, organization and control or effects of reclamation and drainage districts.

On motion of Senator Burnett, Assembly Constitutional Amendment No. 47 was passed as follows:

Assembly Constitutional Amendment No. 47.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 11 of Article XI relating to supervision, organization and control or effects of reclamation and drainage districts.

The Legislature of the State of California hereby proposes to the people of the State of California, to be voted upon at the general election to be held throughout the State on the Tuesday next after the first Monday in November, 1912, or at a special election to be held throughout the State on the same day, that the Constitution of the State of California be amended by amending Section 11 of Article XI thereof to read as follows:

Sec. 11. The Legislature may provide for the supervision, organization and control or effects of reclamation and drainage districts.

Assembly Constitutional Amendment No. 1.

That there be added to the Constitution to be known as Article XXVII, containing Sections 101 to 103 inclusive, and to read as follows, to wit:

ARTICLE XXVII.

CHARTER AMENDMENTS.

Sec. 101. The [illegible] powers of the city of San Luis Obispo shall be vested in a board consisting of [illegible] members, [illegible] elected at large from the city [illegible] by the electors [illegible] at the general municipal election [illegible] and [illegible] thereafter [illegible] at such time [illegible] and [illegible] shall [illegible] and [illegible] the [illegible] of [illegible] and [illegible] of [illegible] and [illegible] of [illegible] and

Sec. 318. In all civil actions for the recovery of any fine, penalty or forfeiture prescribed for the violation of any ordinance of said city or said charter. The liability or forfeiture imposed by the ordinance is not paid within ten days after [illegible] shall be in the name of the city of San Luis Obispo, and [illegible] prosecuted for the benefit of said city by the city attorney, the defendant is entitled to a jury.

Sec. 319. The mayor shall be ex-officio conservator of the peace of said city, and the police of said city shall [illegible] the peace of said city during [illegible] in said county during [illegible] the police court to [illegible].

Witness: Said council was authorized by law to do so during February, a [illegible] of the council, present, [illegible] and recommend to said [illegible] of San Luis Obispo [illegible].

Witness: Said council did, by Ordinance No. 29 (duly passed, duly and regularly adopted, passed and approved on the [illegible] day of January, 1913, fixed a special election to be held on the 25th day of March, 1913, at said city, being not less than twenty nor more than forty days after the completion of the publication of said [illegible] for the time of said election, that said ordinance contained all the matters and things required to be contained therein by Section 8 of Article XI of the Constitution of the State of California; and

Whereas, At said election held as aforesaid a majority of the qualified electors voting thereon voted in favor of said proposed amendment and did ratify the same; and

Whereas, The said council of the said city of San Luis Obispo, in accordance with the law in such cases made and provided, did on the 25th day of March, 1913, duly canvass the returns of said election as certified by the election boards and duly found, determined and declared that a majority of the qualified electors of said city voting thereon, had voted for and ratified said proposed amendment to the charter of said city of San Luis Obispo; and

Whereas, The said amendment to the said charter was ratified by a majority of the qualified electors of said city voting at such election in [illegible] and [illegible] as follows, to wit: as hereinbefore set forth.

State of California, } ss.
County of San Luis Obispo. }

I, Archibald McAlister, mayor of the city of San Luis Obispo, do hereby certify that said city is and at all of the times herein mentioned was, a city containing a population of more than [illegible] inhabitants governed by a charter framed for its city government by a board of fifteen freeholders [illegible] for said purpose, and which charter was duly ratified by the electors of said city and [illegible] after duly approved by the legislature of the State of California, as [illegible] set forth.

I further certify that the [illegible] and [illegible] of said charter of said city of San Luis Obispo, was proposed by the council of said city and [illegible] the submission of such proposed [illegible] to the said council by the qualified electors of said city, at a special election duly and regularly called and held in said city on the 25th day of March, 1913, and at said election said proposed amendment to said [illegible] and [illegible] was ratified by a majority of the electors of said city, voting thereon, and [illegible] and said proposed [illegible] were made the subject of the [illegible] thereon, and the council of said city on the 25th day of March, 1913, duly declared it said proposed [illegible] ratified by the electors of said city.

In witness whereof, I have hereunto set my hand and affixed the seal of said city of San Luis Obispo this 25th day of March, 1913.

(Seal)

ARCHIBALD McALISTER,
Mayor of the City of San Luis Obispo.

Attest:

CARRIE G. MILLS, City Clerk.

Whereas, Said amendment was ratified as hereinbefore set forth has been duly presented and proclaimed to the governor of the State of California, for approval or rejection, without power of alteration or amendment in accordance with said Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring thereon (a majority of all members elected to each house voting for the adoption of this resolution and concurring thereon), That the said amendment to the said charter of the city of San Luis Obispo hereinbefore set forth are proposed and approved for and adopted and ratified by the qualified electors of said city, be and the same is hereby approved as a whole for, and as an amendment to, the said charter of said city of San Luis Obispo.

The question being on the adoption of the resolution,

The roll was called, and Assembly Concurrent Resolution No. 39 adopted by the following vote:

[illegible]

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 1758—An Act to amend Sections 1197, 1198, 1199 and 1199 of the Political Code of the State of California, relating to bonds for county high schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1758 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Senator Cassidy moved to take up the consideration of Senate Bill No. 534, on the file of unfinished business.

Motion carried.

Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages.

Read third time on a previous day.

[illegible] to refer to special committee, considered at once.

Senator Cassidy moved to refer Senate Bill No. 534 to Senator Hewitt as a special committee of one, to report as follows:

AMENDMENT No. 1

On page 1, line 7, of the printed bill, immediately after the word "assessed" insert "Chapter 1, of the Revised Statutes of California, 1871-72."

AMENDMENT No. 2

On page 1, line 8, of the printed bill strike out the word "seven" and insert in lieu thereof the word "five."

AMENDMENT No. 3

On page 1, line 12, of the printed bill strike out the period (.) immediately after the word "counties," insert a semicolon (;) and the following: "provided, however, that a marriage may be solemnized at any time after the issuance of the license, in any case where a judge of the superior court of the county, upon the application of either party thereto, and upon hearing such evidence as he may deem proper in the premises, shall order the said judge, and record under the seal of said court, which shall be his warrant to the county clerk, that the personal appearance and examination before him of the said applicant for said license, and the said other party thereto, is impracticable, and a necessity to that effect is made and found by the said judge, and acknowledged before and entered of record in said court, and that the said judge is satisfied that the said applicant for said license, and the said other party thereto, are entitled to the issuance of a marriage license, and that there is no legal impediment to the marriage of the said parties

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, APRIL 4, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 534, with instructions to amend, respectfully reports the same back amended as per instructions.

HEWITT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS.

Senate Bill No. 321—An Act to amend Section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Larkins, Senate Bill No. 321 was passed on file.

Senate Bill No. 297—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

On motion of Senator Breed, Senate Bill No. 297 was passed on file, to retain its place.

Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

In the absence of the author, Senate Bill No. 132 was passed on file.

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers, for indicating low water, or otherwise preventing explosions.

On motion of Senator Lyon, Senate Bill No. 984 was passed on file, to retain its place.

Senate Bill No. 140—An Act to provide for a day of rest from labor.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Regan, as a special committee of one, to amend as follows:

AMENDMENT TO SENATE BILL NO. 140.

AMENDMENT No. 1.

In title of printed bill, strike out all after the word "for", and insert in lieu thereof the following: "one day of rest in seven."

AMENDMENT No. 2.

Strike out all of Section 1, page 1, after the word "labor", in line 2, and insert in lieu thereof the following: "must have at least twenty-four consecutive hours of rest therefrom in every seven consecutive days; and it is unlawful for any person, firm, association or corporation, or for any officer or employee of the State of California, or of any political subdivision thereof, to violate any of the following provisions:

(1) To hire, employ, or require any employee, apprentice, servant or other person to work at or to engage in any trade, business, profession, or occupation for more than six days in seven;

(2) To work at or to engage in any said trade, business, profession, or occupation for wages for more than six days in seven;

(3) To keep open, or to order for the purpose of transacting any business or labor, any store, office, shop, building or place of business where goods, wares, merchandise,

or property be sold on official bid sales, or by law, and on other bid sale any goods, wares, merchandise or property so sold, and

(d) To keep open or operate for profit or business any saloon, bar, brewery, shop or any place of labor whatever mentioned by or mentioned within subdivision (a) of section [illegible] of this [illegible] Act, provided that the above provisions of this section do not apply to cases of emergency. Operations necessary on this account, public safety or public health only shall be considered cases of urgent emergency within the meaning of this Act; and provided, that the above provisions of "twenty-four consecutive hours of rest" shall not apply to any person whose usual hours of labor per day would "twenty consecutive hours" or less, nor to any person employed in farming, and provided further, that the above provisions subdivisions (d) and (e) do not apply;

(f) To violate or attempt to violate any special provision of any order or rule governing the employment of men and women, and the hours of labor thereof, made by the Industrial Welfare Commission, and in force at the time of such violation or attempted violation, or to

nor more than two hundred dollars, or be imprisoned in the county jail not to exceed thirty days and, upon each subsequent conviction, both said fine and imprisonment shall be imposed; except, however, in case of corporations, the imprisonment when imposed, shall be imposed upon all officers or agents thereof in this state committing such offense or causing the same to be committed.

SEC. 4. The commissioner of the bureau of labor statistics and his deputies, are hereby authorized, empowered and directed to enforce the provisions of this Act. And it is also declared to be the special duty of all magistrates, district attorneys, and peace officers to enforce said provisions.

SEC. 5. Nothing in this Act shall be construed to repeal or limit an Act entitled "An Act limiting the hours of labor of females, etc.," approved March 22, 1911.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 140, with instructions to amend, respectfully reports the same back, amended as per instructions.

REGAN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 933—An Act to amend Section 1696 of the Political Code of the State of California, relating to the duties of teachers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 933 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, and Shanahan—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and thirty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cohn moved to refer to Senator Hewitt, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 11, of the printed bill, as amended, insert the word "incurable" immediately after the word "of", and before the word "insanity".

AMENDMENT No. 2.

On page 2, line 5, of the printed bill, strike out the period immediately after the word "incurable", insert in lieu thereof a semicolon (;), and add the following:

"provided, however, that in any case where a license is granted on the consent of the owner thereof, the granting of such license shall not relieve or discharge the person from any obligation or liability imposed by law upon the owner, existing at the time of the issue of the certificate or granted by the right, property and instruments of the defendant."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your special committee of one to whom was referred Senate Bill No. 1041, have examined the same, carefully compared the said bill, corrected as per instructions.

HEWITT, Committee.

Report read and adopted.

Bill ordered to print and [illegible]

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 577—An Act to amend Section 1551 of the Penal Code, relating to the payments of persons employed in securing fugitives from justice, arresting in other states or foreign countries.

In the absence of the author, Senate Bill No. 577 was passed on file.

Senate Bill No. 947—An Act to amend Section 3788 of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 947 passed by the following vote:

AYES—Senators Anderson, Avey, Boggs, Boynton, Breed, Butler, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gerdes, Hans Holmes, Inman, Juilliard, Kehoe, Lukens, Mott, Owens, Rigdon, Rush, Saunders, Strobridge, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR JONES IN THE CHAIR.

At three o'clock and thirty-five minutes p. m., Senator Jones, of the Twenty-eighth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 873 passed by the following vote:

AYES—Senators Anderson, Avey, Boggs, Boynton, Breed, Butler, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gerdes, Hewitt, Inman, Juilliard, Lukens, Mott, Owens, Rush, Saunders, Strobridge, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1410½, relating to the water of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 412 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Bird, Butler, Caminetti, Campbell, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, and Wright—24.

NOES—Senator Carr—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410½, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 843 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Grant, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1899, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 24, 1911, by amending section four thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 413 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 246—An Act to amend Section 4371 of the Political Code relating to the compensation of officers of counties of the forty-sixth class.

In the absence of the author Senate Bill No. 246 was passed on the Senate Bill No. 189—An Act to amend Section 4372 of the Political Code, relating to salaries of county officers in counties of the fourth class.

In the absence of the author Senate Bill No. 189 was passed on the Senate Bill No. 1124—An Act to amend Section 4218 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

In the absence of the author Senate Bill No. 1124 was passed on the Senate Bill No. 794—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 18, 1909, and providing boards of supervisors to construct and maintain such bridges on highways or highways or boulevards as they may deem necessary, and to permit such boards of supervisors to consolidate or pave or gutter such highways or boulevards, and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Curtin, Senate Bill No. 794 was ordered to the file of unfinished business.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

On motion of Senator Boynton, Senate Joint Resolution No. 25 was passed on file to retain its place.

SENATE CONSTITUTIONAL AMENDMENT No. 19.

A resolution respecting to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be numbered to follow immediately after Section XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property to excess thereof, and for the purpose thereof.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the sixth day of January, nineteen hundred thirteen, two thirds of all the members elected to each of the houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, that a new section be added to Article XI of the Constitution of the State of California, to be known and designated as section twenty of Article XI of the Constitution of the State of California, and to read as follows:

Section 20. The state, or any county, or any municipality within this state, taking or appropriating property for public use, may also take or appropriate, additional adjoining or neighboring property in excess of that actually to be devoted to or occupied by the proposed improvement, and such additional property so taken shall be deemed to be taken for public use. The estate to such additional property so taken shall be a fee simple estate and such additional property may be sold, leased or otherwise disposed of, in whole or in part, under such terms and restrictions as may be appropriate to preserve or further the improvement made or proposed to be made. The conditions under which such additional property may be so taken or appropriated, the manner and method of providing payment therefor and the terms and restrictions under which such property may be sold, leased or otherwise disposed of, shall be prescribed by general law.

The question being on the adoption of the amendment

The roll was called, and Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bucher, Burnett, Campbell, Carr, Cassidy, Cogswell, Curtin, Flint, Finn, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Lyon, Metz, Owens, Regan, Rush, Stevenson, Tompkins and Wright—28.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and thirty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 50—An Act to declare the Sonora and Mono Road in Tuolumne County a state highway.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 50 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Bucher, Cassidy, Campbell, Cassidy, Cogswell, Curtin, Flint, Finn, Gerdes, Juilliard, Kehoe, Larkins, Lyon, Metz, Owens, Regan, Rush, Stevenson, Tompkins and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 971—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

In the absence of the author, Senate Bill No. 971 was passed on file.

Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

On motion of Senator Anderson, Senate Bill No. 1719 was passed on file, to retain its place.

Senate Bill No. 1522—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Avey moved to refer to Senator Flint, as a special committee of one, to amend as follows:

On page 2, after line 22, add the following: 'Nothing in this section contained shall be construed to disqualify a justice, judge or justice of the peace from sitting or acting as such in any action or proceeding in which a county, city and county,

[illegible]

Motion carried.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

Mr. President: Your special committee of one, to whom was referred Senate Bill No. 1169, with instructions to amend, respectfully reports the same back, amended as per instructions.

J. M. ELLIS, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

[illegible]

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170a, relating to actions for unlawful detainer ensued by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

In the absence of the author, Senate Bill No. 885 was passed to the

Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure to be numbered 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 916 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1492 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California by providing a limitation within which execution may be issued upon money judgments.

In the absence of the author, Senate Bill No. 615 was passed to the

Senate Bill No. 803—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpœna.

Read third time.

On motion of Senator Hewitt Senate Bill No. 803 was passed on file, to retain its place.

SENATOR LYON IN THE CHAIR.

At four o'clock and fifty minutes p. m. Senator Lyon of the Twenty-ninth District, in the chair.

THIRD READING OF BILLS—(CONTINUED).

Senate Bill No. 263—An Act authorizing and empowering any municipal corporation to which title lands and submerged lands situated within the limits thereof have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Benson, Birdsall, Boynton, Breed, Cassidy, Caminetti, Curtis, Finn, Flint, Gerdes, Hewitt, Juilliard, Kehoe, Lyon, Mott, Rigdon, Rush, Sanford, Ted Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of California, to be numbered 1097*a*, relating to elections and the registration of voters.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1005 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Cassidy, Caminetti, Curtis, Finn, Flint, Gerdes, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Rigdon, Rush, Sanford, Stephens, Strobridge, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILLS.

Senator Breed asked and was granted unanimous consent to withdraw Senate Bill No. 1300—An Act creating a board to be known as the state advertising board; providing for the appointment of its members; fixing the term of office of its members, their salaries, powers and duties.

Also:

Senate Bill No. 1301—An Act creating a fund to be known as the state advertising fund, and providing for the formation of such fund.

Senate Bills Nos. 1300 and 1301 ordered withdrawn, and stricken from the file.

[illegible]

Senate Bill No. 294—An Act to amend Section 187 of the Civil Code of the State of California, relating to the custody, services and earnings of children and entitling the father and the mother jointly thereof, and providing in case of death or abandonment by either that the other shall be entitled thereto.

In the absence of the author, Senate Bill No. 294 was passed on the file.

Senate Bill No. 1222—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers, to provide for the examination of and issuance of certificates to qualified applicants with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered section three a, relative to the issuance of a certificate permitting any person, who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States or any foreign nation, to practice as a certified public accountant in the State of California.

In the absence of the author, Senate Bill No. 1222 was passed on the file.

Senate Bill No. 1258—An Act to amend Section 942 of the Code of Civil Procedure of the State of California, relating to attachment bonds.

In the absence of the author, Senate Bill No. 1258 was passed on the file.

Senate Bill No. 1256—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments pursuant to the Political Code.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Mott moved to refer to Senator Larkins, as a special committee of one, to amend as follows:

By striking out all of lines 7 and 8, on page 2, of the printed bill.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1255, with instructions to amend, respectfully reports the same back, amended as per instructions.

LARKINS, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILL—[RESUMED].

Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the

issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

On motion of Senator Boynton, Senate Bill No. 593 was passed on file, to retain its place.

Senate Bill No. 1026.—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1026 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Cohn, Curtin, Finn, Flint, Grant, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

The following constitutional amendment was introduced:

By Senator Grant: Senate Constitutional Amendment No. 71—A resolution to propose to the people of the State of California an amendment to Section 6 of Article II of the Constitution of said State, relating to mechanical devices for registering the will of the people at elections.

Senate Constitutional Amendment No. 71 referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings, to be used jointly for county and municipal purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BREED, Chairman.

Senate Bill No. 500 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

RUSH, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Also: Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

[illegible] and recommend that they do pass.

[illegible], Chairman.

Senate Bills Nos. 209, 302 and 518 ordered on file for second reading.

REPORTS OF COMMITTEES.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 697, "An Act to amend Section [illegible] of the Political Code, relating to the meetings for the election of boards of high school trustees."

Also, Assembly Bill No. 881—An Act to amend Section 1708 of the Political Code of the State of California, relating to the superintendent of school funds to send school [illegible].

Also, Assembly Bill No. 951—An Act to amend Section 1804 of the Political Code of the State of California, requiring the superintendent of school moneys [illegible].

Also, Assembly Bill No. 1147—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Also, Senate Bill No. 21—An Act to repeal Section [illegible] of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and corporation of learning.

Also, Senate Bill No. 524—An Act providing and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the title and buildings of the state normal school at Los Angeles.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

AVEY, Chairman.

Senate Bills Nos. [illegible] 21 and 524 and Assembly Bills Nos. 877, 881 and 1147 ordered on file for second reading.

THIRD READING OF BILLS.

Senate Bill No. 524—An Act to amend Section 671 of the Political Code relating to school hours of elementary and secondary schools of the State of California.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Wright, as a special committee of one, to amend as follows:

By inserting after the word "school", line 7, page 1, of the printed bill, the words "or on the school premises."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 524, with instructions to amend, respectfully reports the same back, amended as per instructions.

WRIGHT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Strobridge: Permission to introduce a Senate Bill—An Act to amend an Act entitled "An Act to provide for the incorporation

and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 8 of said Act.

LEAVES OF ABSENCE.

Senator Breed was, on his own motion, granted leave of absence for Saturday, April 5, 1913.

Senator Regan was, on his own motion, granted leave of absence for Saturday, April 5, 1913.

RECONSIDERATION OF VOTE.

Senator Finn moved to take up the consideration of his motion to reconsider the vote whereby Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered three hundred ninety-seven a (397a), relating to the sale or disposal of intoxicating liquors between certain hours—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 142 was passed was reconsidered by the following vote:

AYES—Senators Anderson, Avey, Bolan, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cassidy, Chiis, Finn, Gates, Heacock, Jennett, Kehoe, Lyon, Matt, Owens, Regan, Savage, Strother, Strobridge and Wright—24.

NOES—None.

SPECIAL ORDER SET.

Senator Finn moved that the further consideration of Senate Bill No. 42 be made a special order for twelve o'clock m. on Monday, April 7, 1913.

Motion carried.

MOTIONS.

Senator Boynton moved that the telegram from Mrs. John Bidwell, presented this day by the President of the Senate, be printed in the Journal.

Motion carried.

Senator Finn moved that a statement from Mr. Brittain on the same subject-matter be printed in the Journal when received.

Motion carried.

THIRD READING OF BILL.

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all properties necessary therefor, and also to provide for the distribution and sale of water by said districts.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Strobridge, as a special committee of one, to amend Senate Bill No. 265, as follows:

AMENDMENT No. 1.

On page 2, Section 3, line 1, which was [illegible] the word "petition", and in lieu thereof insert a semicolon and the following: "provided, that where any person, association, corporation or party claiming an interest in such proposed [illegible] district, such petition must be signed by at least 20 per centum of the qualified electors of such proposed district, or by a majority of the [illegible] residing within such proposed district, as voting at such election."

AMENDMENT No. 2.

On page 2, Section 3, line 3, strike out the word "every", and in lieu thereof insert the word "such".

AMENDMENT No. 3.

On page 2, Section 3, line 10, strike out the words "every owner of any [illegible] such", and insert in lieu thereof the word "holding".

AMENDMENT No. 4.

On page 2, Section 3, line 30, after the word "electors", insert the following: "in such proposed corporation or part thereof and in the [illegible] petitions be ruled in such [illegible] were [illegible]."

AMENDMENT No. 5.

On page 5, Section 5, Paragraph 6, line 27, strike out the word "notification", and in lieu thereof insert the word "publication".

AMENDMENT No. 6.

On pages 15 and 16, [illegible] and on page 16, lines 18 and 19, strike out the words "and report a vote to the board [illegible] at least thirty days before the first day of the session at which the board of supervisors of the county or city and county to which such [illegible] is to be [illegible] and [illegible] and [illegible] and

IN SENATE.

SENATE CHAMBER,
Saturday, April 5, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Esty, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson, and Wright—33.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 4, 1913, the further reading was dispensed with, on motion of Senator Curtin.

LEAVES OF ABSENCE.

Senator Rush was, on motion of Senator Strobridge, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Hans, granted leave of absence for this day.

Senator Bryant was, on motion of Senator Beban, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Gates, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to James A. B. Scherer, president Throop Polytechnic Institute, of Pasadena.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628*a*, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Also: Assembly Bill No. 1001—An Act to amend Section 702 of the Code of Civil Procedure of the State of California, relating to rate of interest on redemption.

Also: Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Also: Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901 and 1902 of the Political Code of the State of California, relating to making a roll of persons subject to military duty, and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 165 read first time and referred to Committee on Fish and Game.

Assembly Bill No. 1501 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1007 read first time and referred to Committee on Finance.

Assembly Bill No. 1827 read first time, and referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your Honorable Body that the Assembly on this day passed Assembly Bill No. [illegible] An Act [illegible] Penal Code of California, to [illegible] attempting to [illegible] or [illegible] or [illegible] or [illegible] or [illegible] or [illegible] or [illegible] and providing the punishment for a violation thereof," and Assembly Bill No. [illegible] An Act to amend Section [illegible] Act regulating the hours of labor of employees, laborers, workmen, [illegible] operating a line of railway, in which cars are used, [illegible] presenting penalties for violations of this Act," approved March [illegible]

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2054 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 94 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your Honorable Body that the Assembly on this day adopted Assembly Concurrent Resolution No. 14—[illegible] the appointment of a committee to consider the advisability and to report [illegible] the creation of a state industrial farm for [illegible]

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 14 referred to Committee on Prisons and Reformatories.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your Honorable Body that the Assembly on this day appointed Assemblymen Hinkle, Curry and Fuhrer on a Committee on Free Conference, to meet with a like committee from the Senate, on [illegible] Bill No. 232—An Act to amend an Act entitled "An Act [illegible] lands and lands lying under tide [illegible] to the city of San Diego [illegible] to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1195—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 14, 1889, and amended February 27, 1893, by amending Section 50 thereof.

Also: Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Also: Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Also: Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty ninth class.

Also: Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, providing for the appointment of assessors, deputies, clerks, stenographers, copyists and employees of the county officers of counties of the thirty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties.

Also: Senate Bill No. 1208—An Act to amend Section 588 of the Civil Code, relating to the selling, mortgaging, alienating, encumbering or granting of the real property of religious, social and benevolent corporations.

Also: Senate Bill No. 357—An Act to amend Section 607*e* of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Also: Senate Bill No. 424—An Act to amend Section 1083 of the Political Code of the State of California, relating to the qualifications of a voter.

Also: Senate Bill No. 867—An Act declaring that all tide lands and submerged lands within the boundaries of the city of Los Angeles are granted and require such lands, for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to, and for the recovery of the possession of said lands.

Also: Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Also: Senate Bill No. 514—An Act to amend Section 599c of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Also: Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages, and prescribing the penalty for violation thereof.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following

Senate Bill No. 693—An Act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Senate Bill No. 338—An Act to amend Section 1272 of the Penal Code of the State of California.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1733—An Act to authorize the superintendents of the Whittier State School and the Preston School of Industry to relinquish inmates from the control of either of said schools and to receive such inmates into the other of said schools, and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred—and report that the same has been correctly enrolled, and presented the same to the Governor on this fifth day of April, 1913, at nine o'clock and fifty minutes a.m.

GRANT, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 619—An Act to amend Sections 2, 3 and 4 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893—have had the same under consideration, and respectfully report back a committee substitute for the same, and recommend that said substitute be adopted.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1911.

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1224—An Act to provide for the assessment, levy, collection, enforcement, adjustment, credit and application by municipalities of water rents, rates, charges, income and profits, including arrears and delinquencies, for the maintenance of the said municipal water system upon the property benefited and for the payment of improvement bonds to represent such assessments, has had the same under consideration, and respectfully report back the same back, and recommend that it do pass.

CARR, Chairman.

Senate Bills Nos. 619 and 1224 ordered on file for second reading.

REPORT OF CONFERENCE COMMITTEE.

The following report was received:

SENATE CHAMBER, SACRAMENTO, April 4, 1911.

Mr. President: Your Committee, the Conference committee on Senate Bill No. 238—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911—report that we have met at the committee of the Assembly, consisting of Assemblymen Jones, Stuart and Scott, and to report that the Conference Committee has been unable to agree.

CRESSWELL,
SAWYER,
FIELD,
Senate Committee on Conference.

COMMITTEE ON THE CONFERENCE DISAGREED.

The President announced the appointment of Senators Wright, Jones and Cohn as a committee on the conference to meet with a similar committee from the Assembly on Senate Bill No. 238—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof" approved May 1, 1911.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 921—An Act to repeal Section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

In the absence of the author, Senate Bill No. 921 was passed on file.

Senate Bill No. 297—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

In the absence of the author, Senate Bill No. 297 was passed on file.

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers, for indicating low water, or otherwise preventing explosions.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

In line 1 of the title of the bill, after the word "of", insert the word "locomotive".
Also: On page 1, line 10, after the word "of", insert the word "locomotive".
Also: Strike out all of Section 2, after the word "than", in line 15, and insert in lieu thereof the following: "three months or not more than six months".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 984, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS — RESUMED.

Senate Bill No. 393—An Act to amend Section 1322 of the Penal Code, relating to witnesses and testimony of husband and wife.

In the absence of the author, Senate Bill No. 393 was passed on file.

Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 577 passed by the following vote:

AYES—Senators Avey, Birdsall, Brown, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grunt, Hans, Kehoe, Lyon, Mott, Owens, Sanford, Shanahan, Stubenbridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 411—An Act to amend Section 5254 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

On motion of Senator Curtin, Senate Bill No. 411 was passed on file.

Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

On motion of Senator Sanford, Senate Bill No. 335 was passed on file, to retain its place.

Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 489 was passed on file, to retain its place.

Senate Bill No. 1124—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

On motion of Senator Sanford, Senate Bill No. 1124 was passed on file, to retain its place.

Senate Bill No. 912—An Act to provide for the payment of compensation of additional help in the county clerk's offices of the various counties throughout the State.

In the absence of the author, Senate Bill No. 912 was passed on file.

Senate Joint Resolution No. 35—Relative to the protection of the citrus fruit industry of the state of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

In the absence of the author, Senate Joint Resolution No. 35 was passed on file.

Senate Bill No. 941—An Act providing aid in the several counties and cities and counties of the State of California in building intercounty bridges.

Read third time.

On motion of Senator Caminetti, Senate Bill No. 941 was passed on file.

Senate Bill No. 127—An Act to provide for the licensing and registration of hospitals and special hospital nurses in the State of California.

By the absence of the author, Senate Bill No. 127 was passed on file.

Senate Bill No. 971—An Act to define and designate state highways and state roads and to designate names for certain state roads.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 971 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Burnett, Bunner, Butler, Cartwright, Caminetti, Carr, Chandler, Cogswell, Cone, Curtin, Flint, Finn, Gerdes, Gray, Hare, Hewitt, Jones, Kehoe, Leake, Mott, Owens, Sanford, Stephens, Strobridge, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1719—An Act to amend Section 19 of an Act entitled "An Act providing for the laying out, constructing, maintaining, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe, as a special committee of one, to amend as follows:

On page 2, line 30, of the printed bill, after the word "purposes," insert the following: "*Provided*, that which any such highway or portion thereof which the improvement of the same under the provisions of this Act has benefited within the boundaries of any municipal city, city and county or town, the foregoing provisions of this section shall not prohibit the granting of any such franchise to the proper municipal authorities having power to grant franchises for the use thereof so included within the boundaries of any such municipal city, city and county, or town. Any such franchise shall be granted upon such terms and condition that the grantee thereof will pay to the county for the benefit of the general

fund thereof an amount equal to the cost of the improvement or construction of such portion of the roadbed or highway constructed or improved under the provisions of this Act as shall be occupied by the track or tracks of such railroad, electric road or street railroad."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1719, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1261—An Act to create the office of registrar of teachers, and to define the powers and duties thereof.

On motion of Senator Avey, Senate Bill No. 1261 was ordered re-referred to Committee on Finance.

Senate Bill No. 1112—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declarations of the payment or performance thereof, and to authorize their recordation in the office of the Secretary of State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1112 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cohn, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines.

Read third time.

On motion of Senator Wright, Senate Bill No. 1649 was passed on file.

Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

In the absence of the author, Senate Bill No. 565 was passed on file.

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated eleven hundred and seventy *a* (1170*a*), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

On motion of Senator Gates, Senate Bill No. 885 was ordered to the file of unfinished business.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(Continued)

Senate Bill No. 615—An Act to amend Section 660 of the Code of Civil Procedure of the State of California, by providing a limitation within which execution may be issued upon money judgments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 615 passed by the following vote:

Ayes—Senators Anderson, Erben, Jenner, Regan, Regan, Campbell, Crandall, Carr, Cassidy, Cobb, Coghlan, Dyer, Dyer, Gates, Gerald, Hawkins, Hyman, Luckett, Lyon, Metz, Owens, Sanford, Shoemaker, Stromberger, and Weaver—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 618—An Act to amend sections fourteen hundred and eighty-six and nineteen hundred and ninety-one of the Code of Civil Procedure, both relating to subpoena.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 618 passed by the following vote:

Ayes—Senators Anderson, Brown, Burns, Burns, Chapman, Cranston, Carr, Cassidy, Cobb, Coffey, Dyer, Dyer, Gates, Gerald, Hawkins, Hyman, Luckett, Lyon, Metz, Owens, Sanford, Shoemaker, Stromberger and Weaver—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 63—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding pursuance thereof, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

On motion of Senator Carr, Senate Bill No. 63 was passed on file, to retain its place.

Senate Bill No. 563—An Act to amend section eleven hundred ninety-one of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

Read third time.

On motion of Senator Gates, Senate Bill No. 563 was passed on file, to retain its place.

Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess.

On motion of Senator Cassidy, Senate Bill No. 1698 was passed on file, to retain its place.

SENATOR CARR IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Senator Carr of the Thirty-sixth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 810—An Act to amend section four hundred and ninety-nine *a* of the Penal Code of the State of California relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 810 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Barker, Chandler, Campbell, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Kehoe, Larkins, Owens, Sanford, Shanahan, Strobridge, Thompson, and Wyllie—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Caminetti asked and was granted unanimous consent to withdraw Senate Bill No. 264—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, and earnings of children, and entitling the father and the mother jointly thereto, and providing in case of death or abandonment by either that the other shall be entitled thereto.

Senate Bill No. 264 withdrawn, and ordered stricken from the file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered section three *a*, relative to the issuance of a certificate permitting any person, who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States or any foreign nation, to practice as a certified public accountant in the State of California.

In the absence of the author, Senate Bill No. 1332 was passed on file.

Senate Bill No. 1686—An Act to amend Section 542 of the Code of Civil Procedure of the State of California, relating to attachment liens.

In the absence of the author, Senate Bill No. 1686 was passed on file.

Senate Bill No. 593—An Act to amend sections thirty-four hundred fifty-six, thirty-four hundred fifty-seven, thirty-four hundred sixty-five, and thirty-four hundred eighty of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

On motion of Senator Boynton, Senate Bill No. 593 was passed on file.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions of the power of counties, cities and other subdivisions of the State to incur indebtedness.

In the absence of the author Senate Constitutional Amendment No. 34 was passed on file.

Senate Bill No. 1128—An Act to amend section four hundred two hundred and sixty of the Political Code of the State of California, relating to the compensation of officials of counties of the third class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1128 passed by the following vote:

AYES—Senators Anderson, Black, Breed, Bulkley, Bunkley, Burnett, Caminetti, Cartwright, Cassidy, Chamberlain, Cogswell, Cole, Craig, Elliot, Finn, Flint, Gates, Hans, Harris, Kehoe, Larkins, Lyon, Mott, Owens, Saylord, Saunders, Scott, Stetson and Wyman—27.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Rodgers moved to refer to Senator Stetson as a special committee of one, to amend as follows:

By striking out of the title all after the word "Political," and inserting the following: "relating to the compensation of officials of counties of the third class."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 1128, with instructions to amend same, respectfully reports that same has been amended as per instructions.

STETSON, Committee.

Report read and adopted.

Bill ordered to print and engrossed.

COMMUNICATION.

The following communication was presented by Senator Wright:

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, April 5, 1913.

To the Honorable Members of the Legislature of the State of California.

GENTLEMEN: Whereas, Certain charges have been made against the Secretary of State of the State of California and his office, charging he has not properly kept, filled the duties of his office; and

WHEREAS, Such charges are now being investigated by an investigator before the State Board of Control.

I, the undersigned Frank C. Jordan, said Secretary of State, desiring that the alleged charges be investigated by the regularly constituted legal authorities of this State, and the truth or falsity of said charges be definitely ascertained, therefore petition your honorable body that you appoint a committee to investigate the said charges, said committee to be appointed without unnecessary delay, and a report to be made to the Legislature during the present session.

Respectfully,

FRANK C. JORDAN, Secretary of State.

INTRODUCTION OF CONCURRENT RESOLUTION—OUT OF ORDER.

The following concurrent resolution was introduced:

By Senator Wright:

Senate Concurrent Resolution No. 23—Relative to the appointment of a committee to investigate charges against the Secretary of State.

Resolution referred to Committee on Rules.

RUSH ORDER TO PRINTER.

On motion of Senator Wright, the Secretary was directed to issue a rush order for printing Senate Concurrent Resolution No. 23.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 679 passed by the following vote:

AYES—Senators Anderson, Avey, Belcher, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF BILLS.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

During second reading of the bill, the following amendments were offered by Senator Boynton:

AMENDMENT No. 1.

On page 1, line 6, of the printed bill, strike out the word "innkeeper".

Amendment adopted.

AMENDMENT No. 2.

Strike out the words commencing on line 8 with the word "having", and ending with the first word "sale.", on line 15, page 1, of the printed bill, and insert in lieu thereof the following: "according to the procedure provided for the sale by hotel, inn, and lodginghouse keepers to satisfy liens for charges upon the baggage of guests, in Article IV of Chapter II, Title 3, Part 4, Division 3, of the Civil Code."

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 4, of the printed bill, strike out the words "such waters" and insert in lieu thereof the words "the waters mentioned in the last act"

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 42—An Act to create a preservation for fish, shellfish, shrimp and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such preservation by means of weirs, dams, nets, traps or seines.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 2, Section 3, line 9, insert after the word "unless" the word "first" in place of the word "directly".

Amendment adopted.

AMENDMENT NO. 2.

On page 3, Section 4, line 4, insert after the word "Nothing", in place of the word "one".

Amendment adopted.

AMENDMENT NO. 3.

On page 3, Section 5, strike out all the words in lines 4, 5 and 6, and insert in lieu thereof the following: "waters in the counties of Marin, Sonoma, Solano, Napa, Contra Costa, Alameda, Santa Clara, San Mateo, and the city and county of San Francisco."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS—RESUMED.

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as section six hundred thirty-two c, relating to the taking of trout by using salmon or trout roe or eggs.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 8, strike out the words "other than salt or brackish waters".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 7, insert after the semicolon the following: "or who, between the thirty-first day of January and the first day of April of the same year,

takes, catches, kills or has in his possession any steelhead trout taken, caught or killed in tide or brackish waters;".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered fifteen hundred twenty-seven, relating to the selection of text-books for use in public schools of the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers, and providing for the proper distribution of such books.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 4, of the printed bill, following the word "prices", insert the words "not exceeding those".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day" in all departments of the public school system of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California, by James W. Marshall.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 2.

In line 4 of the printed bill, following the word "all", insert "elementary schools".

Amendment adopted.

AMENDMENT No. 3.

In line 5 of the printed bill, strike out the words "departments of the public school system."

Amendment adopted.

AMENDMENT No. 4.

In lines 6 and 7 of the printed bill, strike out the words "arranged by the president, principal or teacher of each of such departments".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 238—An Act amending Section 1076 of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 279—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1065—An Act to provide for the regulations of factories, workshops, mills and other manufacturing establishments.

During second reading of the bill the following amendment was offered by the committee:

On page 1, line 10, of the printed bill, strike out the word and figures "Act 80, 1913" and insert in lieu thereof the following: "Section 3, Act

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California, relating to the regulation of loading and unloading of vessels to be known as and numbered 384g of said code.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 223—An Act regulating the payment of wages earned by seamen, labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 322—An Act to repeal an Act entitled "An Act to provide for the appointment of policemen, with the powers of police officers, to serve upon the steamers, tugs or boats of railroad and steamship companies," approved March 29, 1901.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 804—An Act to provide for the payment of a license tax upon each person, firm, or corporation, engaging in the business of selling or disposing of distilled spirit wines or malt liquors or intoxicating liquors, and providing a penalty for a violation hereof, and providing for the regulation of the liquor traffic in the State of California.

During second reading of the bill, the following amendment was offered by the committee:

Amend by striking out all of the bill including the title and substitute therefor the following:

"An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California, without a license so to do; limiting the number of such licenses or persons which may be granted and issued regulating the traffic in said liquor.

The people of the State of California do enact as follows:

SECTION 1. It shall be unlawful for any person, firm, corporation, company or club to sell, barter or traffic in any intoxicating liquors within the State of California without first having procured a license or permit therefor as provided in this

SEC. 2. From and after the taking effect of this Act the board of supervisors, city council, police commission, or other body or person having power to grant or

issue license within any incorporated city or town, or city and county, shall grant or issue any additional license, permit or other authority to sell or distribute intoxicating liquors when the number of such licenses or permits already issued and in force in such city or town, or city and county, is equal to or exceeds one for each five hundred (500) of the population of such city or town, or city and county. In computing the population of a given territory each two hundred (200) persons whose names were on the great register of qualified voters at the last general election shall be considered equal to five hundred (500) inhabitants. And no board of supervisors shall grant and no tax collector shall issue any license, permit or other authority to sell or distribute intoxicating liquors within that part of any supervisorial district which is outside of any incorporated city or town, when the number of such licenses already issued and in force is equal to and greater than one for each two hundred (200) persons whose names were on the great register of qualified voters of such part of such district at the last previous general state election.

Licenses or permits authorizing registered pharmacists to sell or dispense intoxicating liquors for medical, mechanical or sacramental purposes only shall not be counted in determining the number of licenses issued and in force in any place; *and provided*, that this Act shall not place any restriction upon issuances of licenses to bona fide hotels. Within the meaning of this Act a hotel is any place where lodging and board are furnished to travelers on the public generally as a regular business and twenty-five or more rooms are maintained for the accommodation of guests of such hotel.

SEC. 3. In territory where the number of licenses or permits now exceed one for each five hundred (500) inhabitants the process of reduction shall be as follows: All licenses and permits shall be considered in force and effect and subject to renewal in the discretion of the authority having power to issue said license; *provided, however*, that when said authority refuses to renew any such license to any person, firm, corporation, company or club they shall not grant the same to any other person, firm, corporation, company or club; *and provided, further*, that when the number of licenses issued exceeds one for each five hundred (500) inhabitants as herein computed and any person, firm, corporation, company or club holding a permit or license or entitled to have the same renewed makes no further application no permit in lieu thereof shall be granted to any other person, firm, corporation, company or club; *and provided, further*, that said permit or license shall be issued in the name of the real party in interest.

SEC. 4. No license, permit or other authority to sell or distribute intoxicating liquors shall be granted or issued to any person who is not an American citizen.

SEC. 5. Any person conducting or in charge of any bar room or saloon where intoxicating liquors are sold who permits any person under twenty-one years of age to enter and remain in, or loiter about such bar-room or saloon shall be guilty of a misdemeanor.

SEC. 6. All places in which intoxicating liquors are sold shall be closed every day between the hours of one o'clock a.m. and five o'clock a.m. and it shall be unlawful to sell or give away any intoxicating liquors therein during such hours.

SEC. 7. The term intoxicating liquors as used in this Act shall include any liquor, or mixture of liquors which contains one per centum by volume or more of alcohol and which is not so mixed with other drugs as to prevent its use as a beverage.

SEC. 8. No license shall be granted under this Act in no-license territory, or in any territory or municipality in which the granting of license to sell or otherwise dispose of intoxicating liquors is prohibited by law or by county or municipal ordinance."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and

surgery in the State of California," approved March 27, 1913, amended and approved March 20, 1905, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section, to be numbered and known as Section 13 of said Act.

Bill read second time, ordered engrossed and on the list third reading.

Senate Bill No. 1208—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885," (a repeal) Sections 12 and 13, and to amend Sections 10, 12, 14 and 19 of said Act, as amended by an Act approved March 20, 1905, to amend Section 214 of said Act as added thereto by an Act approved March 27, 1913, and also to amend Section 13 of said Act of March 23, 1907, as amended by an Act approved March 6, 1907, all relating to the boards of dental examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909."

Amendment adopted.

AMENDMENT No. 2

On page 1, Section 1, beginning in line 1, strike out all after the words "Section 1", and insert the following:

Section 14 of An Act to amend Sections 1, 2, 3, 10 and 13 to 24, inclusive, March 27, 1905, and entitled "An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California,' approved March 12, 1885," (a repeal) Sections 12 and 13 of said Act, and to amend Sections 10, 12, 14 and 19 of said Act, as amended by an Act approved March 20, 1905, to amend Section 214 of said Act as added thereto by an Act approved March 27, 1913, and also to amend Section 13 of said Act of March 23, 1907, as amended by an Act approved March 6, 1907, all relating to the boards of dental examiners of California and the regulation of the practice of dentistry in the State of California," approved April 6, 1909, is hereby amended and to read as follows:

Section 14. Before any person commencing the practice of dentistry in this State, he shall obtain a license to do so from the board of dental examiners. Each application shall be accompanied by a fee of [twenty-five ($25.00)] dollars, which shall in no event be refunded. Each license shall be granted upon the following first day of May, which is called expiry by limitation. An annual renewal fee of one [$2.00] dollar shall be paid annually by every person practicing dentistry in this state, and upon the first day of said [May] in each year to all regularly licensed dentists, which notification and the payment of $2.00 of such license fee constitutes all the notification to such licentiate of such license, which shall entitle such person to practice dentistry in this state during the year of one year, and which license shall expire upon the following first day of May. Said board shall have no authority to issue or transfer certificates to any person who is not a regularly licensed dentist, and who has not paid said license fee of $2.00 as aforesaid before the date when his certificate license expired. Every person who shall practice dentistry without a license issued by said board, or who shall practice dentistry without having paid the annual license fee of $2.00 as aforesaid, shall be considered guilty of an offense and upon trial and conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment, in the discretion of the court. Any person who shall fail to pay

that he shall not be required to submit to any examination. All renewal fees collected under the provisions of this section, or an amount equal to the total of such collections, shall be used exclusively for the prosecution of violators of this Act and for the expenses of collecting said fees. It shall be the duty of the secretary of this board to report to the state controller on or before the tenth day of each month all fees, fines, licenses and other collections received during the preceding month, and at the same time to pay the entire amount of such receipts into the state treasury. Such receipts shall be placed to the credit of the state board of dental examiners' contingent fund, which is hereby created. All salaries and all expenses necessarily incurred by the board in the transaction of its business and in the enforcement of the law shall be paid out of such contingent fund upon claims to be presented and audited in the manner usual with other claims against the state.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1309—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

During second reading of the bill, the following amendment was offered by the committee:

On page 2 of printed bill, line 4, after the period (.) following the word "act", insert the following: "An amount not to exceed two hundred dollars may be drawn from the contingent fund herein created, to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control and controller."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1310—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

During second reading of the bill, the following amendment was offered by the committee:

On page 2 of printed bill, line 3, after the period following the word "manner", insert the following: "An amount not to exceed two thousand dollars may be drawn from the contingent fund herein created to be used as a revolving fund where cash advances are necessary, but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control or by the controller."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled, "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 6 of the title, after the word "for", strike out the words "a board of [illegible]"

Amendment adopted.

AMENDMENT No. 2.

Strike out Section 1 and insert in lieu thereof the following:

"SECTION 1. Within thirty days after this Act takes effect, the state board of health shall establish and maintain a department of examination and registration of midwives within the bureau, provided: That every person who applies to practice midwifery within this State on the taking effect of this Act, and who shall have been practicing there as a professional midwife before that time, shall be entitled to a certificate of registration from the board of health, upon the payment of the fee hereinafter provided for, and upon filing with the board of health a statement of the number of years he has practiced midwifery, the age and residence of his patrons and the names and addresses of two reputable physicians in good standing in the county in which he resides, who shall certify to the correctness of such statement. Such statement shall be made under oath and filed with the board of health within ninety days after the taking effect of this Act. Any person who shall practice midwifery in this State after the expiration of ninety days after the taking effect of this Act, without having complied with the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment. Any person who shall practice midwifery in this State after the expiration of ninety days after the taking effect of this Act, without having complied with the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment. All fees collected under the provisions of this Act shall be paid into the state treasury and credited to the general fund. The board of health shall keep a register of all persons registered under this Act, which register shall be prima facie evidence of the matters therein recorded. Such register shall be open to inspection by the public at all reasonable times. The board of health shall keep a record of its proceedings under this Act, and shall annually, on or before the first day of January, make a report to the governor, stating the number of persons registered under this Act during the preceding year, the number of persons practicing midwifery without registering, the number of prosecutions for violations of this Act, and such other matters as may be required by the governor. Such report shall be published with the biennial report of the board of health. Each member of the board of health shall receive as compensation for his services under this Act the sum of five dollars per day for each day actually employed, and his necessary traveling expenses, to be audited by the board of health and paid out of the state treasury. The board of health may employ such clerical assistance as may be necessary to carry out the provisions of this Act, and may fix the salary of such assistant, which shall be paid out of the state treasury. The board of health shall have power to make such rules and regulations as may be necessary to carry out the provisions of this Act. Such rules and regulations shall be printed with the annual report of the board of health, and a copy thereof shall be furnished to each person registered under this Act. The board of health may revoke any certificate issued under this Act for any cause which would be sufficient ground for refusing to issue a certificate in the first instance, after notice and hearing, of which the person whose certificate is sought to be revoked shall have at least ten days' notice in writing, specifying the time and place of hearing and the charges against him. Any person whose certificate is revoked may appeal from the decision of the board of health to the superior court of the county in which he resides, upon giving notice of appeal within thirty days after the decision of the board of health. Upon such appeal the court shall hear the evidence de novo, and may affirm or reverse the decision of the board of health. Fees of witnesses testifying before the board of health shall be the same as those allowed witnesses in civil cases in the superior court. Any person who shall practice midwifery in this State after his certificate of registration has been revoked

AMENDMENT No. 12.

On page 3, line 31, strike out the words "as are required to be examined".

Amendment adopted.

AMENDMENT No. 13.

On page 3, line 32, after the word "and" and preceding the word "issue", insert the word "to".

Amendment adopted.

AMENDMENT No. 14.

On page 3, line 35, beginning with the words "any person to whom", strike out the remainder of the section.

Amendment adopted.

AMENDMENT No. 15.

On page 4, line 3, after the word "section", strike out the numeral "4", and insert in lieu thereof the numeral "3".

Amendment adopted.

AMENDMENT No. 16.

On page 4, strike out Section 4, and insert in lieu thereof the following:

"SEC. 3. All applicants for registration shall be registered without examination; *provided*, they make application prior to July 1, 1914, and have graduated before said date from a reputable training school connected with a general hospital.

Amendment adopted.

AMENDMENT No. 17.

On page 4, line 29, after the word "section", strike out the numeral "5", and insert in lieu thereof the numeral "4".

Amendment adopted.

AMENDMENT No. 18.

On page 4, line 32, after the words "attached to", insert the words "or operated in connection with".

Amendment adopted.

AMENDMENT No. 19.

On page 4, line 33, after the comma following the letters "i. e.," insert the word "one".

Amendment adopted.

AMENDMENT No. 20.

On page 5, line 1, after the word "qualifying", insert a period.

Amendment adopted.

AMENDMENT No. 21.

On page 5, line 1, beginning with the words "and any examiner", strike out the remainder of the section.

Amendment adopted.

AMENDMENT No. 22.

On page 5, line 6, after the word "section", strike out the numeral "6", and insert in lieu thereof the numeral "5".

Amendment adopted.

AMENDMENT No. 23.

On page 5, line 6, after the figure "6", strike out line 6, and lines 7 and 8 and the letters "iners" in line 9.

Amendment adopted.

AMENDMENT No. 24.

On page 5, line 13, after the word "section", strike out the numeral "7", and insert in lieu thereof the numeral "6".

Amendment adopted.

AMENDMENT No. 25

On page 5, lines 16 and 17, strike out the words "certified, licensed to practice", and insert in lieu thereof the word "registered".

Amendment adopted.

AMENDMENT No. 26

On page 5, line 18, after the word "actual", strike out the comma (,) and insert in lieu thereof the comma (,).

Amendment adopted.

AMENDMENT No. 27

On page 5, lines 19 and 20, strike out the words "nurse practitioner" and insert in lieu thereof the word "health".

Amendment adopted.

AMENDMENT No. 28

On page 5, line 20, between to prescribe and the words "supervision power".

Amendment adopted.

AMENDMENT No. 29

On page 5, line 22, strike out the words "of and" after license, and insert in lieu thereof the words "to prescribe and".

Amendment adopted.

AMENDMENT No. 30

On page 6, line 21, after the comma following the word "nurse," insert the word "or".

Amendment adopted.

AMENDMENT No. 31

On page 6, line 22, enclose in quotation marks the words "registered nurse".

Amendment adopted.

AMENDMENT No. 32

On page 7, line 28, after the word "section", strike out the comma (,), and insert in lieu thereof the pronoun "it".

Amendment adopted.

AMENDMENT No. 33

On page 8, line 24, strike out the word "may" and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT No. 34

On page 8, line 25, strike out the word "those", and insert in lieu thereof the words "any applicant".

Amendment adopted.

AMENDMENT No. 35

On page 9, line 25, strike out the word "have" and insert in lieu thereof the word "has".

Amendment adopted.

AMENDMENT No. 36

On page 9, line 26, after the word "been", insert the word "three".

Amendment adopted.

AMENDMENT No. 37

On page 9, line 29, after the words "registered as", insert the word "a".

Amendment adopted.

AMENDMENT No. 38.

On page 5, line 26, strike out the final "s" in the word "nurses".

Amendment adopted.

AMENDMENT No. 39.

On page 5, line 27, after the word "having", strike out the word "the".

Amendment adopted.

AMENDMENT No. 40.

On page 5, line 27, after the words "equivalent to", strike out the words "the provisions of", and insert in lieu thereof the words "those provided for by".

Amendment adopted.

AMENDMENT No. 41.

On page 5, line 28, after the word "section", strike out the numeral "10", and insert in lieu thereof the numeral "9".

Amendment adopted.

AMENDMENT No. 42.

On page 5, line 29, strike out the word "incompetency".

Amendment adopted.

AMENDMENT No. 43.

On page 5, line 30, strike out the word "or".

Amendment adopted.

AMENDMENT No. 44.

On page 5, line 30, after the comma following the word "conduct", insert the following: "or any habit rendering a nurse unfit or unsafe to care for the sick.".

Amendment adopted.

AMENDMENT No. 45.

On page 5, line 32, beginning with the words "Prior to the hearing", strike out the remainder of the section.

Amendment adopted.

AMENDMENT No. 46.

On page 6, line 1, strike out the figure "11" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT No. 47.

On page 6, beginning with line 6, strike out all of Section 12 and insert in lieu thereof the following:

"SEC. 11. Within ten days after the beginning of each month the secretary of the state board of health shall report to the controller the amount and source of all collections made under the provisions of this Act, and at the same time all such amounts shall be paid into the state treasury and shall be placed to the credit of the special fund to be known as the fund for examination and registration of nurses. All amounts paid into this fund shall be held subject to the order of the state board of health, to be used only for the purpose of meeting necessary expenses in the performance of the special duties imposed by this Act. Claims against the fund shall be audited by the state board of health and by the board of control and shall be paid upon warrant drawn by the controller.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

WITHDRAWAL OF BILL.

Senator Caminetti asked and was granted unanimous consent to withdraw Senate Bill No. 346—An Act to prevent the supply of water dangerous to health for domestic purposes, and to provide for the installation of sanitary water systems.

Senate Bill No. 346 ordered withdrawn, and stricken from the file.

SECOND READING OF BILLS—(Continued)

Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 508—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons.

During second reading of the bill the following amendment was offered by the committee:

On page 1, line 18, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following words: "unless such relative has been declared as herein provided."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 202—An Act to amend Section 2121 of the Political Code of the State of California relating to actions brought to the State Commissioner in Lunacy.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 518—An Act to amend Section 2185 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 494—An Act to amend Section 1749 of the Political Code relating to proceedings for the issuance of bonds of high school districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 21—An Act to amend Section 830 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 524—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read second time, ordered engrossed and on file for third reading.

SECOND READING OF ASSEMBLY BILLS

On motion of Senator Campbell the Senate took up the consideration of the second reading file of Assembly bills.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the municipal corporations by water companies.

On motion of Senator Thompson, Assembly Bill No. 50 was ordered to the file of unfinished business.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

On motion of Senator Thompson, Assembly Bill No. 63 was ordered to the file of unfinished business.

Assembly Bill No. 444—An Act to amend Section 1576*a* of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

During second reading of the bill, the following amendment was offered by the committee:

In line 15, following the word "month," strike out the words "for each."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 6, after the word "place," insert the following "conducted as a place".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 9, after the word "place," insert the following "conducted as a place".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SENATOR HEWITT IN THE CHAIR.

At twelve o'clock m., Senator Hewitt, of the Thirty-eighth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

Amend the bill as amended in the Assembly March 20, 1913, by inserting before the word "shall" in line 2 page 3 of the printed bill, the following: "Boys' camp trustees, provided for by [illegible] operating or managing any [illegible]"

Amendment adopted.

AMENDMENT No. 2

Strike out all of Section 3 commencing [illegible] of the amended printed bill, and renumber Sections 4, 5 and 6 as 3, 4 and 5, respectively.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 427.—An Act to amend Section 1561 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 601.—An Act to repeal section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 445.—An Act to amend Section 1541 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Bill read second time, and ordered on file for third reading.

THIRD READING OF BILL.

Senator Lyon moved to take up Senate Bill No. 1413, on the file of unfinished business, for amendment.

Motion carried.

Senate Bill No. 1413.—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

By striking out of Section 1, line 1, the word "agents," and inserting in lieu thereof the word "act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1413, with instructions to amend, respectfully reports the same back, amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

MOTION.

The following motion was offered by Senator Curtin:

That the Judiciary Committee be requested to render an opinion to this body on the question of whether or not a bill introduced in the first session of this Legislature by a member who, upon the convening of the Legislature after the constitutional recess, introduces two bills, as permitted by the Constitution—may such bill be then amended by changing the entire subject-matter of said bill, which would in effect be a new bill, and thus have, as it were, three bills by the same member introduced after the constitutional recess.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the third-reading file of Assembly bills.

ASSEMBLY JOINT RESOLUTION No. 20.
Relative to a federal income tax.

WHEREAS, The proposed amendment to the federal constitution conferring upon Congress the power to levy and collect an income tax, has been duly ratified by the legislatures of three fourths of the several states; and

WHEREAS, An income tax would help to equalize the burden of government, and tend to strengthen the central government in time of war and other emergencies; therefore, be it

Resolved, That the Senate and Assembly of the State of California hereby join in requesting the Congress of the United States to enact, at the earliest possible date, appropriate legislation providing for the levy and collection of an income tax; be it further

Resolved, That our Senators and Representatives in Congress be requested to do their utmost to forward such legislation; and be it further

Resolved, That a copy of these resolutions be forthwith transmitted by the Secretary of the Senate to the President of the Senate of the United States and the Speaker of the House of Representatives of the United States, and a copy hereof sent to each member of Congress from the State of California.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 20 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Sanford, Shanahan, and Wright—25.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

On motion of Senator Strobridge, Assembly Bill No. 199 was passed on file, to retain its place.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Hewitt, Assembly Bill No. 1685 was passed on file, to retain its place.

Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1654 passed by the following vote:

Ayes: Senators Anderson, Arnold, Burgin, Brown, Dilworth, Gaffney, Garrison, Gerald Desmond, Grunsky, Hatfield, Hawkins, Hinkle, Hollingsworth, Jones, Kenny, Lagomarsino, Lanterman, Mills, Nejedly, Nisbet, Petris, Regan, Richardson, Roberti, Schrade, Short, Stiern, Torres, Watson, Wedworth and Zenovich—30.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1½ of Article XI, relating to supervision, regulation, and conduct in affairs of reclamation and drainage districts.

On motion of Senator Boggs, Assembly Constitutional Amendment No. 47 was passed to the

Assembly Bill No. 948—An Act to amend Section 387c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 948 passed by the following vote:

Ayes: Senators Anderson, Arnold, Burgin, Brown, Dilworth, Gaffney, Garrison, Gerald Desmond, Grunsky, Hatfield, Hawkins, Hinkle, Hollingsworth, Jones, Kenny, Lagomarsino, Lanterman, Mills, Nejedly, Nisbet, Petris, Regan, Richardson, Roberti, Schrade, Short, Stiern, Torres, Watson, Wedworth and Zenovich—30.

Noes: Senators Cassidy and Tenney—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER

Senator Wright gave notice that he would on the next legislative day move to reconsider the vote by which Assembly Bill No. 1108 was passed.

THIRD READING OF BILLS (CONTINUED)

Assembly Bill No. 1624—An Act to amend Section 3788 of the Political Code of the State of California, relating to the Surveyor-General being the general agent of the State for the location in the United States land offices of lieu and indemnity land, relating also to locations in United States land offices of lands deserted to be selected in lieu of grants made to the State, and said section as hereby amended also providing that the Surveyor-General shall not perfect or extend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken, and also relating to cancelling or correcting selections, reselections, amended selections, designations and redesignations.

Read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 1624 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Brown, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Shanahan, Thompson, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending section one thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1625 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections and providing the fee therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1626 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Carr, Cassidy, Cogswell, Curtin, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Shanahan, Strobridge, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1627 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates,

Grant, Hare, Hewitt, Jones, Packard, Rolfe, Lyon, Stanton, Strobridge, Thompson and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1078—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said State by said government," approved May 1, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1078 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Bidwell, Bleasdale, Bledsoe, Butler, Caminetti, Carr, Chandler, Cogswell, Cutler, Elliott, Flint, Gerdes, Gibson, Hewitt, Lyon, Packard, Rolfe, Lyon, Stanton, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1591—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Curtin moved to refer to Senator Lyon, as a special committee of one, to amend as follows:

By striking out of Section 1, line 12, the word "five", and inserting in lieu thereof the word "three".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT—Your special committee of one to whom was referred Assembly Bill No. 1503, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Committee.

Report read and adopted.

Bill ordered to print.

TIME OF RECESS EXTENDED.

At twelve o'clock and forty minutes p.m., on motion of Senator Thompson, the time of recess was extended for thirty minutes.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments

for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

On motion of Senator Thompson, Assembly Bill No. 1061 was passed on file.

REPORTS OF STANDING COMMITTEES— OUT OF ORDER.

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 21, 22 and 23, all relating to revenue and taxation—have had the same under consideration, and report back a substitute for the same, with the recommendation that the substitute be adopted.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of ships and vessels engaged in foreign commerce from taxation—have had the same under consideration, and respectfully report the same back, with an amendment, and recommend that it be adopted, as amended.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, succession and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Also: Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 540—An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered 3612—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

THOMPSON, Chairman.

Senate Bills Nos. 1088, 359, 617 and 540 ordered on file for second reading.

Senate Constitutional Amendment No. 17 ordered on file.

on roads and highways.

SENATE CHAMBER, SACRAMENTO, April 5, 1943.

MR. PRESIDENT: Your Committee on Roads and Highways to which was referred Assembly Bill No. 277, An Act to amend an Act entitled "An Act to provide for the protection and preservation of public road improvements using gravel, rock or the products upon the roads traversing mountain and canyon regions within the State of California," and for the objects and purposes therein specified, and providing for the time and manner in which the penalties may be collected and disposed of, having had said measure under consideration, recommends that said bill do pass.

BIRDSALL, Chairman.

Assembly Bill No. 277 ordered on file for second reading

on prisons and reformatories.

SENATE CHAMBER, SACRAMENTO, April 5, 1943.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 142, An Act to amend Section 1168 of the Penal Code of California, relating to sentence and parole of persons convicted of felony, and to repeal Section 1168a of the same Penal Code, and respectfully reports that the same has been duly considered and recommends that the same do pass.

HEIN, Chairman.

Senate Bill No. 142 ordered rereferred to Committee on Finance

on prisons.

SENATE CHAMBER, SACRAMENTO, April 5, 1943.

MR. PRESIDENT: Your Committee on Revenue to which was referred Assembly Bill No. 1558, An Act to amend Section 1168 and 1170 of the Political Code, relating to leases and contracts of persons and guardians of minors to be approved by the county clerk or supervisors and the appointment of general bailiffs.

Also: Assembly Bill No. 1559, An Act to amend Section 1170 of the Political Code, relating to the designation of persons to administer the political oath.

Have had the same under consideration and respectfully report the same back and recommend that they do pass.

HEWITT, Chairman.

Assembly Bills Nos. 1558 and 1559 ordered on file for second reading

on public health and sanitation.

SENATE CHAMBER, SACRAMENTO, April 5, 1943.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 806, An Act prescribing the standards of purity and quality of shellfish, crustacea and echinoderms offered, exposed or kept for sale, sold or delivered for human consumption; providing for the inspection of such shellfish, crustacea and echinoderms; providing for the issuance and revocation of permits for such purposes and providing a penalty for the violation thereof, and making an appropriation therefor, have had the same under consideration, and respectfully report the same back with recommendation and recommend that it do pass as amended.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1943.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1470, An Act prescribing the grading, labeling, sale, offering for sale, and handling for use by consumers of whole eggs, and repealing sections 4101 and 4102 of the Agricultural Code, relating to the grading, labeling, the cleaning, laundering, sterilizing, and sale of cracked eggs without a permit, and to issue and revoke permits to cover handling, sale and labeling eggs within their respective jurisdictions; establishing penalties and specific offenses in connection with the inspection of whole eggs, and making violations of this Act a misdemeanor, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Also: Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Agriculture.

JONES, Chairman.

Senate Bill No. 363 ordered on file for second reading.

Assembly Bill No. 979 ordered on file for second reading.

Assembly Bills Nos. 537 and 538 ordered re-referred to Committee on Agriculture.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Wright:

WHEREAS, Senate Bill No. 984, as amended on March 26, 1913, applies only to locomotive steam boilers; and

WHEREAS, By reason of said amendment, the subject matter of said bill is clearly within the cognizance of the Railroad Commission; therefore, be it

Resolved, That the subject-matter of said bill be referred to the Railroad Commission for its advice and recommendation.

Resolution read and adopted.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 68, and has discharged its committee.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ADJOURNMENT.

At one o'clock and forty-five minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned until Monday, April 7, 1913, at eleven o'clock a.m.

IN SENATE

SENATE CHAMBER,
Monday, April 7, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Belshe, Boggs, Burkett, Chamberlain, Cogswell, Curtis, Dennis, Flint, Gates, Gerdes, Gray, Hans, Hewitt, Hiram Johnson, Hichborn, Inman, Jones, Lane, Leland, Owens, Ryan, Rush, Sanford, Saunders, Stetson, Strobridge, Thompson, Tyrrell, and Wright—28.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. E. Dent Sayler.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, April 5, 1913, the further reading was dispensed with, on motion of Senator Curtis.

PETITIONS.

Senator Birdsall presented the following:

Petition opposing the enactment of any law restricting the hours of labor on farms, from Andrew Ryder and others, of Placer County.

Also: A petition opposing the enactment of a law requiring operations of steam boilers to be licensed, from I. K. Turner and others, of Sierra County.

Also: A petition opposing the repeal of the present medical laws, from P. B. Davy and others, of Lamoreville.

Also: Opposing the enactment of Senate Bill No. 713, from N. J. Martin and others, of Loomis; also, from J. O. Fry and others, of East Auburn.

Also: Petitions for the enactment of a law prohibiting the sale of game, from the Nevada City Hunting and Fishing Club and others, and from G. P. Griffiths and others.

Senator Shanahan presented petitions opposing the enactment of Senate Bill No. 713, from W. A. Palmer and others, of Redding, and from J. W. Boles and others, of Fort Jones.

Senator Brown presented a petition heartily approving the bill regulating prize fights and boxing exhibitions, and urging the passage of the same, from A. W. Loomis and others, of Vernon.

Senator Kehoe presented petitions opposing the enactment of Senate Bill No. 713, from Charles Dudley and others, of Trinity Center.

Also: From H. E. Chesbro and others, of Lewiston; also, from J. C. Lutgen and others, of Trinity Center.

Senator Juilliard presented a petition asking the enactment of Senate Bill No. 1281, from Piedmont Parlor No. 120, N. S. G. W.; also, from Anderson Parlor No. 253, N. S. G. W.

COMMUNICATION.

The following communication was received:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, INDIANA, March 29, 1913.

Hon. W. N. Parrish, Secretary of Senate, Sacramento, Cal.

DEAR MR. PARRISH: Governor Ralston is in receipt of the resolution adopted by your State Senate, extending to the people of Indiana your sympathy, for which he is deeply grateful, and has directed me to extend his thanks and appreciation of the people of Indiana.

Yours very truly.

B. B. JOHNSON,
Secretary to the Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 166 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1459 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California, to be known as Section 2567*a*, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1739 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1256—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1256 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnish-

ings thereon, to make the same a state issue for United States senator, and to make and regulate, and to provide for the government thereof in the State," approved March 11, 1897.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1257 read first time and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1443—An Act to amend Section 1203 of the Penal Code, relating to the punishment of theft.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1452 read first time and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1446—An Act to define and prescribe what highways are state roads and to provide means for maintaining such roads.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1446 read first time and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1440—An Act to amend Section 3369 of the Civil Code of the State of California, relating to corporations authorized to do an express, telegraphic, pipeline, sewerage, conveyance or storage business or to engage in the business of banking.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1440 read first time, and referred to Committee on Banking.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 26—Relative to making investigations and experiments as to mining and use of limestone.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Joint Resolution No. 26 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1425—An Act to establish the organization and incorporation of municipal corporations.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1425 read first time and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto, to be known as Section 654c, relating to wages of employees.

I. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1495 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office and fixing their salaries.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1201 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1561 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act and for disbursing the same.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1463 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1259—An Act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1259 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 24—Relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Joint Resolution No. 24 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 399—An Act to amend an Act entitled "An

Act to establish a uniform system of county and township government," approved April 1, 1911, by amending Section 16 thereof."

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 339 read first time and referred to Committee on County Government.

Also

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1181, [illegible] to amend [illegible] of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 3, 1909, amendatory thereof and supplemental thereto, approved February 6, 1911, April 24, 1911, December 5, 1911, and December 14, 1911, by amending Sections [illegible] and to add new sections to said [illegible] and adding a new section thereto to be numbered Section [illegible] relating to the organization and regulation of the business of banking.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1147 read first time and referred to Committee on Banks.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1186—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the [illegible] of [illegible] of [illegible] persons attending Land schools in the several high schools or to pay [illegible] county.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1201 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1206—An Act to amend an Act entitled "An Act to provide for the [illegible] of [illegible] of the [illegible] and [illegible] of their [illegible] and the [illegible] of their property, approved February 26, 1903, and amended March 3, 1905, by adding a new section thereto, to be numbered Section [illegible] of the [illegible] which [illegible] and have no amendments not agreed to by the Senate of [illegible] and have passed to be [illegible].

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 233 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 24—Relative to banking and currency reform.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Joint Resolution No. 24 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 18—A joint resolution asking

the Congress of the United States to enact the Hamill bill (H. R. 9242), known as "the straight pension" bill for the pensioning of civil service employees of the United States Post Office Department.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Joint Resolution No. 13 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 626—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year 1913, and providing for a commissioner thereof—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS CONCURRED IN.

AMENDMENT NO. 1.

Strike out of the title of the bill the period (.) appearing in the last line, substitute a comma (,) in place of such period (.), and add the following words: "and providing for a commissioner thereof."

AMENDMENT NO. 2.

On page 1 of printed bill, Section 1, in line 1, strike out the words "ten thousand dollars", and in place thereof substitute the following words: "twelve thousand eight hundred and forty-eight dollars and five cents".

AMENDMENT NO. 3.

On page 1 of printed bill, Section 1, line 7, strike out the comma (,) following the word "thirteen", insert a period in the place of the comma, strike out the balance of the section and insert the following: "The governor of California is hereby constituted a commissioner to be known as the Ghent International Exposition commissioner, and he shall have exclusive charge and control of the appropriation herein made, with power to appoint all necessary persons for the purpose of carrying out the provisions of this Act. The controller is directed to draw his warrant on the general fund from time to time in such amounts and in favor of such person or persons as the governor, the commissioner hereinbefore referred to, shall direct, and the treasurer shall pay the same."

AMENDMENT NO. 4.

On pages 1 and 2 of the printed bill, amend by striking out entire Section 2.

AMENDMENT NO. 5.

On page 2 of printed bill, Section 3, line 10, amend by striking out the figure "3", following the word "Section", and insert in lieu thereof the figure "2".

AMENDMENT NO. 6.

On page 2 of printed bill, Section 4, line 26, strike out the figure "4", following the word "section", and in lieu thereof insert the figure "3".

AMENDMENT NO. 7.

On page 2 of printed bill, Section 5, line 29, amend by striking out the figure "5", following the word "section", and in place thereof substitute the figure "4".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 626?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 626 by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Butler, Caminetti, Campbell, Carr, Cassidy, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

BILL, RELEASED FROM COMMITTEE.

Senator Campbell moved that Assembly Bill No. 1017 be recalled from Committee on Fish and Game, and referred to Committee on Engrossment and Enrollment, for comparison with Senate Bill No. 303.

Motion carried.

Assembly Bill No. 1017 and Senate Bill No. 303 ordered transferred to Committee on Engrossment and Enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipality contiguous to, or within the exterior limits of, any state or county highway or boulevard now [illegible] to [illegible] to [illegible] and [illegible] of the [illegible] of [illegible] and [illegible] of [illegible] and [illegible] of [illegible] and

Also: Senate Bill No. 311—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Also: Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings, and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Senate Bill No. 248—An Act providing for the construction of stock buildings and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 203—An Act to amend Section 1773 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 204—An Act to amend Section 1774*a* of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 1452—An Act to add a new section to the Penal Code of the State of California, to be numbered 634*b*, relating to the protection of fish.

Also: Senate Bill No. 603—An Act to amend Section 625*b* of the Penal Code of the State of California, relating to the protection of fish and game.

Also: Senate Bill No. 1204—An Act to amend Section 637*b* of the Penal Code of the State of California, relating to imported fish and game.

Also: Senate Bill No. 725—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be numbered 1254*a*, relating to the empowering by a municipal corporation on private property for appropriation of a right of way thereon for use in any eminent domain proceeding without first making compensation therefor and without said compensation being first ascertained and paid into court for the owner.

Also: Senate Bill No. 1720—An Act to amend Section 29 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Also: Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District No. 999," and providing for the control and management thereof.

Also: Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Also: Senate Bill No. 145—An Act to amend Section 1266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Also: Senate Bill No. 511—An Act to amend Section 599*a* of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Also: Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such

boards to equalize county boundaries; and to consolidate the duties and the compensation of county officers; and to provide such boards to perform all acts and adopt and enforce any and all general and reasonable rules for the prevention, where the legislature is competent, [illegible] of such wards and communities from holding [illegible] elections, approved April 26, 1911, and [illegible] and the same has been correctly engrossed.

GRANT, Chairman.

ON ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 852—An Act to amend Section 1095, [illegible] of the Political Code, relating to the appointment of notaries [illegible] of the State, and the powers [illegible] and number of such notaries.

Also, Senate Bill No. 1256—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining the powers and prescribing the duties [illegible] and appointing an [illegible] to provide the compensation of such officers and employees, to make an appropriation for the payment of the salaries and expenses for the remainder of the fiscal year and making certain acts a felony, and providing an [illegible] Act entitled "An Act relating to the [illegible] of public works, defining the duties and powers and fixing the compensation," approved February 9, 1909, and all Acts or parts of Acts inconsistent thereof, also repealing an Act [illegible]. An Act to create a department of highways and the State [illegible] to define its duties and powers, to provide for the appointment of officers and employees thereof and to provide for the compensation of such officers and employees, and for the [illegible] expenses of said department, and to make an appropriation therefor for the remainder of the biennial [illegible] year, [illegible] and [illegible] repealing an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, prescribing his and their duties, [illegible] duties relating to claims, to purchases, [illegible], and [illegible] thereof, to inspect and pass upon claims, to audit such accounts and warrants to send drafts, to [illegible] and preparing for the governor estimates, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1907, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled "An Act providing for the appointment, duties and compensation of a [illegible] commissioner, and to make an appropriation to pay expenses incurred in the discharge of his duties as such commissioner," approved March 24, 1911, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled "An Act to create the office of [illegible] engineer and prescribing the duties and powers of [illegible] engineer, and providing for the appointment, defining the duties and fixing the compensation of such commissioner, defining his duties and making an appropriation for the payment [illegible] provided for and authorized by [illegible] Act," approved April 1, 1907, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, [illegible] Section 1 and to divide existing [illegible] and others and employees of the Department of Engineering, their powers, duties and salaries, and providing for the [illegible] engineering [illegible] the [illegible] of San Francisco under the State Board of Harbor Commissioners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BROWN, Chairman.

Senate Bills Nos. 806 and 1282 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1547—An Act to amend Section 654 of the Code of Civil Procedure of the State of California, relating to pledges.

Also: Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

Also: Assembly Bill No. 1040—An Act to amend Section 1502 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Also: Assembly Bill No. 2061—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 859—An Act to amend Sections 880 and 881 of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Also: Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Also: Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, 1913.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 607—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualification; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations, or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable débris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Finance.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to Section 16½ of Article XI of the Constitution of the State of California, in relation to the judicial power of the State—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Banking.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1386—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be numbered 3*a* and 3*b*, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention, and for the promotion of public morals, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Public Morals.

GATES, Chairman.

Assembly Bills Nos. 1547, 1040, 2031, 692, and 950 ordered on file for second reading.

Senate Bills Nos. 1554 and 859 ordered on file for second reading.

Senate Bill No. 607 ordered re-referred to Committee on Finance.

Senate Constitutional Amendment No. 19 ordered re-referred to Committee on Banking.

Senate Bill No. 1386 ordered re-referred to Committee on Public Morals.

ON SIGNED BILLS.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Enrolled Bills, to which was referred Senate Bill No. 1177, An Act to amend Section 698 of the Penal Code, relating to unlawful acts and [illegible] had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 1190, An Act to amend Section 698a of the Penal Code of the State of California, relating to the construction and protection of mill ponds, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Senate Bills Nos. 1177 and 1190 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Constitutional Amendment No. 1, A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Section 10 of Article XIII, adding a new section to Article XI, and repealing Section 14 of Article XIII thereof, all relating to revenue and taxation, have had the same under consideration, and respectfully report the same back, and recommend that it do adopt.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 191, An Act to authorize any county in the State which claims to have sustained a net loss in county revenue by the exemption of railroad property from county taxation in accordance with the provisions of Section 14, of Article XIII, of the Constitution of the State of California, as said Section was amended November 8, 1910, to commence suit against the State of California for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced, have had the same under consideration, and respectfully report the same back, with a committee substitute therefor, and recommend that said substitute be adopted.

THOMPSON, Chairman.

Senate Constitutional Amendment No. 1 ordered on file.

Senate Bill No. 191 ordered on file for second reading.

SPECIAL ORDER SET.

Senator Shanahan moved that the further consideration of the objections of the Governor to Senate Bill No. 284 be made a special order for eleven o'clock a.m., on Wednesday, April 9, 1913.

Motion carried.

REPORTS OF STANDING COMMITTEES [illegible]

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 241, An Act prohibiting the borrowing of money from an insurance company by an officer or employee of such company.

Also, Senate Bill No. 897, An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations transacting insurance, misrepresentation, and twisting, and providing a penalty for a violation thereof.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BRYANT, Chairman.

Senate Bills Nos. 241 and 897 ordered on file for second reading.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

To the Senate and Assembly of the State of California:

We, your committee appointed pursuant to joint resolution number eleven, introduced on the 27th day of January, 1913, and calling for a committee of five members of the Assembly and five members of the Senate to ascertain the advisability of submitting to the people of the State the question of bonding the State for the purpose of making needed additions to the capitol, asylums, hospitals and other public institutions of the State, beg leave to report as follows:

At a meeting of this joint committee held on the 4th day of March, 1913, a subcommittee, consisting of Senator Saunders, chairman of the Finance Committee of the Senate, and W. F. Chandler, chairman of the Ways and Means Committee of the Assembly, was instructed to visit the state institutions during the constitutional recess, and this committee herewith submits the report of said sub-committee, which your committee has accepted and herewith presents, to wit:

"Lack of time prevented our visiting all the state buildings. We have, however, visited the five asylums located at Patton, Agnews, Stockton, Napa and Ukiah, the reform school at Whittier, the prisons at Folsom and San Quentin, the Sonoma State Home, the Home for the Adult Blind, the California Institution for the Deaf and Blind, the Home for the Feeble-Minded, the Veterans' Home, Serra's Preparatory Institute at San Diego, the normal schools at Los Angeles, San Diego, Santa Barbara, San Jose and San Francisco, the Polytechnic School at San Luis Obispo, the University at Berkeley, the University Farm at Davis and the agricultural buildings at the State Fair Grounds.

We find all of these institutions under excellent supervision, and the persons in charge are doing good work. Many of these institutions are outgrown, and are badly overcrowded, particularly the asylums, the Sonoma State Home and the Veterans' Home. Additional room should be provided as soon as possible.

We believe that a board of not to exceed three members should be created to have full supervision over all the asylums, prisons and reform schools instead of a local board for each one as at present.

We also suggest that each institution should have a definite plan of building to be followed in the future, and that, as far as is practical, all buildings should be of a permanent character.

The buildings at the Whittier Reform School are in very bad condition. The manual training department amounts to practically nothing, and we believe that the Legislature has been negligent in not providing better training facilities for those boys and girls. If we expect to reform these young people we must give them something to do.

Owing to the unfavorable location of this institution, we suggest that a new site be secured, and as soon as convenient, this school be transferred to the new site and the property where the institution is now located be disposed of.

There should be another hospital constructed in Southern California to relieve the overcrowded condition at Patton.

The Veterans' Home and the Sonoma State Home are both badly overcrowded, and the wooden structures at the former should be replaced with permanent fireproof buildings.

We believe that if the State intends to maintain an agricultural department of the State University it should be maintained on a scale that will be a credit to the State, and such as will place this State at least on a parity with other states of the Union in this line of work.

If this policy is followed it will require a large annual appropriation, and we hope future Legislatures will be able to make such appropriations.

We believe all of these improvements and betterments can be made without bonding the State for the purpose of raising the money.

If our present tax system is not adequate to meet the requirements of the State, we believe it better to levy an *ad valorem* tax sufficient to put all of our state institutions on a permanent, adequate base, and in so doing to anticipate the future growth of the State.

We recommend that a bond issue for the purpose of making needed additions and improvements to the State Capitol be submitted to a vote of the people, and we further recommend that the question of the erection of a state building in the civic center of San Francisco also be submitted to a vote of the people."

Respectfully submitted.

W. F. CHANDLER, Chairman.
EDW. K. STROBRIDGE.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Sanford: Permission to introduce a bill—An Act to

amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

By Senator Strobridge: Permission to introduce a bill. An Act to amend an Act entitled "An Act to provide for the incorporation, and organization and management of irrigation water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1913, by amending Section 5 of said Act.

By Senator Campbell: Permission to introduce a bill. An Act to amend Section 2801 of the Political Code of the State of California, relating to herders, by adding a provision thereto relating to employees and employers.

Requests referred to Committee on Introduction of Bills.

CONSIDERATION OF SENATE BILLS. THIRD READING OF BILLS.

Senate Bill No. 271. An Act to amend Section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 271 refused passage by the following vote:

AYES—Senators Beban, Breed, Carr, Cassidy, Flint, Fink, Gerdes, Juilliard, Larkins, Lyon, Rigdon, and Stetson—13.

NOES—Senators Anderson, Avey, Birdsall, Bonnet, Boyd, Brown, Burke, Cantlett, Campbell, Caminetti, Cogswell, Cole, Curtis, Gates, Gleeson, Hans, Jones, Kehoe, Strobridge, and Thompson—19.

Senate Bill No. 297. An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

On motion of Senator Breed, Senate Bill No. 297 was passed on file, to retain its place.

Senate Bill No. 393. An Act to amend Section 1322 of the Penal Code, relating to witnesses and testimony of husband and wife.

On motion of Senator Jones, Senate Bill No. 393 was passed on file.

Senate Bill No. 338. An Act to amend Section 1272 of the Penal Code of the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 338 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Bonnet, Brown, Burke, Carter, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cole, Flint, Fink, Gerdes, Gleeson, Hewitt, Juilliard, Kehoe, Lyon, Owens, Regan, Sanford, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER RESET.

Senator Campbell moved that the further consideration of Senate Bill No. 142 be made a special order for twelve o'clock m. on Tuesday, April 8, 1913.

Motion carried.

RECONSIDERATION OF VOTE.

Senator Wright moved to reconsider the vote whereby Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Assembly Bill No. 958 was passed, was reconsidered by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

SPECIAL ORDER SET.

Senator Campbell moved that the further consideration of Assembly Bill No. 958 be made a special order for two o'clock p.m., on Wednesday, April 9, 1913.

Motion carried.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock and five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 693 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 411—An Act to amend Section 5254 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

In the absence of the author, Senate Bill No. 411 was passed on file.

Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

On motion of Senator Sanford, Senate Bill No. 335 was ordered to the file of unfinished business.

Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

On motion of Senator Sanford, Senate Bill No. 489 was ordered to the file of unfinished business.

Senate Bill No. 1124—An Act to amend Section 4273 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

On motion of Senator Sanford, Senate Bill No. 1124 was ordered to the file of unfinished business.

SENATOR TYRRELL IN THE CHAIR.

At twelve o'clock and ten minutes p. m. Senator Tyrrell, of the Sixteenth District, in the chair.

THIRD READING OF BILLS—(CONTINUED).

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

On motion of Senator Hewitt, Senate Bill No. 919 was passed to file, to retain its place.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts to preventing any reduction in the duties on citrus fruits.

On motion of Senator Boynton, Senate Joint Resolution No. 25 was passed on file.

Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

In the absence of the author, Senate Bill No. 414 was passed on file.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building inter-county bridges.

On motion of Senator Caminetti, Senate Bill No. 967 was passed on file, to retain its place.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Read third time.

On motion of Senator Gerdes, Senate Bill No. 123 was passed on file, to retain its place.

Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines.

On motion of Senator Wright, Senate Bill No. 1649 was passed on file, to retain its place.

Senate Bill No. 565—An Act regulating the disinfecting of shoddy and the raw material used in the manufacture thereof.

On motion of Senator Regan, Senate Bill No. 565 was passed on file.

Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto,

declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Read third time.

On motion of Senator Carr, Senate Bill No. 53 was passed on file, to retain its place.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Campbell, the hour of recess was extended ten minutes.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 563—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 563 passed by the following vote:

AYES—Senators Anderson, Avey, Boban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Owens, Rush, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Wright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. D. C. Collier, of San Diego.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Campbell, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Strobridge, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California, and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs, and flowers growing and to be grown in and upon such

roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and for the compensation of county foresters, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, fences, shrubs and flowers," approved April 28, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1038—An Act to amend Sections 1196, 1198 and 1199 of the Political Code, relating to lands and town-site ballots and number of ballots to be provided by the county clerks or registrar and the destruction of unused ballots.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1859—An Act to amend Section 1181 of the Political Code, relating to the designation of places in precincts for holding elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, switching, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Tyrrell, the Senate took up the consideration of the third reading file of Assembly bills.

Assembly Bill No. 109—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, earnings, and management of the property of legitimate unmarried minor children.

On motion of Senator Strobridge, Assembly Bill No. 109 was passed on file.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the state of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Boynton, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 625—An Act to amend Section 2402 of the Political Code of the State of California, relating to private roads and private ways for canals.

On motion of Senator Boynton, Assembly Bill No. 625 was passed on file.

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works

for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

On motion of Senator Boynton, Assembly Bill No. 1848 was passed on file.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13 of Article XI, relating to supervision, regulation and conduct in affairs of reclamation and drainage districts.

On motion of Senator Boynton, Assembly Constitutional Amendment No. 47 was passed on file.

Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79*a*, defining a certain portion of said Act.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Thompson moved a call of the Senate.

Motion carried.

Time, two o'clock and eight minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Beban, Birdsall, Boynton, Breed, Campbell, Carr, Cartwright, Cassidy, Curtin, Finn, Gates, Gerdes, Kehoe, Mott, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—20.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boynton.

The roll of absentees was called, and Assembly Bill No. 1061 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Campbell, Carr, Cassidy, Finn, Gates, Gerdes, Grant, Kehoe, Mott, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 42—An Act [illegible] the consolidation and reorganization of Reclamation District No. 108 with Reclamation District No. 108 in the counties of Yolo and Colusa, fixing, defining and establishing the boundaries of the consolidated district, providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts, and repealing all Acts and parts of Acts heretofore therewith.

On motion of Senator Boynton, Assembly Bill No. 42 was passed on file.

Assembly Bill No. 447—An Act to amend Section 3262 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

On motion of Senator Boynton, Assembly Bill No. 447 was passed on file.

Assembly Bill No. 601—An Act to repeal Section 1654 of the Political Code of the State of California, requiring the appointment of school census marshals.

On motion of Senator Boynton, Assembly Bill No. 601 was passed on file.

Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

On motion of Senator Boynton, Assembly Bill No. 445 was passed on file.

SECOND READING OF SENATE BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 618—An Act to amend Sections 2, 3 and 4 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 618.

An Act to amend sections two, three, four and five of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

The people of the State of California do enact as follows:

SECTION 1. Section two of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893, is hereby amended to read as follows:

Section 2. The city council of any municipality in this state shall have the power, in its discretion to determine that serial bonds shall be issued in the manner and form hereinafter provided to represent unpaid assessments, including or not including any interest collected on the same, levied for the said street work or improvement. Said serial bonds shall [illegible] bear a [illegible] rate of interest, payable on the second day of January next succeeding the issuance of said bonds, and on the second day of January of each year thereafter, and an annual proportion of the principal sum thereof shall be payable [illegible] on the second day of January next after [illegible] each year [illegible] that if the period over which said bonds are to extend exceeds ten years, one-tenth part of the principal sum thereof shall be payable on [illegible] the second day of

January of each of the last ten years of said period. The interest on said bonds shall be payable semi-annually by coupon on the second days of January and July, respectively, of each year, at the rate of not to exceed ten per cent per annum on all sums unpaid, until the whole of said principal and interest is paid. Said bonds and interest thereon shall be paid at the office of the city treasurer of said municipality, who shall keep a fund designated by the name of said bonds, into which he shall receive all sums paid him for the principal of said bonds and the interest thereon, and from which he shall disburse such sums upon the presentation of said coupons; and under no circumstances shall said bonds or the interest thereon be paid out of any other fund. Said city treasurer shall keep a register in his office which shall show the series, number, date, amount, rate of interest, payee and endorsees of each bond, and the number and amount of each coupon of principal or interest paid by him, and shall cancel and file each coupon so paid.

SEC. 2. Section three of said act is hereby amended to read as follows:

Section 3. When said city council shall determine that serial bonds shall be issued to represent the expenses of any proposed work or improvement under said street work Act, it shall so declare in the resolution of intention to do said work, and shall specify the rate of interest which they shall bear and the period of time over which they are to extend. A like description of said bonds shall be inserted in the notice of award, and a notice that a bond will issue to represent each assessment of twenty-five dollars or more remaining unpaid for thirty days after the date of the warrant, or such further time as may be thereafter granted by way of any extension, or five days after the decision of the city council upon an appeal, or thirty days after the recording of a reassessment in the event that one be made, and describing the bonds, shall be included in the warrant provided for in section nine of said street work Act.

SEC. 3. Section four of said Act is hereby amended to read as follows:

Section 4. After the full expiration of thirty days from the date of the warrant, or if an appeal be taken to the city council or an extension of time be granted the contractor in which to make his return as provided in section ten of said street work Act, then five days after the final decision of said city council, or the expiration of the extension, or after the full expiration of thirty days from the recording of a reassessment in the event that such be made, and after the street superintendent shall have recorded the return, and in the event that a reassessment is ordered, after all previous payments have been credited on the reassessment, the street superintendent shall make and certify to the city treasurer a complete list of all assessments unpaid, which amount to twenty-five dollars or over upon any assessment or diagram number, and said treasurer shall thereupon make out, sign and issue to the contractor, or his assigns, payee of the warrant and assessment, a separate bond, representing upon each lot or parcel of land upon said list the total amount of the assessments, or reassessments as the case may be, against the same as thereon shown. And if said lot or parcel of land is described upon said assessment and diagram by its number or block, or both, upon the official map of said municipality, or upon any map on file in the office of the county recorder of the county in which said municipality is situated, then it shall be in said bond a sufficient description of said lot or parcel of land to designate it by said number or block, or both, as it appears on said official or recorded map. Said bond shall be substantially in the following form:

STREET IMPROVEMENT BOND.

Series (designating it) in the city (or other form of municipality) of (naming it).

$ _____ No. _____

Under and by virtue of an Act of the legislature of the State of California (title of said Act), I, out of the fund for the above designated street improvement bonds, series _____, will pay to _____, or order, the sum of _____ dollars ($_____), with interest at the rate of _____ per cent per annum, all as hereinafter specified, and at the office of the treasurer of the _____ of _____, State of California.

This bond is issued to represent the cost of certain street work upon _____ in the _____ of _____, as the same is more fully described in Assessment No. _____, issued by the street superintendent of said _____, after acceptance of said work, and recorded in his office (or if there has been a reassessment, then the reference shall be to such reassessment). Its amount is the amount assessed in said assessment (or reassessment if such be made) against the lot or parcel of land numbered therein, and in the diagram attached thereto, as No. _____, and which now remains unpaid, but until paid, with accrued interest, is a first lien upon the property affected thereby, as the same is described herein, and in said recorded assessment with its diagram, to wit:

That certain lot or parcel of land in said _____ of _____, county of _____ and State of California, described as follows:

This bond is payable exclusively from said fund and neither the municipality nor any officer thereof is to be holden for payment otherwise for its principal or interest. The term of this bond is _____ years from the second day of January next succeeding its date, and at the expiration of said time the whole sum then unpaid shall be due and payable; but on the second day of January of each year after its date an even annual proportion of its whole amount is due and

payable upon presentation of the coupons therefor, and the whole or any part of said bonds may be called and redeemed and paid before their date of maturity at the said treasurer's office, by the said treasurer, on any interest-paying day of any of the last ten years of the term of said bonds, upon giving notice of such call and redemption by publication in a newspaper published in the city of [illegible] for the space of thirty days next prior to the day fixed for such redemption, and designating the numbers of the bonds to be redeemed, and the place where they will be paid; and if any of said bonds shall be called for redemption and payment as aforesaid, and payment thereof duly provided for as herein required, then from and after the day so designated for such redemption, interest on the bonds so called for redemption shall cease and determine.

Should default be made in the payment of the interest on any of said bonds or coupons, or any part thereof, when the same shall become due and payable, and such default shall continue for the period of thirty days, or should default be made in the payment of the principal of any of said bonds when the same shall become due and payable, and such default shall continue for the period of thirty days, or should the said [illegible] fail, neglect, or refuse to comply with the provisions of this ordinance, or any of them, for the period of thirty days after written notice of such failure, neglect, or refusal, given to the said [illegible] by the holder or holders of any of said bonds, then and in any such event the whole of said issue of bonds shall become due and payable at the option of the holder or holders of any of said bonds, and the said [illegible] may be compelled to pay the same, principal and interest, by any appropriate proceeding at law or in equity.

Section 6. This ordinance shall take effect and be in force from and after its passage and publication.

Passed [illegible]

Approved [illegible]

[illegible]

Mayor.

Attest:

[illegible]

City Treasurer of the [illegible] of [illegible]

In case the amount of the unpaid assessment or assessments upon any lot or parcel of land shall be less than [illegible] dollars, then the same shall be collected as is provided in said [illegible] Act. If any person or the authorized agent, until at any time before the [illegible] of the land for said assessment or assessments upon the lot or parcel of land covered by the [illegible] bonds [illegible] a competent officer that he or she intends to pay the amount of such lot, [illegible] ascertained by the certificate of a committee of [illegible] then he shall compare said record and check with such affidavit and certificate [illegible] and if nothing else be shown on said record by the person for the assessment upon said lot or parcel of land, then the said land shall be passed [illegible] and the name of the assessee, as the [illegible] which fixes the date [illegible] of said assessment as [illegible] and if said lot or parcel of land [illegible] to the [illegible] superintendent. The [illegible] said superintendent shall be provided to [illegible] party in whose [illegible] said affidavit be [illegible] and a [illegible] described, and shall [illegible] to the [illegible] person in any [illegible] of [illegible] to do said [illegible]. The [illegible] [illegible] [illegible] [illegible] [illegible] attorney [illegible] on the second day of [illegible] in each year after the date of the [illegible] until all the [illegible] of the [illegible] of said [illegible] shall be [illegible]. That said [illegible] shall be payable on the second day of [illegible] and on the [illegible] day [illegible] of the [illegible] of the bonds, and each coupon shall be due as [illegible] [illegible] of the principal of the bond. [illegible] shall have been [illegible] [illegible] attended, the [illegible] at which shall be [illegible] [illegible] [illegible] [illegible] [illegible]

shall publish for two weeks in a newspaper of general circulation, to be designated by him, published in the city where his office is situated, a notice, which must contain the date, number and series of the delinquent bond, a description of the property mentioned in said bond and the name of the owner of such property (if known), and if unknown, the fact shall be so stated, the amount due thereon, and a statement that unless the amount of said bond and the interest thereon, together with the cost of publication of such notice are paid, the real property described in said bond will be sold at public auction on a day to be therein fixed, which shall not be less than fifteen nor more than thirty days from the date of the first publication of said notice, and the place of such sale, which must be the office of the said city treasurer.

Subdivision *b*. The city treasurer, before the day of sale hereinafter provided for, must file with the city clerk a copy of the publication, with an affidavit of the publisher of such newspaper, or someone in his behalf, attached thereto, that it is a true copy of the same; that the publication was made in a newspaper, stating its name and place of publication, and the date of each appearance in which the said publication was made, which affidavit is primary evidence of all the facts stated therein.

Subdivision *c*. The city treasurer must collect, in addition to the amount due on such bond, the cost of publication of such notice, and fifty cents for the certificate of sale, as hereinafter provided.

Subdivision *d*. At any time prior to the sale, the owner or person in possession of any real estate offered for sale under the provisions of this Act may pay the whole amount of said bond then due, with costs, and such bond shall thereupon be cancelled; but in case such payment is not made by such owner, or person in possession, or by some one in behalf of such owner, or person in possession, the property subject thereto shall be sold as herein provided.

Subdivision *e*. At the sale, the property described in the bond shall be sold to the purchaser who will take the least amount thereof and pay the amount due on the bond, together with penalties and costs.

Subdivision *f*. The city treasurer, before delivering any certificate, must, in a book kept in his office for that purpose, enter the date, number, and series of the bond, a description of the land sold corresponding with the description of the certificate, the date of sale, purchaser's name, the amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate. Such book must be open to public inspection during office hours when not in actual use, and he shall enter on the record of the bond the words "Canceled by sale of the property," giving the date of such sale.

Subdivision *g*. Immediately on the sale, the purchaser shall become vested with a lien on the property, so sold to him, to the extent of his bid, and is only divested of such lien by the payment to the city treasurer of the purchase money, including costs herein provided for, with interest thereon at the rate of one per cent per month from the date of sale.

Subdivision *h*. A redemption of the property sold may be made by the owner of the property, or any party in interest, within twelve months from the date of purchase, or at any time prior to the application for a deed, as hereinafter provided.

Subdivision *i*. Redemption must be made in lawful money of the United States, and when made to the city treasurer he must mark the word "Redeemed", the date and by whom redeemed on the margin of the book where the entry of the certificate is made, and credit the amount paid to the purchaser named in the certificate, and pay the same to such purchaser, or his assignee, upon the surrender of the certificate of sale, and upon satisfactory proof of an assignment thereof, if any.

Subdivision *j*. If the property is not redeemed within the time allowed by subdivision *h* hereof for its redemption, the city treasurer, or his successor in office, upon application of the purchaser or his assignee, must make to said purchaser, or his assignee, a deed to the property, reciting in the deed, substantially, the matter contained in the certificate, and that no person has redeemed the property during the time allowed for its redemption; the treasurer shall be entitled to receive from the purchaser two dollars for making said deed, which shall be deposited in the city treasury for the use of the city after payment has been made therefrom for the acknowledgment of said deed: *provided, however*, that the purchaser of the property, or his assignee must, thirty days prior to the expiration of the time of the redemption, or thirty days before his application for a deed, serve upon the owner or agent of the property purchased, if named in such certificate, and upon the party occupying the property, if the property is occupied, a written notice, stating that said property or a portion thereof, has been sold to satisfy the bond lien, the date of sale, the date number, and series of the bond, the amount then due and the time when the right of redemption will expire, or when the purchaser will apply for a deed, and the owner of the property shall have the right of redemption indefinitely, until such notice shall have been given and said deed applied for, upon the payment of the fees, penalties and costs in this Act required. In case of unoccupied property a similar notice must be posted in a conspicuous place upon the property at least thirty days before the expiration of the time for redemption, or thirty days before the purchaser applies for a deed; and no deed to the property sold, in accordance with the provisions of this Act, shall be issued by the city treasurer to the pur-

chaser of such property, until such purchaser shall have first made such inspection an affidavit showing that no notice mentioned therein on the ground has been given as herein required, which said affidavit shall be filed and presented to the said recorder or other person legal to vote in the office. Said purchaser shall be entitled to receive the sum of fifty cents for the issuance of such notice and the making of said affidavit, which sum of fifty cents shall be paid by the said purchaser at the time said [illegible] are delivered to him, and not [illegible] any city.

Subdivision 3. The deed, when duly acknowledged or proved, or certified evidence of the [illegible] of all proceedings hereinbefore [illegible] recorded in the [illegible] the grantee [illegible] by the [illegible] provided therein, and at the end of the redemption [illegible] period for redemption, free of all incumbrances except the lien for state, county and municipal taxes.

Substitute read and adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1903.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution has been amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 21, 22 and 23, all relating to revenue and taxation.

During second reading of the bill the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1088.

An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution has been amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 21, 22 and 23, all relating to revenue and taxation.

The people of the State of California do enact as follows:

Section 1. Section eight of the Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, as heretofore amended is hereby amended to read as follows:

Sec. 8. 1. The term "operative property" as used in this Act shall include:

(a) All the right of way, franchises, privileges, rights of way, tracks and tracklaying, roadway, roadbed, ballast, sidings, turnouts, switches, switch stands, switch and signal systems, crossings and crossing signals, bridges, trestles, culverts, fences, snow sheds, along the right of way, grade work, cuttings, tunnels, tunnel timbering, tunnel lighting, tunnel ventilating, water stations, water supply systems, reservoirs, dams, flumes and pipelines in the operation of the railroad business, depot grounds and buildings, terminals, docks, wharves, piers, slips, basins, docks, docking and undocking facilities, tugs and car floats used exclusively

which said shops, houses, barns, and other buildings are situate as may be required for the convenient use and occupation of said buildings.

(b) In the case of sleeping car, dining car, drawing room car and palace car companies, refrigerator, oil, stock, fruit and other car-loaning, and other car companies operating upon railroads in this state: The franchises, cars, and other rolling stock.

(c) In the case of companies doing express business on any railroad, steamboat, vessel, or stage line in this state. The franchises, cars, trucks, wagons, horses, harness, and safes.

(d) In the case of telegraph and telephone companies doing business in this state: The franchises, rights of way, poles, wires, pipes, conduits, cables, switchboards, telegraph and telephone instruments, batteries, generators, and other electrical appliances, and exchange and other buildings used by the telegraph and telephone business and so much of the land on which said buildings are situate as may be required for the convenient use and occupation of said buildings.

(e) In the case of companies engaged in the transmission or sale of gas or electricity: The franchises, towers, poles, wires, pipes, cables, tunnels, ditches, flumes, aqueducts, conduits, rights of way, dams, reservoirs, water and water rights used exclusively in the business of the transmission or sale of gas or electricity; transformers, substations, gas-holders, gas and electric generators, switches, switchboards, meters, electrical and gas appliances, oil tanks, power plants, power houses, and other buildings and structures used in the operation of the business of the transmission or sale of gas or electricity and so much of the land on which said buildings and structures are situate as may be required for the convenient use and operation of said buildings.

Provided, that the operative property of the companies enumerated in this section, shall also include any other property not above enumerated that may be reasonably necessary for use by said companies exclusively in the operation and conduct of the particular kinds of business enumerated in section two of this Act.

The operative property mentioned in subdivisions (a), (b), (c), (d), and (e), of this section shall not be subject to taxation for county, municipal or district purposes except as otherwise provided for in the constitution and laws of this state.

Provided, however, that when any piece or parcel of property in this state owned by any of the companies mentioned in section two of this Act is used partially by such company for any use reasonably necessary to the operation of one of the lines of business enumerated in section two of this Act, and such property is also partially rented to or used by others or is partially used by the company for some other line of business not among those so enumerated, or for purposes not reasonably necessary to the operation of any of said enumerated lines of business, it shall be considered operative property in that proportion only which that part of the property mentioned in this proviso used by the company in the operation of any of said enumerated lines of business bears to the whole of the property mentioned in this proviso.

2. Any property of the classes mentioned in this section owned by a company constructing a new railroad, street railway, telegraph or telephone system, or plant or system for the transmission or sale of gas or electricity, no part of which completed road, line, plant, or system is in operation, and the same classes of property which shall be held by an operating company solely for the construction of a new railroad or railway line, a new telegraph or telephone system, or a new plant or system for the transmission or sale of gas or electricity, and not to be used for the purpose of additions to roads, lines, plants, or systems already under operation, shall not be considered operative property and shall be subject to assessment and taxation for county, municipal, and district purposes. Any part of such property of the company mentioned in this section shall be classed and assessed as operative property when the state board of equalization shall determine that such property is rendering a substantial public service.

3. When any property in this state belonging to a company of the classes named in this section is rendering no service to the public in this state, or is rendering or may be rendering service to the public in some other state or states, such property shall not be considered as operative property, and shall be subject to assessment and taxation for county, municipal, and district purposes.

4. The state board of equalization shall have power to make rules and issue instructions not inconsistent with the constitution and laws of this state, for the guidance of assessors in determining what is operative property and what is non-operative property of companies named in this section.

Section 2. Section nine of said Act is hereby amended to read as follows:

SEC. 9. Such person or officer, as the state board of equalization may designate, of each of the companies mentioned in section two of this Act, shall, within ten days after the first Monday in March of each year, file with the said board a report signed and sworn to by one or more of said persons or officers, showing in detail for the year ending the thirty-first day of December last preceding, the various items as follows:

1. The name of the company, its nature, whether a person or persons, a partnership (with names of partners), an association, or corporation, and under the laws of what state, territory or country organized, the nature of its business, the location of its principal place of business, the names and post office addresses of its president,

secretary, notice of assessment apportionment and amount, manager, the location of its principal office of business in this state, the name and post office address of the chief officer in charge of its business in this state and the amount and description of its subsidiary corporations within this state and the amount of its capital stock issued and outstanding at the commencement of each of said years.

2. Each of the companies mentioned in section one of this Act shall annually, to wit, during the month of September, make and transmit to the auditor of this state a report, verified by the oath of the president or secretary or other chief officer of such company, containing the information required to be reported by this Act. Where any such company has more than one class of stock, it shall report the number and amount of shares of each class issued and outstanding. It shall also report the amount of such company's capital, surplus and undivided profits, and the amount of its indebtedness, and the amount paid as dividends during the year, and the amount of such profits or accumulations which remain undivided at the close of the year. It shall also report the amount of its gross receipts from business done within this state during the year, and a duplicate of the report showing the amount of said receipts as so reported to the county clerk and county commissioners of counties, to the assessor of the district, city and county, as required to which such company is required to report.

3. The auditor of state shall furnish said blanks and forms for the reports hereinbefore required to be made, and shall notify each company required to report of the time and place of the meeting of the state board of equalization and assessment, as hereinafter provided.

4. The board shall during the first Monday [illegible] of December last preceding the assessment of any such company, and upon notice to the company, as in case of other taxpayers, hear any objections which any such company may make to the assessment of its property, and may correct, alter or change such assessment as to said board may seem just and proper.

5. The capital and floating debts and the value of corporate franchises, including property not actually employed in the operation of such corporations within this state, shall be considered when determining the value of the property of such corporations within this state.

6. The capital stock of the stock and all of the outstanding credits, as shown by such books, papers and accounts, and other evidence thereof as the board may require to be produced, shall be considered when determining the value of the property of such corporations within this state.

7. The assessment made by the board of equalization and assessment on the first day of December last preceding, as corrected and the valuation of the improvements.

8. The gross receipts from operating within this state for the year ending the thirty-first day of December last preceding, the same ratio of such amount of business as the state board of equalization and assessment in its discretion determines, after any property and business not taxable in this state, and gross receipts from business done wholly within this state, and that proportion of the gross receipts from business done partly within this state and partly without this state which the mileage within this state bears to the total mileage over which such business is done as hereinafter defined in section seven of this Act.

9. The operating and other expenses.

10. The balances of profit and loss thereon were carried to the debit credit of operations were distributed.

11. Such other matters as the state board of equalization may deem necessary in order to enable it to assess and tax the gross receipts tax in accordance with the provisions of article thirteen of the constitution of this state.

Each such company shall include in its report the property and business of all subsidiary companies so that none of the property, business or gross receipts of property and business are omitted by reason of a lease or operating contract or agreement, or by virtue of which through the ownership of stock or otherwise, even though said subsidiary companies continue to maintain legal existence and separate interests.

The term "subsidiary company" is hereby defined as meaning to a company which is merged in the operating records of or operating contrary to any of the ways above stated whose property and franchises would be assessed under section two of this Act if the same were operated independently. No company shall be required by a subsidiary company under this section, and companies are fully and completely covered by the report of the operating company, unless the state board of equalization shall deem such a separate report necessary.

Each such company operating the property and business of a subsidiary company in some line of business to which a different percentage of the gross receipts is applied by section two of this Act from that applied to said company shall in the gross receipts of the operating company shall report such portion of the subsidiary company separately.

Section 4. Section fourteen of said Act is hereby amended as such as follows:

Sec. 14. The owner or holder of every franchise subject to taxation as provided in section two of this Act shall within ten days after the first Monday in March in each year make a written report to the state board of equalization, sworn and

sworn to by the helper or owner himself if an individual or by one of the members of such owner or holder if a copartnership, or by the vice president and the secretary or secretary of the owner if a corporation, containing such a concise statement or description of such franchises possessed or enjoyed and duly by such owner or holder as the state board of equalization may prescribe, a copy of the pre grant, ordinance or contract under which the same is held or if possessed or enjoyed under a general law a reference to such law, a statement of any conditions, obligations or duties imposed upon such franchise or under which the same is enjoyed, and containing also:

1. The name of the company, its nature, whether a person or persons or partnership (with names of partners), or association or corporation, and under the laws of what state, territory or country organized, the nature of its business, the location of its principal place of business, the names and post office addresses of its president, secretary and treasurer, superintendent and general manager, the address of its principal office of business in the state, the name and post office address of its chief officer or managing agent in this state, and the names and addresses of all subsidiary companies whose property and business are operated by it.

2. The amount of its authorized capital stock, the amount thereof issued and outstanding on the first Monday in March and the amount paid in thereon or the value of the property received therefor.

3. The funded and floating debts and the interest paid thereon, showing separately the debts of the operating company and of any subsidiary companies in this state on the thirty-first day of December last preceding.

4. The market value of the stock and of the outstanding bonds, or, when said stock or bonds have no market value, the actual value thereof for such periods and for such dates as the state board of equalization shall prescribe.

5. The assessed value of its property as shown by the last completed assessment roll in each county, city and county and city in the state for the purposes of taxation, and if any property of such corporation is assessed and taxed outside of the State of California the gross value thereof, the amount of such assessment and taxes there paid for the current fiscal year.

5a. The market and actual value of all its assessable real and personal property.

5b. The aggregate and assessed value of all of said real and personal property referred to in the last two preceding sections that is owned and assessed by the company as on the day of its report, the aggregate and actual value of any other and additional real or personal property owned by the company at the date of said report.

6. The dividends paid during the year ending the thirty-first day of December last preceding the report fixed, if any, or said thirty-first day of December or between such periods as the state board of equalization may determine. Those of the operating company and of each subsidiary company in this state to be shown separately.

7. The gross receipts from all sources for the year ending the thirty-first day of December last preceding from the entire property and business, the gross receipts from each classes of business as the state board may designate to be reported separately; also, the total gross receipts from intra-state business and from inter-state business so far as the same relate to this state, the same to be separately stated.

8. The operating and other expenses.

9. The balances of profit and loss, between such periods as the state board of equalization may determine.

10. Such other matters as the state board of equalization may deem necessary in order to enable it to assess and levy the taxes provided for in section fourteen of article thirteen of the constitution of this state.

The state board of equalization shall ascertain and determine from the foregoing reports or from the best information it can obtain the actual cash value on the first Monday in March of each such franchise and shall assess and levy the taxes thereon in accordance with the provisions of subdivision (d) of section fourteen of article thirteen of the constitution of this state.

SEC. 4. Section eighteen of said Act is hereby amended to read as follows:

SEC. 18. The state board of equalization must meet at the state capitol on the first Monday in March in each year and continue in open session from day to day, Sundays and holidays excepted, until the first Monday in July. Between the first Monday in March and the third Monday before the first Monday in July the board must assess and levy the taxes as and in the manner provided for in this Act and in section fourteen of article thirteen of the constitution of this state. The assessments must be made to the company, person, or association owning or operating the property subject to said tax, or, in the case of banks, banking associations, savings and loan societies and trust companies, to the stockholders thereof: *provided, however*, that in the case of banks in liquidation the assessment shall be made to the receiver trustee or officer in charge of such liquidation, as the case may be, as the representative of the stockholders thereof. If the name of the owner is unknown to the board, such assessment must be made to unknown owners. Clerical errors occurring or appearing in the name of any company, person, association, or stockholder whose

property is correctly assessed, or on the petition of taxpayers of any county upon the records of the state board of equalization, setting out any alleged substantial error in the assessment which may be discovered by such taxpayers, and the state board of equalization shall act thereon in the manner provided by law for the correction of assessments by said state board of equalization.

Section 4. Section [illegible] of said Act is hereby amended to read as follows:

Sec. [illegible]. The state board of equalization shall annually, commencing on the first Monday in July, 1913, and on the first Monday in July of each year thereafter, meet at the office of the state board of equalization in the city of Sacramento, and shall continue in session from day to day for such time as may be necessary to perform the duties required of it by this Act, but not exceeding [illegible] days in any one year. The members of said board may receive their actual traveling expenses while engaged in the performance of their duties, to be audited by the controller and paid out of the general fund of the state upon warrants drawn by the controller.

Section 5. Section [illegible] of said Act is hereby amended to read as follows:

Sec. [illegible]. The state board of equalization shall have the power, and it shall be its duty, to review, equalize and adjust the assessment of all property assessable by county assessors, and to correct the valuation of any property which in its judgment has been assessed too high or too low, so that all property shall be assessed at its full cash value. The state board of equalization shall have the power to send for persons and papers, and to examine witnesses under oath relative to any matter which, in the judgment of said board, may affect the valuation of property. The state board of equalization shall have the power to administer oaths.

Section 6. Section [illegible] of said Act is hereby amended to read as follows:

Sec. [illegible]. All state assessed property shall be assessed by the Act shall be paid to the state treasurer, upon the order of the controller, subject to reassessment and taxes assessed and levied to and [illegible] the assessment and payment of such taxes, and the [illegible] of the state, and any interest thereon, and the [illegible] of the state, and any interest thereon, and the [illegible] of the state, and any interest thereon

claim for such credit shall be so audited, approved, allowed, or paid unless presented within one year after the payment sought to be refunded. In case the assessment of any property or any company is duplicated upon the state assessment roll, or there appears thereon the assessment of any company whose charter has been forfeited or right to do business in this state has been forfeited, or the assessment of any company which, for any reason, could not be legally assessed, the state board of equalization or the controller shall certify such fact to the state board of control and said board of control shall authorize the cancellation of such assessment.

Section 7. Section twenty-three of said Act is hereby amended to read as follows:

SEC. 23. Any company, person or association claiming and protesting as herein provided that the assessment made against him or it by the state board of equalization is void in whole or in part, may bring an action against the state treasurer for the recovery of the whole or any part of such tax, penalties or costs paid on such assessment upon the grounds stated in such protest, but no such action may be brought later than the third Monday in February next following the day on which the taxes were due, nor unless such company, person or association shall have filed with the state controller at the time of payment of such taxes a written protest stating whether the whole assessment is claimed to be void, or if a part only, what part, and the grounds upon which such claim is founded, and when so paid under protest the payment shall in no case be regarded as voluntary. Whenever under the provisions of this section an action is commenced against the state treasurer, a copy of the complaint and of the summons must be served upon the treasurer, or his deputy. At the time the treasurer demurs or answers, he may demand that the action be tried in the superior court of the county of Sacramento, which demand must be granted. The attorney general must defend the action. The provisions of the Code of Civil Procedure relating to pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. A failure to begin such action within the time herein specified shall be a bar against the recovery of such taxes. In any such action the court shall have power to render judgment for plaintiff for any part or portion of the tax, penalties or costs found to be void and so paid by plaintiff upon such assessment.

Section 8. A new section is hereby added to said Act, to be numbered 23*a*, to read as follows:

SEC. 23*a*. 1. Every assessment of property made after November 8, 1910, under the provisions of section fourteen, article thirteen, of the constitution and the provision of this Act which is, or may hereafter be adjudged to be invalid by reason of any illegality, invalidity, or irregularity, declared or existing, in the assessment of such property, or in the mode provided for the assessment thereof, shall be re-made and the property reassessed and equalized for each year for which such assessment is invalid as aforesaid, and for the year for which the assessment of such property was invalid as aforesaid, and such reassessment and equalization shall be made by the same officers and boards, at the same time or times, as are prescribed by law for the assessment and equalization of property, of the same classes or kinds as the property which hereby is required to be reassessed. The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are or were required by law to be entered for the year or years for which such re-assessments shall be made. And there is hereby levied for state purposes the same rates of taxation for each of such respective years as were levied upon such property for each of said years for said state purposes.

2. All property authorized to be reassessed by this Act shall be reassessed and equalized by the proper officers and boards at the value to which, and to the person or corporation to whom or to which such property ought, for each of such years, to have been assessed, under such rules of notice, and at the times and in the modes as are prescribed for the assessment and equalization of like classes of property; and the assessment and equalization thereof, and the levy and collection of taxes thereunder, shall be made by the proper officers at the time, upon like notice and in the manner now or hereafter provided by law for making assessments and equalizing the same, and for the levy and collection of taxes on like classes of property; and if the taxes so re-levied shall become delinquent, there shall be added thereto and the amount thereof the same percentage as a penalty for such delinquency as is added to other delinquent taxes on like classes of property; and such delinquent taxes and penalties added thereto shall be collected by the proper officers in the manner now or hereafter provided by law for the collection of delinquent taxes and penalties upon like classes of property, the collectors of such taxes to allow as credits thereon all payments theretofore made on the tax as first levied.

3. There shall be no limitation or limitations as to the time in which actions for the collections of taxes levied under this section may be commenced, and all the provisions of law now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes shall, where applicable, apply to re-assessments, equalization, and re-levies and collections of taxes made under the provisions of this Act.

Section 9. A new section is hereby added to said Act, to be numbered twenty-four *a*, to read as follows:

SEC. 24*a*. It shall be unlawful for any company, either domestic or foreign,

which has not paid to the state all taxes, penalties and costs as in this Act provided and herein to provide the powers of such personal representative or trustee to pay the same after the filing of such inventory and list thereof as in this Act provided and the duties of such representative or trustee in relation thereto and the duties of such delinquent executors or trustees for any violation of the provisions of this Act relative to such inventory and list thereof and the penalties for such delinquencies and to provide for the collection of such taxes, penalties and costs and to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for the collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances bequests and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 647—An Act to amend Section 9 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 25, 1911

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 340—An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of California exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered 3512

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, after line 11, insert the following: "8. Rock Hook War—April 6, 1832—August 2, 1832."

Amendment adopted.

AMENDMENT No. 2

Re-letter paragraphs c to r, inclusive, to paragraphs d to s, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 363—An Act controlling the sanitation of oyster and other shellfish grounds and premises where oyster and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 4, line 10, strike out the comma after the word "contamination"; also, strike out all of line 10 after the word "contamination", and all of lines 11 and 12, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 13, after the word "firm", insert a comma and the word "co-partnership".

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 29, strike out all of the line after the word "further", and all of lines 30, 31, and 32, and insert in lieu thereof the following: "that persons, firms, co-partnerships and corporations which may already possess sewerage systems discharging into said waters any sewage, sewage effluent, trade wastes or other wastes, dangerous to the public health, may apply to the state board of health for a permit to continue such discharge under the provisions of the Stream Pollution Act."

Amendment adopted.

Senator Cassidy moved to amend as follows:

AMENDMENT No. 1.

On page 1, Section 2, line 9, after the comma after the word "firm," insert the following: "co-partnership, association,".

Amendment adopted.

AMENDMENT No. 2.

On page 3, Section 7, line 11, after the word "firm," insert the following: "co-partnership, association,".

Amendment adopted.

AMENDMENT No. 3.

On page 3, Section 8, line 19, after the comma after the word "firm," insert the following: "co-partnership, association,".

Amendment adopted.

AMENDMENT No. 4.

On page 3, section 8, line 26, after the word "firm," insert a comma and the following: "co-partnership, association,".

Amendment adopted.

AMENDMENT No. 5.

On page 3, Section 8, line 36, after the comma after the word "firm," add "co-partnership, association."

Amendment adopted.

AMENDMENT No. 6.

On page 4, Section 9, line 13, after the word "copartnership," add "association,".

Amendment adopted.

AMENDMENT No. 7.

On page 4, Section 10, line 35, after the word "thirty" insert a comma and the following: "no partnership, association,"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SUNDRY.

Senator Gordon moved that Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor—be placed on the third reading file.

Motion carried.

Senate Bill No. 1172 ordered to third-reading file.

Senator Lyon moved that Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act—be placed on the third-reading file.

Motion carried.

Senate Bill No. 982 ordered to third-reading file.

THIRD READING OF BILLS.

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer to Senator Gates, as a special committee of one, to amend as follows:

By striking out in Section 1, line 10, the word "Act", and inserting in lieu thereof the word "Act."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON BILL.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 929, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1038—An Act providing for the publication of a legislative bulletin during the constitutional recess.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Caminetti moved a call of the Senate.

Motion carried.

Time, two o'clock and thirty-seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and forty minutes p.m., Senators Brown and Avey were brought to the bar of the Senate, and, on motion of Senator Gerdes, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Caminetti.

The roll of absentees was called, and Senate Bill No. 1628 refused passage by the following vote:

AYES—Senators Benson, Birdsall, Bryant, Campbell, Carr, Cassidy, Cohn, Gates, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, and Rush—15.

NOES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Butler, Caminetti, Cogswell, Finn, Flint, Gerdes, Jones, Kehoe, Larkins, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—21.

NOTICE OF MOTION TO RECONSIDER.

Senator Caminetti gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1628 was refused passage.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, by amending sections one, two, three, four, five, and six thereof and by adding a new section thereto to be numbered section seven.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 847 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 132—An Act to amend section seven hundred and nineteen (719) of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Read third time on a previous day.

The following amendments were offered by the Committee on Finance:

AMENDMENT No. 1.

On page 1, Section 1, line 6, strike out the comma and insert the word "and" and then a comma.

AMENDMENT No. 2.

On page 1, Section 1, line 8, after the word "superintendent," insert the following, "and the state board of control".

Amendments lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Bryant moved to refer to Senator Bryant, as a special committee of one, to amend as follows:

By inserting in line 5, Section 1 of the printed bill after the words "believed" the word "that"; also, on page 1, Section 3, line 5, after the word "appropriated" strike out the period and insert the following: "and the state board of control".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 442 with instructions to amend, respectfully reports the same back, amended as per attachment.

BOYNTON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

THIRD READING OF BILLS — MISCELLANEOUS.

Senate Bill No. 867—An Act declaring that all title lands and submerged lands within the boundaries of the city of Los Angeles are reserved and require said lands for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to and for the recovery of the possession of said lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 867 passed by the following vote:

AYES—Senators Anderson, Avey, Baker, Bennett, Brown, Bryant, Burnett, Campbell, Cassidy, Chandler, Cogswell, Collins, Cutten, Curtin, Dennett, Dennis, Dockweiler, Dunlap, Finn, Flint, Gaylord, Gerdes, Grant, Hall, Harris, Harrison, Hatch, Holohan, Inman, Jones, Juilliard, Kehoe, Lane, Leavitt, Lewis, Mott, Owens, Rigdon, Roseberry, Rush, Saunders, Scott, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Welch, Wolfe and Wright—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 424—An Act to amend Section 1087 of the Political Code of the State of California, relating to the qualifications of a voter.

On motion of Senator Grant, Senate Bill No. 424 was passed on file.

Senate Bill No. 357—An Act to amend Section 597a of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

On motion of Senator Thompson, Senate Bill No. 357 was passed on file, to retain its place.

Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, alienating, encumbering or granting of the real property of religious, social and benevolent corporations.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Hewitt, as a special committee of one, to amend as follows:

By striking the period out of Section 1, line 12, page 2, after the word "property," and inserting in lieu thereof a semicolon and the following: "*provided, however*, that any such corporation shall have the power by resolution, entered upon the minutes of such corporation, to grant easements to municipal or other public corporations for public street, alley or highway purposes and rights of way for publicly owned utilities and public uses, upon the approval of the superior court of the county wherein the real property of such corporation is situated, obtained in the same manner as herein provided for the selling, mortgaging, alienating or encumbering of its said property."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1298, with instructions to amend, respectfully reports the same back, amended as per instructions.

HEWITT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3*a*, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States or any foreign nation, to practice as a certified public accountant in the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1332 passed by the following vote:

AYES—Senators Anderson, Avey, Belcher, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cannetto, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At three o'clock and five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—[illegible]

Senate Bill No. 1686—An Act to amend Section 1183 of the Code of Civil Procedure of the State of California, relating to attachment liens.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1686 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Bollman, Brandt, Bronson, Bryant, Burke, Campbell, Chandler, Cogswell, Cory, Crist, Curtin, Curtis, Dennett, Jones, Lastreto, Kelley, Lyon, Mott, Owens, Rigdon, Rush, Shoemaker, Thompson, Turner, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 593—An Act to amend Sections 3462, 3467, 3468 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Boynton moved to refer to Senator Benson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

After the word "[illegible]" in line 8.28 [illegible] of Senate: "Bond and [illegible] [illegible] [illegible]

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages, and prescribing the penalty for violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 513 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Owens, Rush, Shanahan, Thompson, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 514—An Act to amend section five hundred and ninety-nine of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 514 passed by the following vote:

AYES—Senators Anderson, Avey, Belan, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 756 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1195—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

On motion of Senator Caminetti, Senate Bill No. 1195 was passed on file.

Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1241 passed by the following vote:

AYES—Senators Anderson, Avey, Ramey, Rimmer, Dennison, Ewing, Bryant, Burbo, Cameron, Campbell, Cogdill, Conkling, Cutler, Dale, Elliott, Gates, Gerdes, Gerrie, Hewitt, Inman, Lafferty, Lelter, Lyon, Mills, Oliver, Pickett, Rust, Sherman, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—[CONCURRED].

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions of the power of counties, cities and other subdivisions of the State to incur indebtedness.

On motion of Senator Tyrrell, Senate Constitutional Amendment No. 34 was passed on file.

Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of ships and vessels engaged in foreign commerce from taxation.

During reading of the constitutional amendment, the following amendments were offered by the committee:

Strike out lines 11 to 16 inclusive of the printed bill, and insert in lieu thereof the following:

"SEC. 4. All vessels of more than fifty gross tonnage registered at any port in this state and engaged in the transportation of freight or commerce shall be exempt from taxation except [the usual provisions] [and] for [including the first day of January, nineteen hundred thirty five]."

Amendment adopted.

Constitutional amendment ordered to print and engrossment.

REPORT OF STANDING COMMITTEE—[OUT OF ORDER].

The following report of standing committee was received [and read].

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Sherman [for permission to introduce a bill entitled] "An Act to amend an Act entitled 'An Act to provide for the incorporation and management of mutual water districts, and to provide for the acquisition or construction by said districts of water works, and for the condemnation of property necessary therefor, and also to provide for the disincorporation [and sale of water by said districts],' approved December 24, 1897, by amending Section 7 of said Act."

Also, the request of Senator Sherman [for permission to introduce a bill entitled] "An Act to amend Section 862 of an Act entitled 'An Act to provide for the organization, incorporation and government of municipal corporations,' approved March 18, 1883, and all amendments thereto."

Also: The request of Senator Campbell for permission to introduce a bill entitled "An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees."

Have had the same under consideration, and respectfully report the same back, and recommend that said requests be granted.

BOYNTON, Chairman.

The question being on the report of the committee.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Campbell: Senate Bill No. 1734—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Sanford: Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Strobridge: Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organizaiton and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Bill read first time, and referred to Committee on Municipal Corporations.

RUSH ORDER TO PRINTER.

On motion of Senator Strobridge, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 1734, 1735 and 1736.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Also: Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions and providing penalties for the violation thereof," approved March 23, 1907.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

JONES, Chairman.

Assembly Bills Nos. 236 and 237 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

Mr. President: Your Committee on County Government, to whom was referred Senate Bill No. 656—An Act appropriating the salaries of the Judges of the Superior Court of the county of Lassen, State of California—have had the same under consideration, and respectfully report that said bill be indefinitely postponed.

BELLS, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

Mr. President: Your Committee on County Government, to whom was referred Senate Bill No. 657—An Act to amend Section 4329 of the Political Code, relating to counties, and fixing the salaries of supervisors of the respective county of this State.

Also: Senate Bill No. 658—An Act to amend Section 4328 of the Political Code, relating to salaries and fees of officers of counties, and fixing the salaries of county officers in counties of the first class.

Also: Senate Bill No. 659—An Act to amend Section 4331 of the Political Code, relating to salaries and fees of officers of counties of the first class, and fixing the salaries of county officers in counties of the first class.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BELLS, Chairman.

Senate Bill No. 656 ordered re-referred to Committee on Finance.

Senate Bills Nos. 657, 658 and 659 ordered on file for second reading.

ON FISHERIES.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

Mr. President: Your Committee on Fisheries, to whom was referred Senate Joint Resolution No. 29—A resolution relative to restoring to the public domain certain lands heretofore reserved for reservoir purposes in Big Valley, in Lassen and Modoc counties, and in Round and Pitt River valleys, in Modoc County, California—have had the same under consideration, and respectfully report the same back and recommend that it be adopted as amended.

WRIGHT, Chairman.

CONSIDERATION OF SENATE RESOLUTION.

Senator Shanahan moved that Senate Joint Resolution No. 29 be taken up at once for consideration.

Motion carried.

Senate Joint Resolution No. 29—Relative to restoring to the public domain certain lands heretofore reserved for reservoir purposes in Big Valley, in Lassen and Modoc counties, and in Round and Pitt River valleys, in Modoc County, California.

During the reading of the resolution, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 28, of the printed bill, strike out the words "house resolution" and insert in lieu thereof the following words: "H. R. 30."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 2, and commencing at line 6 of the printed bill, strike out the words "house resolution" and insert in lieu thereof the words "H. R. 30."

Amendment adopted.

AMENDMENT No. 3.

On page 2, as printed, line 3, and beginning at line 4, strike out the word "resolution" and insert in lieu thereof the word "bill."

Amendment adopted.

Resolution ordered to print and engrossed.

RUSH ORDER TO PRINTER.

On motion of Senator Shanahan, the Secretary was directed to issue a rush order for printing Senate Joint Resolution No. 29.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29, of Article IV thereof, in relation to a "state budget"—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

GATES, Chairman.

Senate Constitutional Amendment No. 24 ordered on file.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Anderson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Joint Resolution No. 20—Relative to requesting the United States Congress to recognize the Republic of China.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

BILL RECALLED FROM ENGROSSMENT.

Senator Cassidy moved that Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages—be recalled from print and engrossment for further amendment.

Motion carried.

ADJOURNMENT.

At three o'clock and forty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 8, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators—Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL

During the reading of the Journal of Monday, April 7, 1913, the further reading was dispensed with on motion of Senator Boyd.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: I am directed to inform your Honorable Body that the Assembly on this day passed Senate Bill No. 1070—An Act to [illegible] and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Also: Senate Bill No. 20—An Act to amend Section 87 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges and providing for the appointment of four additional Superior Court Judges in and for the city and county of San Francisco, and providing for their compensation.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1070 and 20 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: I am directed to inform your Honorable Body that the Assembly on this day passed Assembly Bill No. 803—An Act to add a new section to the Political Code, to be known as Section 3577a, relating to the establishment and maintenance of kindergartens by the boards of trustees for the support of same, and to the [illegible] thereof.

Also: Assembly Bill No. 1066—An Act to amend Section 88 of the Code of Civil Procedure relating to days in which no regular term of the Supreme Court.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 803 read first time and referred to Committee on Education.

Assembly Bill No. 1066 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON FINANCE

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the state harbor improvement fund—do herein recommend that the amendments as proposed by the Committee on Commerce and Navigation be hereby adopted and that the bill do pass as amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 48—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion

and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Also: Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Also: Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the state or counties, or cities, or cities and counties, of the premiums or charge on official bonds when given by surety companies," approved March 25, 1903—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Judiciary Committee.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station, in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley, and making an appropriation therefor.

Also: Assembly Bill No. 195—An Act making an appropriation of $3,000 to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Also: Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Also: Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 148, 48, 70 and 85 ordered on file for second reading.

Assembly Bill No. 163 ordered re-referred to Committee on Judiciary.

Senate Bill No. 166 ordered on file for second reading.

Assembly Bills Nos. 195, 114, 115 and 1374 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COGSWELL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importa-

tion of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911—does shall the same with amendments and recommend that it do pass as so amended.

CRAWFORD, Chairman.

Assembly Bills Nos. 528 and 527 ordered on file for second reading

as unfavorably reported

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills returned Senate Concurrent Resolution No. 30—Assembly Joint Resolution proposing to the charter of the city of San Diego in the county of San Diego, State of California voted for and ratified by the qualified electors of the said city of San Diego at a special election held thereon pursuant to the provisions of the said charter, and report that the same has been correctly enrolled and examined and was on the Governor on the 7th day of April, 1913, by their approval and filed with the

CRAIG, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills returned Assembly Bill No. 1007—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 640b, relating to shooting or exterminating chickens and all the birds and appurtenances thereto, depending for subsistence, or otherwise, on chickens, and making an appropriation thereof the counties in the State.

Also Senate Bill No. 307—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 639a, relating to shipping or transporting carcasses and all the birds and appurtenances thereto, depending for subsistence, or otherwise, on chickens, and making an appropriation thereof the counties in the State.

Have had the same under consideration, and respectfully report that Assembly Bill No. 965 is identical with Senate Bill No. 307.

GRANT, Chairman.

Assembly Bill No. 165 ordered on file for second reading

Also

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills returned the following:

Senate Bill No. 77—An Act providing for the construction and maintenance of a residence house and necessary outbuildings for the use of the Department of Agriculture of the University of California at the city and county of Los Angeles, Riverside County, San Bernardino, San Diego, Imperial, Fresno, or Santa Barbara, and making an appropriation therefor.

Also Senate Bill No. 1005—An Act to amend Sections 1, 2, 3, 10, 11 and 12 of "An Act to provide for the organization, incorporation and government of public irrigation districts and to authorize the acquisition or construction thereby of public improvements, and the exercise of the right of eminent domain therefor, and the issuance of bonds by such districts and the submission to taxpayers thereof for the purpose of acquiring such land," approved March 31, 1909, and to add to said Act a new section to be numbered 34, relating to the manner of calculating voting and assessments.

Also Senate Bill No. 721—An Act validating and confirming any acts theretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal School Commission, in connection with, relating to the same, and board of trustees and the expenditure of such moneys of the state for the purpose of the state normal school at Los Angeles.

Also Senate Bill No. 21—An Act to amend Section 876 of the Civil Code of the State of California, relating to the duties and powers of the trustees of colleges and seminaries of learning.

Also Senate Bill No. 695—An Act to amend Section 1240 of the Political Code, relating to proceedings for the assessment of lands of land owners therein.

Also Senate Bill No. 518—An Act to amend Section 2240 of the Political Code of the State of California, relating to medical superintendents of insane and the home for feebleminded.

Also Senate Bill No. 202—An Act to amend Section 2287 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Also Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes.

Also Senate Bill No. 1307—An Act to amend an Act entitled "An Act to secure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the medical

of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a new section, to be numbered 13, relating to the collection of fees.

Also: Senate Bill No. 672—An Act to amend Section 172*a* of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Also: Senate Bill No. 322—An Act to repeal an Act entitled "An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats, of railroad and steamship companies," approved March 23, 1901.

Also: Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Also: Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Also: Senate Bill No. 238—An Act amending Section 602*a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Also: Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Also: Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of text-books for use in the public schools of the State of California.

Also: Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

Also: Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Also: Senate Bill No. 445—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts, and repealing all Acts and parts of Acts inconsistent therewith.

Also: Senate Bill No. 1299—An Act relating to real estate brokers in the State of California, creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

Also: Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500," providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Also: Senate Bill No. 1130—An Act to amend Section 4280 of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, copyists and employees of the county officers of counties of the fifty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties.

Also: Senate Bill No. 939—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said drainage district, the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds.

Also: Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assess-

ment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Also: Senate Bill No. 647—An Act to amend Section 6 of an Act entitled "An Act relating to pensions and providing for a pension to Jane Dillenbeck and making an appropriation for the payment of moneys for the benefit of this Act," approved March 20, 1905.

And recommend the same pass when properly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Concurrent Resolution No. 3, Senate Bill No. 128—An Act to amend Sections 1, 2, 3, 4, 5, 6, 8 and 9 of an Act entitled "An Act providing for the holding of elections to submit proposed constitutional amendments and measures to the electors of this State, and prescribing the conditions on which such shall be submitted and published, the ballot to be used thereat, the mode of voting by electors to vote upon the same, and canvassing the returns of the votes cast thereon," approved March 10, 1897, and repealing conflicting Acts.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to Section 26 of Article IV of the Constitution of said State relating to eligibility to hold office.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 549—An Act to amend Section [illegible] of the Civil Code, relating to the issuance of marriage licenses, have had the same under consideration, and respectfully report the same back, with the recommendation that it do not pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution amending Article VI thereof, by inserting therein a new section to be known as Section [illegible] relating to the holding of terms of the Supreme Court in Alameda and San Francisco counties and a commission of appointment of the Governor of Article to judges of any Supreme Court, to act pro tempore as justices of said Supreme Courts of Appeal, to hold such extra sessions thereof, have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 548—An Act to amend Section 340 of the Code of Civil Procedure, respecting the exemption from liability to sale on execution, have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

Also: Senate Bill No. 961—An Act to amend Section 1[illegible] of the Political Code.

Also: Senate Bill No. 965—An Act to amend Section [illegible] of the Political Code.

Also: Senate Bill No. 1057—An Act to amend Section [illegible] of the Code of Civil Procedure, relating to proceedings for the condemnation of land.

Also: Assembly Bill No. 134—An Act to amend Section [illegible] of the Code of Civil Procedure, and an indexed relating to service of process against an insane person or the second and one half and third clauses and [illegible] sections and duties of same.

Also: Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California situate in the city and county of San Francisco for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532a.

Also: Assembly Bill No. 1050—An Act to amend Section 3571 of the Political

Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3572 of said Political Code.

Also: Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Also: Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Also: Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to threats against life and providing a punishment therefor.

Also: Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Senate Bill No. 549 ordered re-referred to Committee on Public Health and Quarantine.

Senate Constitutional Amendment No. 33 ordered on file.

Senate Bills Nos. 548, 964, 965 and 1357 ordered on file for second reading.

Assembly Bills Nos. 154, 417, 596, 1050, 1094, 1141, 1268 and 1967 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GATES, Chairman.

Assembly Bill No. 1267 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examinations of plumbers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1097—An Act providing for an investigation of the prevalence of venereal diseases in the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

JONES, Chairman.

Senate Bill No. 1009 ordered on file for second reading.

Senate Bill No. 1097 ordered re-referred to Committee on Finance.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS

Senate Bill No. 297—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry defining its duties and powers and prescribing a penalty for the violation of this Act.

On motion of Senator Breed, Senate Bill No. 297 was passed on file to retain its place.

Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property, and to create county boards of forestry for such purposes, and to prescribe the duties and powers of such boards, and to authorize such boards to appoint county foresters, and to prescribe the duties and fix the compensation of county foresters, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

On motion of Senator Jones, Senate Bill No. 212 was ordered to the file of unfinished business.

Senate Bill No. 393—An Act to amend Section 1322 of the Penal Code, relating to witnesses and testimony of husband and wife.

On motion of Senator Jones, Senate Bill No. 393 was ordered to the file of unfinished business.

Senate Bill No. 411—An Act to amend Section 3253 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

In the absence of the author, Senate Bill No. 411 was passed on the file.

Senate Bill No. 414—An Act to amend Section 4208 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

In the absence of the author, Senate Bill No. 414 was passed on the file.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building intercounty bridges.

In the absence of the author, Senate Bill No. 967 was passed on the file.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

On motion of Senator Gerdes, Senate Bill No. 123 was passed on the file, to retain its place.

Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines.

On motion of Senator Campbell, Senate Bill No. 1649 was passed on file.

Senate Bill No. 565—An Act regulating the disinfection of sizzaby and the raw material used in the manufacture thereof.

In the absence of the author, Senate Bill No. 565 was passed on the

Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

On motion of Senator Carr, Senate Bill No. 53 was passed on file, to retain its place.

Senate Bill No. 424—An Act to amend Section 1083 of the Political Code of the State of California, relating to the qualifications of a voter.

On motion of Senator Grant, Senate Bill No. 424 was passed on file.

Senate Bill No. 357—An Act to amend Section 607c of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals or for the prevention of cruelty to children.

On motion of Senator Thompson, Senate Bill No. 357 was passed on file, to retain its place.

Senate Bill No. 1456—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1456 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR LARKINS IN THE CHAIR.

At ten o'clock and thirty minutes a.m., Senator Larkins, of the Thirty-second District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 512—An Act to amend Section 607 of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Read third time.

On motion of Senator Gates, Senate Bill No. 512 was passed on file.

Senate Bill No. 1299—An Act relating to real estate brokers, agents, salesmen and dealers in the State of California.

Read third time.

On motion of Senator Boynton, Senate Bill No. 1299 was re-referred to Committee on Engrossment and Enrollment.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

SPECIAL ORDERS TEMPORARILY PASSED.

On motion of Senator Caminetti the consideration of the special order heretofore set for eleven o'clock a.m. this day, was temporarily postponed.

PRESIDENT WALLACE IN THE CHAIR.

At eleven o'clock and fifty minutes a.m. Lieutenant Governor Alden J. Wallace, President of the Senate, in the chair.

SUBSTITUTE OFFERED.

During the reading of the resolution, the following substitute was offered by Senator Sanford:

WHEREAS, There has been a tariff bill framed for the past few years amounting to revision of the tariff downward, and now reducing the high cost of living, and

WHEREAS, The protective tariff has been eliminated and "needed" to "raise" and

WHEREAS, There were only 189 votes in existence when Woodrow Wilson became President, and there were 10,424 votes in existence when he left the presidential chair, all of which were due to the extensive high tariff law that had been enacted; and

WHEREAS, The people of the United States have at the latest election voted in favor of a reduction in the tariff; and

WHEREAS, The Congress of the United States has been convened in extraordinary session for the purpose of revising the tariff downward; therefore be it

Resolved, That the Legislature of the State of California memorialize the Congress to pass such a tariff law that will greatly reduce the high cost of living and conducive to the greatest good to the greatest number.

SPECIAL ORDER TEMPORARILY PASSED.

On motion of Senator Finn, the consideration of the special order heretofore set for twelve o'clock m. this day was temporarily postponed.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Wright, the hour of recess was extended until one o'clock p.m.

JOINT RESOLUTION PASSED ON FILE.

On motion of Senator Sanford the consideration of Senate Joint Resolution No. 25, the pending substitute and the subject matter were ordered passed on file.

SPECIAL ORDERS RESET.

Senator Caminetti moved that the further consideration of Senate Bill No. 54 be made a special order for Wednesday, April 9, 1913, immediately after the special order already set for eleven o'clock a.m.

Motion carried.

Senator Finn moved that the further consideration of Senate Bill No. 142 be made a special order for Wednesday, April 9, 1913, immediately after the special orders already set.

Motion carried.

RECESS.

At one o'clock p.m., on motion of Senator Sanford, the President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened, Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

Bill read second time, and ordered on file for third reading.

SENATOR THOMPSON IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

During second reading of the bill, the following amendment was offered by the committee:

On page 1 of the printed bill, strike out lines 8, 9, 10, 11 and 12, and insert in lieu thereof the following: "In all cases where the court directs a party to prepare findings, a copy of said proposed findings shall be served upon all the parties to the action at least five days before findings shall be signed by the court, and the court shall not sign any findings therein prior to the expiration of such five days."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 6, of the printed bill, after the word "expenses", insert the following: "and expenses of last sickness".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 2031—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 5, of the printed bill, strike out the period, and insert in lieu thereof the words "of this code."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No 692—An Act to repeal Section 278 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 750—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and thirteen.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 776—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No 1.

On page 1, line 12, strike out the word "the".

Amendment adopted.

AMENDMENT No 2.

On page 1, line 15, after the word "filed", insert the following: "on or before the first day of January, 1914".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No 247—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and prescribing penalties for the violation thereof," approved March 23, 1907.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No 1.

On page 2, line 6, between the words "health" and "shall", insert the words "or it".

Amendment adopted.

AMENDMENT No 2.

On page 3, line 32, strike out the word "that" following the word "suspension", and insert in lieu thereof the word "if".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

PRESIDENT WALLACE IN THE CHAIR.

At two o'clock and forty minutes p.m. Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF BILLS (RESUMED).

Assembly Bill No 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628½, relating to shipping or transporting shiners out of the State, and prescribing a penalty for depositing for shipment or transportation or shipping or transporting any shiners beyond the confines of the State.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Senate bills.

Senate Bill No. 866.—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1282.—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty eighth fiscal year, and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty eighth fiscal year,' approved April 1, 1897, also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a débris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing for the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts and parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the chief engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1554.—An Act for the relief of purchasers of school lands.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 2, of printed bill, after the word "payment", insert the following: "of the full purchase price, or twenty per cent thereof, has been".

Amendment adopted.

AMENDMENT No. 2.

In line 3, of printed bill, strike out the words "in advance or in part", and after the word "and," insert the word "also."

Amendment adopted.

AMENDMENT No. 3.

In line 4, of printed bill, strike out the words "has been," and insert in lieu thereof the word "was", and after the word "issued" in said line 4, insert the following: "on or before May 1, 1911".

Amendment adopted.

AMENDMENT No. 4.

In line 6, of printed bill, strike out the word "remainder" and insert in lieu thereof the word "balance", also strike out the word "the" in said line 6 and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT No. 5.

After the word "land," in line 6, of printed bill, insert a comma [,] and strike out all, commencing with the word "before" and including the word "accordance," in lines 13 and 14, of printed bill, and insert in lieu thereof the following: "and certificate shall be in full force and effect, all interest due on the balance of the purchase price shall be paid to the proper county treasurer up to and including December 31, 1913."

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 859—An Act to amend Sections 861 and 891 of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 16, of the printed bill, strike out the words "above tide water," and insert in lieu thereof the following: "in the waters of the San Joaquin river and its tributaries between its mouth in Suisun bay and the south side of the Southern Pacific Company's railroad bridge across the San Joaquin river about seventeen miles south of the city of Stockton."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 17, of the printed bill, strike out the word "July," and insert in lieu thereof the word "September".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1190—An Act to amend Section 626a of the Penal Code of the State of California, relating to the preservation and protection of wild game.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, after the word "time", insert the words "prior to April first, one thousand nine hundred eighteen".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, strike out the word "and", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 6, strike out the word "birds", and insert in lieu thereof the word "bird".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 6, strike out the word "including", and insert in lieu thereof the following: "known as or commonly called".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 191—An Act to authorize any county in the State which claims to have sustained a net loss in any county revenue by the withdrawal of railroad property from county taxation in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, to commence suit against the State of California for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

During second reading of the bill, the following committee substitute was offered by Committee on Revenue and Taxation:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 191.

An Act providing that the state board of equalization shall determine the net loss in county revenue sustained by any county of the state by the withdrawal of railroad property from county taxation, in accordance with the provisions of section fourteen of article thirteen of the constitution of the State of California, and providing for the payment of such loss by the state, when no objection is made to the amount thereof, and making an appropriation for the payment of such loss and to authorize any county in the state which claims to have sustained any such net loss in county revenue, and which said county has objected to the amount of such net loss as determined by the state board of equalization, to commence suit against the State of California for the recovery of such loss, prosecute such suit to final judgment, regulating the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the reimbursement of counties in this state, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of section fourteen of article thirteen of the constitution of this state," approved April 26, 1911.

The people of the State of California do enact as follows:

SECTION 1. The state board of equalization shall annually within four weeks after the filing of the reports of county auditors with the controller, as required under the provisions of section three thousand seven hundred thirty-four of the Political Code, ascertain and determine which counties sustain net loss in county revenue by the withdrawal of railroad property from county taxation, and which counties sustain no such loss, as provided in section fourteen of article thirteen of the constitution, and shall ascertain and determine the amount of such net loss. For

the purpose of ascertaining and determining from [illegible] the state board of equalization shall use the abstract reports required by law to be furnished the county officers to the board or to the state controller and may require from the several county officers such additional reports to the board as it deems necessary. And it is hereby made the duty of the county officers to furnish such reports as may be required by the board for this purpose. As soon as the state board of equalization has ascertained and determined the assessed value of such [illegible] and has apportioned such sum, it shall certify the same to the state controller. Within ten days after the receipt of the aforesaid certificates from the state board of equalization, the controller shall notify the board of supervisors of each county in the state of the amount of such tax so determined by the board of equalization, as of the date upon which county taxes are made payable, to be the abatement of railroad property from county taxation as aforesaid. If the board of supervisors of any county in the state fail, for thirty days after the receipt of such notice from the state controller as above set, writing to the state controller as the amount so determined to be such tax [illegible] or to the determination that such county pending between such [illegible] shall be entered in their minutes and signed by their chairman, and shall thereafter be deemed [illegible] and action at law against the State of California, or any officer thereof, for the recovery of any sum [illegible] necessary by the withdrawal of railroad property from county taxation under the provisions of section fourteen of article [illegible] of the constitution of this state. If the state board of equalization shall determine that any county suffered a net loss in county revenue by the withdrawal of railroad property from county taxation, as aforesaid, and as shown in such [illegible] provided, the state controller shall draw his warrant in favor of the county treasurer of such county for the amount of the loss so ascertained and determined, and the state treasurer, at the time or as near thereafter as may be, to the amount provided by law for settlement between treasurers of the counties of other moneys, and the state controller.

SEC. 2. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of four hundred thousand dollars, or so much thereof as may be necessary for the purpose of the reimbursement of counties of this state which except as here authorized may not have on account of the withdrawal of railroad property from county taxation under the provisions of [illegible] of article thirteen of the constitution of this state, and for the payment of the expenses of the commissioner of this act. Warrants shall be issued by the controller for the amount of loss sustained by any county, as shown by the [illegible] of the state board of equalization, and the state treasurer shall pay the same out of the moneys appropriated by this act. [illegible] sixty-fourth, sixty-fifth and sixty-sixth fiscal years. Of the amount hereby appropriated the sum of [illegible] fifty thousand dollars shall be available for such purpose during the fiscal year beginning July 1, 1913, and the sum of one hundred fifty thousand dollars shall be available for such purpose during the fiscal year beginning July 1, 1914.

SEC. 3. At the time the state board of equalization ascertains and determines the amount of net loss in county revenue occasioned by the withdrawal of railroad property from county taxation, as provided in this Act, but the county board of supervisors of each county in the state, as provided by law, shall [illegible] the said loss of state and county revenue, the amount of state and county taxes assessed and apportioned [illegible] by any county in the state during the year [illegible] or either of those said fiscal years, to the state controller, to the several supervisors of the counties of such net loss, as shall [illegible] the several amounts of such net loss to the persons entitled to the same, as hereinbefore provided, and the said controller shall notify the several boards of supervisors of the amount of such net loss, as shall [illegible] assessment on

in any court of record in this state, for the recovery of such loss, and to prosecute such suit to final judgment. The rules of practice in civil cases shall apply to such suits, except as herein otherwise provided.

SEC. 5. All such suits shall be commenced within six months after objection is filed, as provided for in section one of this Act.

SEC. 6. Service of summons in such suits shall be made on the governor, state controller, and attorney general. It shall be the duty of the attorney general to defend all such suits, and upon his written demand, made at or before the time of filing the state's answer in such suit, the place of trial of any suit must be changed to the county of Sacramento.

SEC. 7. In case judgment be rendered for the plaintiff in any such suit, it shall be for the amount actually due from the state to plaintiff, and without costs, and the state controller is hereby directed to draw his warrant for the amount of any such judgment in favor of such plaintiff and the state treasurer is hereby directed to pay the same.

SEC. 8. It shall be the duty of the governor to report to the legislature at each session thereof, all judgments rendered against the state in such suits, and which said judgments have not been paid.

SEC. 9. An Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of section fourteen of article thirteen of the constitution of this State," approved April 26, 1911, is hereby expressly repealed.

Substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer or employee of such company.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2, of title, strike out the words "or employee".

Amendment adopted.

AMENDMENT No. 2.

Strike out all of Section 1, and insert in lieu thereof the following:

"SECTION 1. No officer of any insurance company shall directly or indirectly, for himself or as a partner or agent for others, borrow any of the funds of such insurance company: *provided, however*, that the provisions of this Act shall not be construed to prevent the borrowing by any insured upon the security of policies of insurance in accordance with their terms, nor prevent agents of life insurance companies from receiving advances under their agency contracts.

SEC. 2. Any officer who acts in violation of the provisions of this Act shall be guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, Section 1, beginning with the word "upon", in line 1, strike out all down to and including the word "months" in line 21, and insert in lieu thereof the following: "Any company, association, society, officer, solicitor, agent, broker or other person who knowingly violates any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one hundred dollars for each and every violation, or in the discretion of the court, to imprisonment for a period of not less than ninety days nor more than six months, or to both such fine and imprisonment. The insurance commissioner shall have authority in his discretion to revoke the license theretofore issued to

any company, association, society, party or parties, contained as a part of any private conclusion of a contract of any sort. This section shall not however be construed as authorizing the association of the members of a company, association or society where the condition is sharing in loss only by the assets without the knowledge of and contrary to the provided intervention of the company.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 33, after the word "policy", strike out the remaining and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 33, strike out the word "provided", and at beginning thereof in the end of the sentence in line 3 on page 3 and insert in lieu thereof the following: "Nothing in this section shall be so construed as to prohibit any corporation, company not participating [illegible] from paying premiums or contributions of whatever nature [illegible] or to prohibit any corporation, company, association, society, or the members thereof, not participating [illegible] from paying premiums or contributions of whatever nature [illegible] or to prohibit any corporation, company, association, society or the members of

Assembly Bill No. 625—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 625 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Butler, Cannichetti, Carr, Cartwright, Cassidy, Cogswell, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Anderson asked and was granted unanimous consent to withdraw Senate Bill No. 547—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

Senate Bill No. 547 ordered withdrawn, and stricken from the file.

THIRD READING OF BILLS (RESUMED).

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

On motion of Senator Boynton, Assembly Bill No. 1848 was passed on file.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13 of Article XI, relating to supervision, regulation and conduct in affairs of reclamation and drainage districts.

On motion of Senator Boynton, Assembly Constitutional Amendment No. 47 was passed on file.

Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newtown jetties,'" and repealing an Act entitled "An Act to authorize the Lauritzen Company of San Francisco, a corporation, to sue the State of California, approved March 23, 1907," approved March 20th, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1317 passed by the following vote:

AYES—Senators Anderson, Avey, Boyce, Brown, Brusie, Bond, Burke, Cannetti, Cartwright, Cassidy, Caminetti, Fink, Flint, Gerdes, Gesmer, Juilliard, Kehoe, Larkins, Lyon, Mott, Rogers, Sanford, Scott, Shearer, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 427—An Act to amend Section 1681 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 427 passed by the following vote:

AYES—Senators Anderson, Avey, Boyce, Brown, Brusie, Bond, Burke, Cartwright, Cassidy, Finn, Flint, Gerdes, Gesmer, Juilliard, Kehoe, Lyon, Mott, Rogers, Sanford, Scott, Shearer, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 601—An Act to repeal Section 1923 of the Political Code of the State of California, requiring the appointment of school census marshals.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 601 passed by the following vote:

AYES—Senators Anderson, Avey, Boyce, Brown, Brusie, Bond, Burke, Caminetti, Cartwright, Cassidy, Caminetti, Fink, Flint, Gerdes, Gesmer, Juilliard, Kehoe, Lyon, Mott, Rogers, Bond, Sanford, Scott, Shearer, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1889—An Act to amend Section 1171 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 445 passed by the following vote:

AYES—Senators Anderson, Avey, Boyce, Brown, Brusie, Bond, Burke, Caminetti, Cartwright, Cassidy, Caminetti, Finn, Flint, Gerdes, Gesmer, Brown, Burke, Juilliard, Kehoe, Larkins, Lyon, Mott, Rogers, Bond, Sanford, Scott, Shearer, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1558—An Act to amend Sections 1195, 1198 and 1199 of the Political Code, relating to books and records of ballots

and number of ballots to be provided by the county clerks or registrar and the destruction of unused ballots.

Read third time.

On motion of Senator Boynton, Assembly Bill No. 1558 was passed on file.

Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

On motion of Senator Boynton, Assembly Bill No. 1889 was passed on file.

Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Read third time.

On motion of Senator Boynton, Assembly Bill No. 979 was passed on file.

Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Gates, as a special committee of one, to amend as follows:

By striking out of line 7, page 1, the word "thereto", and inserting in lieu thereof the words "to its custody services and earnings".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 199, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 42 passed by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benson, Boynton, Bunkl, Bronson, Butler, Cammetti, Campbell, Cartwright, Cassidy, Chapman, Cogswell, Colton, Finn, Flint, Gates, Grant, Inman, Jarkins, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON FREE CONFERENCE

The following report was received:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

Mr. President: Your Committee on Free Conference concerning Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide and tide land lots, parcels of land and lands under water situate in the bay of San Diego to the city of San Diego, in furtherance of navigation and commerce, and the improvement and providing for the government, management and control thereof," approved May 1, 1911," have met in the committee room of the Assembly, composed of Assemblymen Hanks, Cary and Perkins and Senators Finn, Wright and Avey, and have had under consideration the amendments proposed thereto by the Assembly, and have agreed upon and recommend that the amendments be adopted and that Senate Bill No. 232 be passed in the form proposed by said Senate Bill No. 232 amended to read as follows:

"An Act to amend Section 2 of an Act entitled 'An Act conveying certain tide lands and lands lying under tidal navigable waters situate in the bay of San Diego to the city of San Diego, in furtherance of navigation and commerce, and the improvement and providing for the government, management and control thereof,' approved May 1, 1911."

WRIGHT,
Cmte's
AVEY,
Senate Committee.

HANKS,
CARY,
PERKINS,
Assembly Committee.

The question being on the adoption of the report.

The roll was called, and the report of the Committee on Free Conference on Senate Bill No. 232 adopted by the following vote:

AYES—Senators Anderson, Belshe, Benson, Boynton, Bronson, Bunkl, Butler, Cammetti, Campbell, Cartwright, Cassidy, Cogswell, Colton, Finn, Flint, Gates, Grant, Inman, Kehoe, Larkins, Mott, Rush, Sanford, Thompson, Tyrrell and Wright—25.

NOES—None.

Senate Bill No. 232 ordered to print.

THIRD READING OF BILLS.

Senate Bill No. 511—An Act to amend Section 599a of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 511 passed by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benson, Boynton, Bunkl, Bronson, Butler, Cammetti, Campbell, Cassidy, Cogswell, Colton, Finn, Gates, Grant, Inman, Kehoe, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—29.

NOES—Senator Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 445—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

On motion of Senator Sanford, Senate Bill No. 445 was ordered to the file of unfinished business.

Senate Bill No. 1195—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

On motion of Senator Caminetti, Senate Bill No. 1195 was passed on file, to retain its place.

Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

On motion of Senator Shanahan, Senate Bill No. 1222 was passed on file, to retain its place.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions of the power of counties, cities and other subdivisions of the State to incur indebtedness.

On motion of Senator Tyrrell, Senate Constitutional Amendment No. 34 was ordered to the file of unfinished business.

SENATOR THOMPSON IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cassidy moved to refer to Senator Carr, as a special committee of one, to amend as follows:

By striking out of Section 1, page 1, line 10, the comma and the words "and the clerk at the time of the issuance of such license shall enter on the stub of the license book the full and complete record of such license with the names and ages of the parties named in such license."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, APRIL 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 331, with instructions to report back favorably, together with such bill amended as per instructions.

CARR, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(CONTINUED)

Senate Bill No. 979—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District, to promote drainage therein by making a cut through Knight's Landing ridge, and the construction of a canal leading therefrom, to provide for the election and appointment of officers of said drainage district, defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said drainage district, the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Sanford moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

AMENDMENT No. 1

By striking out of page 14, line 5, the word "seven," and inserting in lieu thereof the word "seven".

AMENDMENT No. 2

By striking out of page 5, line 13, the figures "14.20" and inserting in lieu thereof the following: "fourteen and twenty-one hundredths (14.21)."

AMENDMENT No. 3

By striking out of page 3, line 36, the word "said" between the words "line" and "section".

AMENDMENT No. 4

By striking out of page 15, line 16, the word "charged" and inserting in lieu thereof the following: "charged".

AMENDMENT No. 5

By striking out of page 3, line 29, the numeral "12" and inserting in lieu thereof the figure "2".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, APRIL 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 939, with instructions to amend, respectfully submits the same duly amended as per instructions.

JUILLIARD, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED)

Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm

and Agricultural School at Davis, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 307—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 307 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer Senate Bill No. 1114 to Senator Avey, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Strike out in line 28, of page 2, the number "1365", and in lieu thereof insert "13,605".

AMENDMENT No. 2.

After the word "feet", in line 28, of page 2, insert "more or less".

AMENDMENT No. 3.

Strike out, commencing with the word "that", in line 11, of page 5, and ending with the word "levees", in line 12 of the same page, and in lieu thereof insert: "those portions of the existing levee".

AMENDMENT No. 4.

Strike out the words "said lever", in line 16 of page 5, and in lieu thereof insert "any of said levers mentioned in this act".

AMENDMENT No. 5.

Strike out the word "said", in line 9 of page 6, and in lieu thereof insert the word "this".

Motion carried.

REPORT OF SPECIAL COMMITTEE ON SAE.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1114, with instructions to amend, respectfully reports that same has been amended as per instructions.

AVET, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS.

Senate Bill No. 311—An Act appropriating the sum of sixty-five thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 311 passed by the following vote:

AYES—Senators Anderson, Ayer, Boyle, Boynton, Bush, Campbell, Caminetti, Cartwright, Cassidy, Caygnell, Cobb, Finn, Flint, Gates, Gerdes, Inman, Jelliffe, Larkins, Lyon, Regan, Rush, Sanford, Savidge, Stanford, Strobridge, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 25 passed by the following vote:

AYES—Senators Anderson, Ayer, Boyle, Boynton, Bush, Campbell, Caminetti, Cassidy, Caygnell, Cobb, Finn, Flint, Gates, Gerdes, Inman, Jelliffe, Kehoe, Larkins, Lyon, Main, Regan, Rush, Sanford, Stanford, Strobridge, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the department of agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San

Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 51 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Butler, Campbell, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 229 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 249 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant,

Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Rogers, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 203—An Act to amend Section 1773 of the Code of Civil Procedure of the State of California, relating to guardians.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 passed by the following vote:

AYES—Senators Anderson, Avey, Boling, Boynton, Brown, Butler, Cashmett, Campbell, Cartwright, Cassidy, Caswell, Cline, Finn, Flint, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Lyon, Rogers, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 204—An Act to amend Section 1774 of the Code of Civil Procedure of the State of California, relating to guardians.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 204 passed by the following vote:

AYES—Senators Anderson, Avey, Boling, Boynton, Brown, Bunker, Cashmett, Cartwright, Cassidy, Caswell, Cline, Finn, Flint, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Lyon, Rogers, Rush, Sanford, Shanahan, Strobridge, Thompson and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Wright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. E. L. Crane, of the Stanford University, California.

On request of Senator Cashmett, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. C. J. Bosworth, of Marin County.

THIRD READING OF BILLS (CONTINUED).

Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 205 passed by the following vote:

AYES—Senators Anderson, Avey, Boling, Boynton, Brown, Brown, Bryant, Butler, Cashmett, Cassidy, Caswell, Finn, Flint, Gerdes, Jones, Juilliard, Kehoe, Lyon, Mott, Rogers, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1452—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

In the absence of the author, Senate Bill No. 1452 was passed on file.

Senate Bill No. 603—An Act to amend Section 626*h* of the Penal Code of the State of California, relating to the protection of fish and game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 603 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Brown, Bryant, Butler, Caminetti, Cassidy, Cohn, Finn, Flint, Gates, Grant, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1204—An Act to amend Section 637*b* of the Penal Code of the State of California, relating to imported fish and game.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Cassidy, as a special committee of one, to amend as follows:

By striking out of page 1, line 13, the word "live".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1204, with instructions to amend, respectfully reports the same back, amended as per instructions.

CASSIDY, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 725—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto to be numbered 1254*a*, relating to the entering by a municipal corporation on private property for appropriation of a right of way therein for use in any eminent domain proceeding without first making compensation therefor and without said compensation being first sustained and paid into court for the owner.

On motion of Senator Kehoe, Senate Bill No. 725 was re-referred to Committee on Judiciary, to retain its place on file.

Senate Bill No. 1053—An Act to amend Sections 3, 8, 9, 13, 19, 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved

April 22, 1909 and to add 76 and 77 to said Act to certain section to be numbered Section 34, relating to the manner of effecting certain local improvements.

In the absence of the author, Senate Bill No. 1053 was passed on file.

Senate Bill No. 1709—An Act to amend Section 29 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1709 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burnett, Campbell, Caminetti, Chandler, Cogswell, Cutten, Flint, Gates, Gerdes, Gerlach, Hatch, Hewitt, Hurley, Inman, Johnson, Leavitt, Lewis, Lukens, Mahan, Owens, Rigdon, Roseberry, Rush, Sanford, Savage, Shanahan, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed and Wright—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 486—An act to create a reclamation district to be called "Reclamation District No. 999," and providing for the control and management thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 486 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burnett, Caminetti, Campbell, Chandler, Cogswell, Cutten, Flint, Gates, Gerdes, Gerlach, Hatch, Hewitt, Hurley, Inman, Johnson, Leavitt, Lewis, Lukens, Mahan, Owens, Rigdon, Roseberry, Rush, Sanford, Savage, Shanahan, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed and Wright—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office.

PRESIDENT PRO TEM. SEATED IN THE CHAIR.

At four o'clock and fifteen minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—RESUMED.

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, four o'clock and thirty-two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—32.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and thirty-seven minutes p.m., Senators Thompson, Hewitt, Birdsall and Juilliard were brought to the bar of the Senate, and, on motion of Senator Campbell, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and forty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The roll of absentees was called, and Senate Constitutional Amendment No. 9 refused adoption by the following vote:

AYES—Senators Bryant, Caminetti, Campbell, Cartwright, Cassidy, Cohn, Grant, Hewitt, Kehoe, Larkins, Owens, Regan, Sanford, Shanahan, and Tyrrell—15.

NOES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cogswell, Finn, Flint, Gates, Jones, Juilliard, Mott, Rush, Strobridge, Thompson, and Wright—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Wright gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Constitutional Amendment No. 9 was refused adoption.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

On motion of Senator Boynton, Senate Bill No. 1567 was passed on file.

Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of text-books for use in public schools of the State of California.

On motion of Senator Finn, Senate Bill No. 1007 was passed on file.

Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 236 passed by the following vote:

AYES—Senators Anderson, Ayer, Benson, Birdsall, Burgess, Burnett, Bryant, Butler, Caminetti, Campbell, Carpenter, Cassidy, Caminetti, Cutten, Flint, Gerdes, Gesford, Hewitt, Jones, Juilliard, Kehoe, Leavitt, Leeds, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CAMPBELL IN THE CHAIR.

At four o'clock and forty-five minutes p.m. Senator Campbell, of the Seventeenth District, in the chair.

THIRD READING OF BILLS—CONTINUED.

Senate Bill No. 238—An Act amending Section 6072 of the Political Code of the State of California, relating to the powers of companies transacting fidelity insurance business.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 238 passed by the following vote:

AYES—Senators Anderson, Ayer, Benson, Burgess, Burnett, Bryant, Butler, Caminetti, Campbell, Carpenter, Cassidy, Cutten, Flint, Gerdes, Gesford, Hewitt, Jones, Juilliard, Kehoe, Leavitt, Leeds, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 239 passed by the following vote:

AYES—Senators Anderson, Ayer, Benson, Birdsall, Burgess, Burnett, Bryant, Caminetti, Campbell, Carpenter, Cassidy, Cutten, Flint, Gerdes, Gesford, Hewitt, Jones, Juilliard, Kehoe, Leavitt, Leeds, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 322—An Act to repeal an Act entitled "An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars or boats of railroad and steamship companies," approved March 23, 1901.

On motion of Senator Bryant, Senate Bill No. 322 was passed on file, to retain its place.

Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Read third time.

On motion of Senator Butler, Senate Bill No. 672 was passed on file, to retain its place.

Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section, to be numbered and known as Section 13 of said Act.

In the absence of the author, Senate Bill No. 1307 was passed on file.

Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 500 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Campbell, Cassidy, Cogswill, Cohn, East, Flint, Gates, Grace, Hewitt, Jones, Juilliard, Kehoe, Lyon, Regan, Rush, Shanahan, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill transmitted to the Assembly.

Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

On motion of Senator Boynton, Senate Bill No. 202 was passed on file, to retain its place.

Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

On motion of Senator Boynton, Senate Bill No. 518 was passed on file, to retain its place.

Senate Bill No. 695—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

In the absence of the author, Senate Bill No. 695 was passed on file.

Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 21 passed by the following vote:

Ayes: Senators Anderson, Avey, Boyle, Browning, Bunn, Busick, Carpenter, Caminetti, Campbell, Cogswell, Colton, Crow, Curtin, Dennett, Dennis, Dunn, Finn, Flint, Gerdes, Gerlach, Hans Holland, Hurley, Johnson, Jones, Leake, Leavitt, Lee, Lewis, Lyon, Rigdon, Rush, Saunders, Stetson, Strobridge, Thompson, Tyrrell and Wolfe—35.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 324—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 324 passed by the following vote:

Ayes: Senators Anderson, Avey, Boyle, Browning, Bunn, Busick, Carpenter, Caminetti, Campbell, Cogswell, Colton, Crow, Curtin, Dennett, Dennis, Dunn, Finn, Flint, Gerdes, Gerlach, Hans Holland, Hurley, Johnson, Jones, Leake, Leavitt, Lee, Lewis, Lyon, Rigdon, Rush, Saunders, Stetson, Strobridge, Tyrrell and Wolfe—35.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 987—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

On motion of Senator Lyon, Senate Bill No. 987 was passed on file to retain its place.

Senate Bill No. 1172—An Act to amend an Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor.

In the absence of the author Senate Bill No. 1172 was passed on file.

Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget."

During the reading of the constitutional amendment the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 7, of the printed bill after the word "Senate," insert the words "to read."

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 8, of the printed bill, after the word "amendment," insert the word "to."

Amendment adopted.

AMENDMENT NO. 3.

On page 1, strike out the last word in line 10 and the first four words in line 11 and insert in lieu thereof the following: "provide sufficient for the usual current expenses of the state."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 9, of the printed bill, strike out the word "bill."

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 17, of the printed bill, after the word "for," strike out the word "the".

Amendment adopted.

Constitutional amendment ordered to print and engrossment.

Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 292 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Cassidy, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Regan, Rush, Shanahan, Strobridge, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party, and to provide for the settlement of disputes by the Industrial Accident Commission; by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe, and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization, define its powers and duties, and provide for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act, and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LYON, Chairman.

MINORITY REPORT SUBMITTED.

The following minority report was submitted:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: The following is submitted as a minority report on Senate Bill No. 905, entitled "An Act to promote the general welfare of the people of the State of California by creating and enforcing a liability on the part of employers to compensate their employees," etc.

It is the opinion of the minority of the Committee on Labor and Capital that Senate Bill No. 905 in its present form is unconstitutional and that it violates Section 24 of Article II of the Constitution, which provides that every Act shall embrace but one subject, which subject shall be embraced in the title. The title of the Act and the text of the bill deal with three subjects, to wit: Compensation to be paid employees by employers in the event of accident, regardless of the fault of either; second, the creation of an insurance department on the part of the State of Cali-

forms to insure employees against loss growing out of accidents to employees; and, third, the creation of a special department for the purpose of investigating accidents.

He moved further proposed that some provision by the Senate now in favor of compensation commissions or employers' and other acts providing for safety of employees, but the non-existence of the Senate committee on the subjects of labor and therefore the committee proposed that Senate Bill 331, which provided more drastic security and features with more drastic with the compensation provision, the subject with insurance, was the most which the safety of employees.

In view of the fact that the Senate has adjourned to-day to meet the House, and in order that it may be sure that the amendments shall be considered, the committee recommend the adoption of the following amendments to Senate Bill No. 331:

AMENDMENT NO. 1.

Amend title by substituting "an accident fund" for "a state insurance fund" and strike out the words "creating" in line 3.

AMENDMENT NO. 2.

Amend Section 4 by substituting "accident fund" for "state insurance fund" in lines 19 and 20, page 2.

AMENDMENT NO. 3.

Amend Section 7 by striking out subsection (c) and subsection (d), lines 16 to 37, inclusive, on page 4, and lines 1 to 9, inclusive, page 5.

AMENDMENT NO. 4.

Amend Section 7 (e) by striking out the words "officers, bureau, auditors, actuaries, accountants, inspectors," in lines 9 and 10, page 5.

AMENDMENT NO. 5.

Amend Section 12 (a), page 7, by striking out lines 14 and 15, and substituting in lieu thereof the following:

(a) Where at the time of the accident the employer shall not have filed with the industrial accident commission notice of his election not to be subject to the compensation provisions of this Act. Such election on the part of an employer shall be made by filing with the industrial accident commission a written statement to the effect that such employer does not accept the provisions of this Act; provided, however, that such election may at any time be withdrawn by an employer by filing a written statement with the industrial accident commission to the effect that such employer desires to accept the provisions of this Act.

AMENDMENT NO. 6.

Amend Section 12 (e), line 2, by adding after the word "same," in line 15, page 7 the following:

Where the employee charged with such liability is entitled to the provisions of this Act, whether the employer has given notice thereof or not, and the employer shall not at the time of injury have the number of such employee on the pay-roll with such exceptions, as may be given to the employer in writing, that he claims not to be entitled to the provisions of this Act, or if the employer has given such notice but such employee at the time of injury was under the belief that he was entitled to the provisions of this Act, and the employer shall have given to the employee notice in writing that he claims not to be subject to such provisions, as aforesaid, giving notice of such matters which have occurred in the service of such employee but which have not happened upon the same subject to the terms of this Act. Any employee who has given notice to the employer as aforesaid that he claims not to be entitled to the provisions of this Act may waive such claim by a notice in writing which shall take effect five days after it is delivered to the employer or his authorized agent.

AMENDMENT NO. 7.

Amend Section 12 (d), by striking out lines 24 to 28, inclusive, page 7, and lines 1 and 2, page 8, and substituting the following in lieu thereof:

Where such conditions of subordination exist, the right to the payment of such compensation pursuant to the provisions of this Act shall be the employee's remedy against the employer for the injury or death, except that where the injury or death was caused by reason of the intentional and wilful misconduct of the employer, or if such injury or death be so caused by the wilful misconduct of any person while said person was exercising the powers of superintendence for such employer then the amounts of compensation to be paid by the employer shall be doubled.

AMENDMENT NO. 8.

Amend Section 12 (*c*), page 8, line 3, by adding after the word "passed", in line 5, the following:

Except, however, in an action against his employer for damages, brought by an employee, who has given such notice to his employer, electing not to be subject to the provisions of this Act, the defendant employer, who is subject to the provisions of this Act, may and shall have the benefit of all defenses known to the common law and all employees, of every grade of such employer, shall, in such action, be held to be fellow servants of such injured or deceased employee.

AMENDMENT NO. 9.

Amend Section 15 (*b*)-2 (1), line 20, page 9, by striking out "sixty" and substituting "fifty". Strike out "five" in line 21, page 9. Substitute "fifty" for "sixty-five" in line 24, page 9. Substitute "fifty" for "sixty-five" in lines 3, 4, 5, 6, 8, 10, 11, 13, 17, 20, 24, 30 and 32, page 10. Substitute "fifty" for "sixty-five" in line 28, page 11.

AMENDMENT NO. 10.

Amend Section 32 by striking out the words "subject to the provisions herein contained," in lines 6 and 7, page 23. Also, by striking out subsections (*b*), (*c*) and (*d*) (that is lines 14 to 37, inclusive, on page 23, and lines 1 to 9, inclusive, on page 24).

AMENDMENT NO. 11.

Amend Section 33 (*c*) by striking out the following: "or the commission may order the same to be deposited with the state compensation insurance fund," in lines 10 and 11, page 25.

AMENDMENT NO. 12.

Amend Section 35 by striking out subsection (*b*), lines 3 to 12, inclusive, page 28.

AMENDMENT NO. 13.

Amend Sections 36 to 48, inclusive, by striking out such entire sections and substituting in lieu thereof the following:

SEC. 36. Whenever two or more employees of the same or kindred classes of industry who have become subject to the provisions of this Act, and who have on their pay rolls in this state an aggregate number of not less than ten thousand employees, shall, in writing, request the insurance commissioner of California so to do, it shall become the duty of the insurance commissioner to fix, and thereafter collect, assessments and dividends as may, from time to time, be necessary to pay the sums which shall become due to their employees, or dependents of those employees, as compensation under the provisions of this Act, and for its administration and shall disburse the same to the persons entitled to receive said compensation; *provided, however*, that neither the insurance commissioner nor the State of California shall become in any way responsible for the payment of claims for compensation under the provisions of this Act beyond the extent of the funds so collected and received by him as hereinafter provided.

SEC. 37. The insurance commissioner shall immediately upon assuming the administration of the collection and disbursement of the moneys referred to in the preceding section, cause to be created in the state treasury a fund to be known as "accident fund". Into such accident fund, according to the form and manner of such premiums or assessments as the commissioner shall deem necessary to pay the compensation according under this Act to employees or to their dependents, and to provide the reserve hereinafter referred to, which premiums and assessments shall be levied in the manner and proportion as hereinbefore and hereinafter set forth. Said premiums and assessments to be so levied shall be subject to readjustment from time to time by the insurance commissioner as may become necessary.

SEC. 38. The insurance commissioner shall be entitled to inspect the plant, work-room, shop or premises of any employer contributing to said accident fund, and for such purpose to appoint inspectors who shall have free access to all such premises during the regular working hours.

SEC. 39. Said insurance commissioner shall determine the amount of the premiums or assessments which the subscribers to said accident fund shall pay for said administration and the payment of said compensation benefits to him, in accordance with the nature of the business in which said subscribers respectively are engaged, and the probable risk of injury to their employees, the experience of said risk and the conditions under which said work is performed, and shall fix the premiums and assessments at such amounts as in his judgment shall be sufficient to enable him to pay to the employees, or their dependents, of such subscribers all sums which may become due and payable to them under the provisions of sections thirty-six to forty-eight, inclusive, of this Act, together with the expense of conducting said business. In fixing said premiums or assessments payable by such subscribers, said insurance commissioner may take into account the degree of hazard,

together with the conditions under which

of operating, maintaining, investigating and

said accident fund at the expiration of the

which he became subject to the provisions of

provided, however, that he shall give

and provided, further, that if at the time

Section 30 hereof, such employer shall

nify said insurance commissioner against

as

payment of accrued losses and

stock companies engaged in furnishing

decision made by him in respect to the

ing compensation under the provisions of this Act and

in all respects as are claims for compensation under this Act

so collected and

all sums paid as compensation

shall keep and

help as may be necessary for the proper

ance of the duties imposed upon him by the provisions of this Act, and may also

remove them. The insurance commissioner and such deputies and assistants shall be entitled to receive their actual and necessary expenses while traveling on the business of the fund, but all such salaries and all expenses so authorized by the provisions of this Act shall be charged to and paid out of said accident fund.

SEC. 47. Disbursements from said accident fund shall be made promptly when due, but only upon warrants approved by the state board of control upon vouchers therefor transmitted to it by the insurance commissioner. If at any time there shall not be sufficient money in said fund wherewith to pay the same, the employer on account of whose workmen it was that such warrant was drawn shall pay the same, and he shall be credited upon his next contribution to such fund the amount so paid, with interest thereon at the legal rate, from the date of such payment to the date such next following contribution becomes payable, and if the amount of the credit shall exceed the amount of the contribution he shall be repaid such excess.

SEC. 48. If this Act shall be repealed, all moneys which are in the accident fund at the time of such repeal shall be subject to disposition under the direction of the superior court for the county of Sacramento, with due regard, however, to the obligation incurred and existing to pay the compensation under the provisions of this Act, and the expenses of administering said fund.

AMENDMENT No. 14.

Amend Section 51 to Section 72, inclusive, by striking out those entire sections inclusive.

AMENDMENT No. 15.

Amend Section 83 by striking out subsection (b) lines 10 to 19, inclusive page 52.

WRIGHT,
OWENS,
Committee.

Senate Bill No. 905 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 38, A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentence, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1085, An Act to amend Sections 3764, 3771, 3897 and 3898 of the Political Code of the State of California, and to add to said Political Code two new sections to be numbered 3773 and 3785*b*, all relating to property sold to the state for delinquent taxes and providing for its disposal by sale and redemption.

Also, Senate Bill No. 1460, An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604*a*, providing for the formation of religious corporations.

Also: Senate Bill No. 1284—An Act entitled an Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

Also, Assembly Bill No. 1578, An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Senate Constitutional Amendment No. 38 ordered on file.

Senate Bills Nos. 1085, 1460 and 1284 and Assembly Bill 1578 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 49, An Act relating to the sale and carrying of dangerous weapons.

Also, Senate Bill No. 208, An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Also: Senate Bill No. 277—An Act to permit the seeking or use of false pretenses to obtain property or credit.

Also: Senate Bill No. 648—An Act to amend the Code of Civil Procedure by adding thereto Title VI, Part III, relating to the enjoyment of homicide and proceedings thereof.

Also: Senate Bill No. 788—An Act to provide for the inspection of the sale, quantity of foodstuffs and drugs intended to be used or consumed for sale as food for human beings, and to enforce the provisions of chapter 415 of the statutes and providing penalties for the violation thereof.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 49, 208, 277, 627 and 788 ordered on file for second reading.

REPORTS OF COMMITTEES.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Elections to which was referred Assembly Bill No. 1735—An Act to amend Sections 1196 and 1198 of the Political Code, relating to the challenging of voters, have had the same under consideration, and respectfully report the same back, with recommendation that Section 1196 be stricken out as amended.

HEWITT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1523—An Act to amend Section 1207 of the Political Code, relating to the qualifications of electors, have had the same under consideration, and respectfully report the same back, with recommendation that it do pass as amended.

HEWITT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1732—An Act to amend Section 1147 of the Political Code, relating to the disposal of ballots when a challenge or a protest affecting an entire precinct is made, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEWITT, Chairman.

Assembly Bills Nos. 1735, 1523 and 1732 ordered on file for second reading.

REPORTS OF PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 881—An Act to provide for the establishment of infirmary of state hospitals for the insane, the Superior Court Judges of counties in the district, persons and of plans and bids, and repealing an Act entitled "An Act to provide for the establishment of infirmary of state hospitals for the insane, the Superior Court Judges of counties in the district, persons and of plans and bids, and repealing an Act entitled 'An Act to amend Section 1 of

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter—begs to report that it has met a like committee of the Assembly, consisting of Assemblymen Schmitt, Sutherland and Bradford, and to further report that such Free Conference Committee has agreed that said Assembly Bill No. 68 be amended in the following particulars:

Strike out all following the enacting clause and insert in lieu thereof the following:

SECTION 1. Section 18 of an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records, approved June 16, 1906, as amended by an Act approved March 6, 1909, as amended by an Act approved February 3, 1911," is hereby repealed, it being the intention of the Legislature of the State of California to remove the limit of time within which actions may be commenced under the provisions of this Act.

Also: By amending the title so that it shall read: "An Act to amend an Act entitled 'An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records approved June 16, 1906, as amended by an Act approved March 6, 1909, as amended by an Act approved February 3, 1911,' so as to repeal Section 18 thereof, relating to the time within which actions may be commenced."

KEHOE
SHANAHAN
BENSON.
SCHMITT
BRADFORD
SUTHERLAND

The question being on the adoption of the report of the Committee on Free Conference.

The roll was called and the report of the Committee on Free Conference on Assembly Bill No. 68 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Brandon, Breed, Bunker, Caminetti, Campbell, Cassidy, Cogswell, Finn, Gates, Gerdt, Hewitt, Jones, Juilliard, Larkins, Lyon, Regan, Rush, Strobridge, Tyrrell, and Wright—25.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 391—An Act to establish police courts in cities of the sixth class and to fix their jurisdiction, have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or any municipal corporation existing under freeholders' charter or otherwise, or any town, or city or municipal corporation, in the State of California, to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits as a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing, and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Also: Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for roads upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or with-

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Elections and Reapportionment, to whom was referred Assembly Bill No. 880—An Act to regulate and prevent fraudulent practices at elections, to prevent undue influence thereat, and to provide for the punishment of persons guilty of violating the provisions of this Act, and repealing all Acts and parts of Acts inconsistent herewith, to which bill and to the Act sought to be amended thereby, numerous amendments have been proposed, has had the same under consideration, and respectfully reports that said bill be amended as follows:

Also: Amend Assembly Bill No. 880—An Act to amend Section 26 of an Act entitled "An Act to provide for the registration of voters, the conduct of elections, the prevention of fraud and corruption at elections, the declaration of the results thereof, and the punishment of persons guilty of violations of this Act," approved March 10, 1911.

MOTION TO RECONSIDER.

Pursuant to his notice given on the previous day, Senator Caminetti moved that the vote whereby Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess—was refused passage, be reconsidered.

SPECIAL ORDER SET.

Senator Caminetti moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1698 was refused passage be made a special order for Friday, April 11, 1913, after the consideration of the special order already set for that day.

Motion carried.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Jones, the Senate took up the consideration of Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California, and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs, and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

By striking out of Section 5, line 29, the word "shall", and inserting in lieu thereof the word "may".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 277, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Birdsall, the Senate took up the consideration of Senate Bill No. 1130.

Senate Bill No. 1130.—An Act to amend Section 4289 of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, copyists and employees of the county officers of counties of the fifty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1130 passed by the following vote:

AYES—Senators Anderson, Belshe, Benson, Bigelow, Bowers, Boynd, Bryant, Butler, Chandler, Campbell, Cogswell, Coleman, Finn, Flint, Gates, Gerdes, Gesmer, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Rigdon, Sanford, Savage, Tyrrell, and Wright—26.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Strobridge, as a special committee of one, to amend as follows:

By striking out of line all After the word "assistants", and inserting the following: "relating to the compensation of officers of counties of the fifty-first class."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1130, with instructions to amend, respectfully reports the same back amended as per instructions.

S. STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print, engrossed and to the Assembly.

ADJOURNMENT.

At five o'clock and forty minutes p. m., on motion of Senator Wright, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 9, 1913.

The Senate met at ten o'clock a. m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Belshe, Benson, Bigelow, Bowers, Boynd, Bryant, Butler, Chandler, Campbell, Cogswell, Coleman, Curtin, Finn, Flint, Gates, Gerdes, Gesmer, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Metz, Owens, Regan, Rigdon, Sanford, Savage, Strobridge, Thompson, Tyrrell, and Wright—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 8, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1076 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code, relating to duties of tax collector.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 673 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office.

Also: Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2625a, relating to the time for notice of loss in casualty or accident insurance policies.

Also: Assembly Bill No. 2034—An Act creating a reclamation district to be called and known as "Reclamation District No. 1600", providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 26 read first time, and referred to Committee on Finance.

Assembly Bill No. 1740 read first time, and referred to Committee on Insurance.

Assembly Bill No. 2034 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference, which had under consideration Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911—and said committee has been discharged.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 232 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 132—An Act to add a new section to the Penal Code of the State of California, relating to the examining of bonds and indemnifying of owners, to be known as and numbered 2856 of said code.

Also: Committee Substitute for Senate Bill No. 1270—An Act relating to real estate brokers in the State of California; creating a board to be known as the state advisory board, providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

Also: Senate Bill No. 7—An Act providing for the completion and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Also: Senate Bill No. 247—An Act providing for the completion and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 1078—An Act to amend Section 2 of an Act entitled "An Act to prohibit contracts on behalf of the State for publication of the statutes, constitution, reports or supplements of any state government, bindings, work or other state printing of any kind and to repeal an Act entitled 'An Act to prohibit contracts on behalf of the State by county officers and boards, approved March 28, 1876,' approved March 22, 1909.

Also: Senate Bill No. 1330—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theater or other place of indoor amusement and fixing penalty thereof.

Also: Senate Bill No. 1512—An Act to amend Section 3787 of the Civil Code of the State of California, relating to vendor [illegible] sold by the vendee.

Also: Senate Bill No. 741—An Act to amend Section 2, 3, 4, 10 and 20 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes and for the ascertainment of compensation therefor, and for assessment of benefits thereon to pay the expenses of such improvements," approved March 24, 1903, and to add two new sections to said Act to be numbered Sections 26a and 43a, relating to assessments and the levy of certain special taxes, notices, orders and determinations.

Also: Senate Bill No. 950—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for the collection and to direct the disposition of the proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of those claiming adversely to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, successions, devises, bequests and transfers, to provide for its collection and to direct the disposition of the proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of those claiming adversely to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, successions and devises, to provide for the collection and to direct the disposition of its proceeds,' approved March 31, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Also: Senate Bill No. 742—An Act to amend Section 2, 3, 10, 12 and 13 of an Act entitled "An Act to provide for [illegible] and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and adding a new section to said Act to be known as Section [illegible] relating to reassessments.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1719—An Act to amend Section 30 of an Act entitled "An Act providing for the laying out, constructing, improving and [illegible] of main public highways in any county, providing for the issuing, sale and selling of county bonds, and the acceptance of donations to pay for such work and expenses

ments, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits, and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

Also: Senate Bill No. 984—An Act to compel users of locomotive steam boilers to install and maintain safety appliances on boilers, for indicating low water or otherwise preventing explosions.

Also: Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

Also: Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Also: Senate Bill No. 1240—An Act to amend Sections 10*e*, 10*f*, 10*n* and 10*r* of, and to add two new sections, to be numbered 10*p* and 10*q*, to an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Also: Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

Also: Senate Bill No. 1114—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof, and dissolving all levee districts, swamp land districts and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500; providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 144—An Act to amend Sections 3, 5, 6 and 7 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1700—An Act to provide for the construction of municipal rail highways—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary.

CARR, Chairman.

Senate Bill No. 144 ordered on file for second reading.

Senate Bill No. 1700 ordered re-referred to Committee on Judiciary.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the

State of California, relating to the salaries now and hereafter of officers in counties of the third class," have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 312 ordered on the file for second reading.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1126—An Act to regulate and license the exhibition of motion picture films and to regulate the use thereof in the State of California.

Also, Senate Bill No. 735—An Act to amend Sections 311, 312 and 313 of the Penal Code, relating to indecent exhibitions and prize fights and the betting of bets or wagers upon the result thereof.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

PURKITT, Chairman.

Senate Bills Nos. 1126 and 735 ordered on the file for second reading.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1214—An Act to amend an Act entitled "An Act to provide a system of county road boundary commissioners," approved April 1, 1907, and all Acts amendatory thereof, and supplemental thereto.

Also, Assembly Bill No. 1401—An Act to amend Sections 870 and 871 of the Political Code, relating to the appointment and term of office of notaries public.

Also, Assembly Bill No. 1434—An Act authorizing the management and control and disposition of the surplus earned by the treasurer of any county and county and county or consolidated city and county.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

PARKER, Chairman.

Senate Bill No. 1214 ordered on the file for second reading.

Assembly Bills Nos. 1401 and 1434 ordered on the file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 237—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

On motion of Senator Breed, Senate Bill No. 237 was passed on the

Committee Substitute for Senate Bill No. 588—An Act to amend Sections 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 13, 1907, and repealing conflicting Acts.

In the absence of the author, Senate Bill No. 588 was passed on the

Senate Bill No. 411—An Act to amend Section 5254 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

On motion of Senator Curtin, Senate Bill No. 411 was passed on the file to retain its place.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our

Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

On motion of Senator Boynton, Senate Joint Resolution No. 25, with the pending substitute, was ordered re-referred to Committee on Federal Relations.

Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 414 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building inter-county bridges.

On motion of Senator Caminetti, Senate Bill No. 967 was passed on file, to retain its place.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Butler, as a special committee of one, to amend as follows:

On page 1, line 6, of the printed bill, strike out the period after the word "required", and insert in lieu thereof the following: "; *provided*, that this shall not apply to institutes and sanitoria not employing nurses in regular attendance, and where patients are not confined to their rooms."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 123, with instructions to amend, respectfully reports the same back, amended as per instructions.

BUTLER, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines.

On motion of Senator Wright, Senate Bill No. 1649 was passed on file.

Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

In the absence of the author, Senate Bill No. 565 was passed on file.

Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 53 passed by the following vote:

AYES—Senators Anderson, Boles, Burnett, Breed, Brown, Butler, Campbell, Campbell, Cary, Cassidy, Caminetti, Chan, Flint, Gates, Gerdes, Gerrit, Jones, Leyland, Kehoe, Lockyer, Lyon, Rush, Scott, Shanahan, Thompson, and Wyman—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 424—An Act to amend Section 1058 of the Political Code of the State of California, relating to the qualifications of a voter.

On motion of Senator Gray, Senate Bill No. 424 was ordered to the file of unfinished business.

Assembly Bill No. 512—An Act to provide for the licensing, supervising and regulating of maternity hospitals or lying-in asylums and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

On motion of Senator Gates, Assembly Bill No. 512 was passed on the

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Butler, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended Mr. J. H. Brawley, of Pasadena, and Mr. Arthur Brawley.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1195—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1895, by amending Section 10 thereof.

On motion of Senator Caminetti, Senate Bill No. 1195 was ordered to the file of unfinished business.

Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer to Senator Kehoe, as a special committee of one, to amend as follows:

Insert in Section 2, page 10, line 25, of the printed bill, between the figures "8" and "12", the figure "7".

Motion carried.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1222, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

On motion of Senator Cohn, Senate Bill No. 1114 was passed on file.

Senate Bill No. 7—An Act providing for the construction and equipment of a classroom building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Strobridge, as a special committee of one, to amend as follows:

By striking out of Section 1, line 4, the word "for," and inserting in lieu thereof the word "toward".

Also: On page 1, Section 1, line 5, between the words "building" and "on," insert the following: "which shall not cost to exceed the sum of four hundred thousand dollars".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 7, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 247—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 247 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1512—An Act to amend Section 2787 of the Civil Code of the State of California, relating to county treasurers filed by the county.

Read third time.

On motion of Senator Breed, Senate Bill No. 1512 was passed on file.

Senate Bill No. 1443—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634, relating to the protection of fish.

In the absence of the author, Senate Bill No. 1443 was passed on file.

Senate Bill No. 1553—An Act to amend Sections 2, 5, 9, 14, 16, 22 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property thereon to pay the expenses of acquiring such land," approved April 22, 1909, and to add to said Act a certain section, to be numbered Section 32, relating to the manner of effecting certain land acquisitions.

In the absence of the author, Senate Bill No. 1553 was passed on file.

Senate Bill No. 1339—An Act to add a new section to the Penal Code to be numbered Section 375, making it a misdemeanor to sell or permit to be sold tickets in excess to the seating capacity of the theatre or other place of indoor assemblage and fixing penalty thereof.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1339 passed by the following vote:

AYES—Senators Boynton, Breed, Burnett, Burnett, Burnett, Burnett, Finlayson, Campbell, Cassidy, Cutler, Elliot, Gerdes, Gerdes, Gerdes, Jones, Juilliard, Kehoe, Lawlor, Lee, Leland, Sanderson, Thompson, and Tyrrell—26.

NOES—Senators Anderson, Carr, Cartwright, Caminetti, Main, Rigdon, Stroblidge and Wright—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1328—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1328 passed by the following vote:

AYES—Senators Anderson, Belshaw, Birdsall, Boynton, Breed, Burnett, Burnett, Butler, Campbell, Carr, Cartwright, Cassidy, Caminetti, Cutler, Elliot, Gerdes, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lee, Main, Owens, Rigdon, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 10 and 30 of an Act entitled "An Act to provide for the laying out, opening,

extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, and to add a new section to said Act, to be numbered Section 33*a*, relative to the form of notices, resolutions, orders and determinations subsequent to the ordinance of intention.

In the absence of the author, Senate Bill No. 743 was passed on file.

Senate Bill No. 742—An Act to amend Sections 2, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvement and adding a new section thereto, to be numbered Section 3*a*, relating to the payment by the city of a portion of the cost of the improvement.

In the absence of the author, Senate Bill No. 742 was passed on file.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, inn keepers and warehouse men in the sale of unclaimed property.

In the absence of the author, Senate Bill No. 1567 was passed on file.

Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of text-books for use in public schools of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1007 passed by the following vote:

AYES—Senators Beban, Breed, Bryant, Caminetti, Campbell, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, and Tyrrell—25.

NOES—Senators Anderson, Avey, Brown, Butler, Carr, Cogswell, Grant, Jones, Strobridge, Thompson, and Wright—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER RESET.

On motion of Senator Shanahan, the further consideration of the objections of the Governor to Senate Bill No. 383 was made a special order for eleven o'clock a.m., on Tuesday, April 15, 1913.

CONSIDERATION OF SPECIAL ORDERS.

Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

On page 2, at end of Section 2, between lines 15 and 16, insert the following paragraph: "Nothing in this Act shall be construed or so as to affect the methods of a restraining order or injunction in pursuit as shown the use or force or violence or threats thereof."

Motion carried.

SPECIAL ORDER SET.

Senator Campbell moved that the further consideration of Senate Bill No. 53 and pending amendments be made a special order for eleven o'clock a.m. on Thursday, April 9, 1913, and that pending amendments be printed in the Journal.

The question being on the adoption of the motion,

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Campbell, Shanahan and Anderson.

The roll was called, and the motion carried by the following vote:

AYES—Senators Beban, Bryant, Campbell, Caminetti, Carpenter, Cartwright, Curtis, Finn, Flint, Gerdes, Gesford, Hayes, Hewitt, Hoover, Inman, Lewis, Owens, Regan, Rush, Sanford, Shanahan, and Tyrrell—21.

NOES—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Cary, Cassidy, Caswell, Gates, Grant, Hewitt, Jones, Main, Stetson, Thompson, and Wright—17.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 397a, relating to the sale or disposal of intoxicating liquors between certain hours.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Regan moved to refer to Senator Finn, as a special committee of one, to amend as follows:

By striking out of Section 1, line 7, the words "one o'clock a.m. and four o'clock a.m." and inserting in lieu thereof the following: "2 o'clock a.m. and 6.15 o'clock a.m."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 142, with instructions to amend, respectfully reports the same back amended as per instructions.

FINN, Committee.

Report read.

The question being on the adoption of the report,

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Beban, Bryant, Campbell, Caminetti, Carpenter, Curtis, Finn, Flint, Gerdes, Hayes, Lewis, Owens, Regan, Rush and Wright—15.

NOES—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Cary, Campbell, Caswell, Gates, Grant, Hewitt, Jones, Kehoe, Lukens, Main, Sanford, Shanahan, Strobridge, and Thompson—20.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Wright, the hour of recess was extended until one o'clock p.m.

CONSIDERATION TEMPORARILY POSTPONED.

On motion of Senator Finn, the further consideration of Senate Bill No. 142 was temporarily postponed.

TIME OF RECESS EXTENDED.

At one o'clock p.m., on motion of Senator Thompson, the hour of recess was extended until one o'clock and forty minutes p.m.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1114 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the county.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

Strike out of line 4 of the title the words "filed by the county", and insert in lieu thereof the words "filled by the court".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1512, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

MOTION TO RECONSIDER.

Senator Wright moved to reconsider the vote whereby Senate Constitutional Amendment No. 9—A resolution to propose to the people of

the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office—was refused passage.

The question being on the motion to reconsider

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, one o'clock and thirty-five minutes p. m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ayer, Beban, Benson, Bennett, Bonnifield, Black, Bunkers, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Caswell, Colton, Curtin, Finn, Flint, Gates, Gerdes, Gerrie, Hans, Hewitt, Holland, Jones, Judson, Kehoe, Lackner, Leake, Lewis, Mott, Owens, Regan, Sanford, Saunders, Scott, Shearer, Thompson, Tyrrell and Wright.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and thirty-seven minutes p. m., further proceedings were dispensed with, on motion of Senator Wright.

The roll of absentees was called, and the vote whereby Assembly Constitutional Amendment No. 9 was refused adoption was reconsidered by the following vote:

AYES—Senators Beban, Benson, Bennett, Black, Bunkers, Caminetti, Campbell, Cartwright, Cassidy, Caswell, Colton, Curtin, Finn, Flint, Gates, Gerdes, Gerrie, Hans, Hewitt, Holland, Jones, Judson, Lackner, Leake, Regan, Sanford, Saunders, Scott, Shearer, Thompson, Tyrrell, and Wright—28.

NOES—Senators Anderson, Ayer, Bonnifield, Bryant, Butler, Carr, Caswell, Jones, Kehoe, and Mott—10.

Senate Constitutional Amendment No. 9 ordered on file.

CONSIDERATION OF BILL — RESUMED.

Senator Finn moved that the consideration of Senate Bill No. 142 be taken up.

Motion carried.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered three hundred ninety-seven c, relating to the sale or disposal of intoxicating liquors between certain hours.

Senator Curtin moved that the further consideration of Senate Bill No. 142 be postponed until three-thirty o'clock p. m. this day.

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Regan, as a special committee of one, to amend as follows:

On line 8, of the printed bill, after the word "restaurant" strike out the period and insert a colon and the following: "*Provided*, however, that nothing in this Act shall apply to bona fide restaurants and hotels which have dining rooms where meals are served, and which restaurants and hotels are situated in unincorporated cities and towns, and which hotels have not less than twenty-five rooms, and which

restaurants have not less than twenty-five tables, and which liquors are served to their guests to be consumed during such meals."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 142, with instructions to amend, respectfully reports the same back, amended as per instructions.

REGAN, Committee.

The question being on the adoption of the report of the committee.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Beban, Birdsall, Bryant, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Juilliard, Regan, Tyrrell, and Wright—15.

NOES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Gates, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Sanford, Shanahan, Strobridge, and Thompson—23.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—27.

NOES—Senators Beban, Birdsall, Bryant, Cassidy, Cohn, Finn, Flint, Gerdes, Hans, Regan, and Wright—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER RESET.

Senator Wright moved that the further consideration of Assembly Bill No. 958 be made a special order for two o'clock p.m., on Wednesday, April 9, 1913.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 1596a—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

FINN, Chairman.

Senate Bill No. 177 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1072—An Act to amend Section 1734 of the Political Code of the State of California, relating to the annexation of school districts to high school districts, and to the exclusion of school districts from union or joint union high school districts.

Also: Senate Bill No. 812—An Act entitled "An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Also: Senate Bill No. 727—An Act to amend an Act entitled "An Act to license the creation of public bonfires and pyrotechnic entertainments," approved April 2, 1909.

Also: Senate Bill No. 1109—An Act to amend Section 1060 of the Code of Civil Procedure of the State of California, relating to the manner of taking depositions and to the procedure for the decision of motions.

Also: Assembly Bill No. 117—An Act to amend Section 1442 of the Political Code of the State of California, relating to the compensation of boards of school trustees and the number of district wards.

Also: Assembly Bill No. 442—An Act to amend Section 1506 of the Political Code of the State of California, relating to the fixing the number of school trustees.

Also: Assembly Bill No. 443—An Act to amend Section 1771 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Also: Assembly Bill No. 434—An Act to amend Section 1743 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Also: Senate Bill No. 1095—An Act to amend Section 1776 of the Political Code of the State of California, relating to the establishment of joint union township school courses of study.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ANAN, Chairman.

Senate Bills Nos. 1072, 812, 737, 1109 and 1095 ordered on file for second reading.

Assembly Bills Nos. 441, 442, 443 and 434 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 384—An Act to add a new section to the Penal Code of California, to be numbered 1723, relating to the sale, furnishing for sale, exhibiting for sale, giving away or serving to, visitors, customers or other applicants, liquors or beverages on same grounds used for exposition purposes where such exposition is held in part, have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

BULLEN, Chairman.

Senate Bill No. 384 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 25—A resolution relative to the protection of the cities from industry of the State of California, and requesting our Senators and Representatives in Congress to use their best influence in accomplishing any reduction in the duties on cities fruits—and the reduction of Spanish Standard have had the same under consideration, and respectfully report back a substitute resolution therefor, and recommend that the same be adopted.

WRIGHT, Chairman.

Senate Joint Resolution No. 25 ordered on file.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 449—An Act making an appropriation for the investigation of horticultural problems and conditions in Stanislaus County and providing for the employment near the town of Denair in said county of a locally experienced scientist for the purpose of prosecuting said work, co-operating under the appropriation of the United States of America of the like or greater sum for the same purpose—have had the same under consideration and respectfully report the same back and recommend that it do pass **and be re-referred to Committee on Finance.**

COGSWELL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 435—An Act to promote the agricultural interests of the State of California, to provide for the appointment of a board of agricultural commissioners, or a chief agricul-

turist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended and be re-referred to Committee on Finance.

COGSWELL, Chairman.

Senate Bills Nos. 449 and 435 ordered re-referred to Committee on Finance.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Anderson: Permission to introduce a Senate bill—An Act to provide for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence, and providing for dispensaries under the direction of the State Board of Health, and making an appropriation therefor.

By Senator Breed: Permission to introduce a Senate bill—An Act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation hereof; to create the office of corporation commissioner; to provide for his appointment and to define the powers and duties of such corporation commissioner, and making an appropriation therefor.

Requests referred to Committee on Introduction of Bills.

RECESS.

At one o'clock and forty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Assembly Bills.

Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

During second reading of the bill, the following amendments were offered by the Committee:

AMENDMENT No. 1.

Amend the title by striking out all of line 2 after the word "appropriation", and all of lines 3, 4, 5 and 6, and inserting in lieu thereof the following: "to pay the claim of the town of Suisun City against the State of California."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, strike out all on the line after the word "the," and all of lines 4, 5 and 6, and insert in lieu thereof the following: "state of the town of Susanville against the State of California."

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1174—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 638—An Act to regulate the production and sale of certified milk, cream, ice cream, butter and cheese, and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 637—An Act to prevent the importation into the State of California of horses, mules, asses or cattle which are affected with any infectious or contagious disease, to provide for the inspection of such animals before they are brought into the State, to repeal the Act entitled "An Act to prevent the importation of cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911, to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend by striking out all of lines 7 to 12, inclusive, on page 1, and the words "state veterinarian" in line 13 on page 2, and inserting in lieu thereof the words "practicing veterinarian who is a graduate of a duly recognized and accredited veterinary college of good standing".

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "been" in line 1 on page 3.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "suffocated" in line 1 on page 3, and inserting in lieu thereof the word "reacted".

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out all of Section 2 on page 3.

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the figure "3" in line 28 on page 3, and inserting in lieu the figure "2".

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out the figure "4" in line 31 on page 3, and inserting in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT No. 7.

Amend by striking out the figure "5" in line 36 on page 3, and inserting in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT. No. 8.

Amend by striking out the figure "6" in line 4 on page 4, and inserting in lieu thereof the figure "5".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 154—An Act to amend Section 1034 of the Code of Civil Procedure of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532*a*.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller, as provided in Section 3572 of said Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, and relating to threats against life and providing a punishment therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of

works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

During second reading of the bill, the following amendment was offered by the committee:

On page 6, line 16, of the printed bill after the period strike out the rest of line 16, and all of lines 17, 18, 19 and 20.

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, line 14, between the words "within the county" and the words "of the court", insert the words "in which said child was at the time of its petition said child resides".

Amendment adopted.

AMENDMENT No. 2

On page 2, line 16 between the words "as an infant" and the words "or as an abandoned child", insert the words "or in which said child resides".

Amendment adopted.

AMENDMENT No. 3

On page 1, lines 2 and 3, strike out the following: "relating to the adoption of children and the consent necessary thereto, approved April 12, 1941, as amended,".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1735—An Act to amend Sections 1220 and 1235 of the Political Code, relating to the challenging of voters.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 4, of the printed bill, strike out the word "precinct" and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT No. 2

On page 2, line 21, of the printed bill, insert the word "conservative" immediately after the word "any" and before the word "one".

Amendment adopted.

AMENDMENT No. 3

On page 2, line 22, of the printed bill, strike out the words "person challenging", and insert in lieu thereof the word "judges".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1523—An Act to amend Section 1083 of the Political Code, relating to the qualifications of electors.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, insert the word "native" immediately after the word "every" and before the word "citizen."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, of the printed bill, strike out the word "right," and insert in lieu thereof the word "rights".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 6, of the printed bill, strike out the word "Queretario," and insert in lieu thereof the word "Queretaro".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, of the printed bill, insert the words "or she" immediately after the word "he" at the end of said line.

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 11, of printed bill, insert the words "or her" immediately after the word "his" and before the word "vote."

Amendment adopted.

Bill read second time, and ordered to print and third reading

Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California, to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its fund as deemed necessary toward the acquisition of such a site.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, at the end of the last line in the title, replace the period with a comma, and add the following: "also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose."

Amendment adopted.

AMENDMENT No. 2.

On page 2, at the end of Section 2, add the following:

"Any city and county, or county or city operating under freeholder's charter or otherwise, or any town or any municipal corporation in the State of California, is hereby authorized and empowered to incur indebtedness for any of the purposes mentioned in this Act. Where an election has been held in accordance with the laws of the state in any such city and county, or county and city operating under freeholder's charter, or otherwise, or any town or any municipal corporation in the State of California, and the necessary two thirds of all the qualified electors voting thereat shall have voted in favor of incurring an indebtedness for any of the purposes

specified in this Act, all the proceedings leading up to the issuance and payment of bonds for any such purpose are hereby legalized, ratified and declared valid to all intents and purposes, and the power to issue such bonds is hereby confirmed, and all bonds that may be sold in accordance with the provisions of this Act, not less than their par value, may hereby be issued by the legislative authority of and against the city and county, or county or city operating under freeholder's charter or otherwise, or any town or city operating under freeholder's charter, or otherwise, or any town or any municipal corporation in the State of California, as herein provided for, and the proceeds of the payment and redemption of the principal and interest of such bonds, in accordance with the provisions thereof, pursuant thereto, this Act shall not operate to legalize any bonds which have been sold for less than their par value, or any bonds which have not, at the time this Act shall take effect, been authorized by the vote of two-thirds of the qualified electors of such city and county, or county or city operating under freeholder's charter, or otherwise, or any town or any municipal corporation in the State of California voting at such election."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 849.—An Act to authorize and empower municipal corporations which own or possess tidal lands, or title thereto, of any harbor or other navigable waters therein, to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters, and to prevent the exclusion or obstruction thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 883.—An Act to amend Section 27 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 148.—An Act providing that one half of the cost and expenses of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the state harbor improvement fund.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 5, of the title, strike out the words "state harbor improvement", and insert in lieu thereof the word "general".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 2, line 7, of the printed bill, strike out the word "examiners", and insert in lieu thereof the word "control".

Amendment adopted.

AMENDMENT No. 3.

On page 2, Section 2, line 4, of the printed bill, strike out the word "examiners", and insert in lieu thereof the word "control".

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 4, line 13, of the printed bill, strike out the word "examiners", and insert in lieu thereof the word "control".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 48—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

SENATOR THOMPSON IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 1, strike out the word "It", and insert in lieu thereof the word "There".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 2, strike out the word "five", and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 548.—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 964.—An Act to amend Section 548 of the Political Code.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 965.—An Act to amend Section 935 of the Political Code.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1357.—An Act to amend Section 1664 of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1009.—An Act to grant to boards of health or health officers, in cities and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 965.—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees and the dependents of such employees, for accidental injuries or death in the course of the employment, irrespective of the fault of either party, and to provide for the settlement of disputes by the Industrial Accident Commission, by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration, by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety, to require reports of industrial accidents, to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations, to change the name of the Industrial Accident Board to Industrial Accident Commission, to provide for its organization, define its powers and duties and provide for a review of its orders, decisions and awards and appropriating money to carry out the provisions of this Act, and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

In the absence of the author, Senate Bill No. 965 was passed to file.

Senate Bill No. 1085.—An Act to amend Sections 3704, 3771, 3897 and 3898 of the Political Code of the State of California, and to add to said Political Code two new sections, to be designated as Sections 3774 and 3785*b*, all relating to property sold to the State for delinquent taxes and providing for its disposal by sale and redemption.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 9, of printed bill, strike out the comma after the word "court".

Amendment adopted.

AMENDMENT No. 2

On page 2, line 2, of the printed bill, after the comma following the word "however," insert the following: "either before publication of said list the tax collector and auditor shall jointly arrange said list in such manner".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 1, of the printed bill, strike out all commencing with the word "If", in said line 1, down to and including the period following the word "section", in line 4, and insert in lieu thereof the following: "After such bid has been made and accepted the right of redemption shall cease, except as to the purchaser, who shall have thirty days within which to make redemption, as provided in Section 3785*b* of this code; and if not so redeemed, or if no sale is had under the provisions of this paragraph, then said property shall be deeded to the state, as provided in Section 3785 of this code: *and provided, further*, when any property is to be sold at public auction, as provided in this section, within five days after the first publication of said delinquent list, the tax collector shall mail a copy of said list or publication, postage thereon prepaid and registered, to the party to whom the land was last assessed next before such sale, at his last known post-office address."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 6, of the printed bill, after the period, add the following: "The charge for advertising shall be at the rate fixed by the board of supervisors for other advertising in said county."

Amendment adopted.

AMENDMENT No. 5.

On page 5, line 18, after the word "mail", insert the following: "within five days after the publication of said notice of sale."

Amendment adopted.

AMENDMENT No. 6.

On page 8, line 20, of the printed bill, strike out the words "all the facts recited therein", and insert in lieu thereof the following: "the regularity of said sale and of all proceedings leading up thereto."

Amendment adopted.

AMENDMENT No. 7.

On page 9, in line 7, of the printed bill, after the word "penalties", insert a comma and the word "interest".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1460—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604*a*, providing for the formation of religious corporations.

In the absence of the author, Senate Bill No. 1460 was passed on file.

Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

During second reading of the bill, the following amendments were offered by the committee:

COMMITTEE AMENDMENTS TO SENATE BILL NO. 49.

On page 1, of the printed bill, beginning with and including line 14 thereof, strike out the rest of the bill, and insert in lieu thereof the following:

"SEC. 2. Any person who carries or possesses an instrument or weapon commonly known as a blackjack, slungshot, billy, sand club, sand bag, metal knuckles, dirk, dagger, or knife with a blade longer than three and one half inches, is guilty of a misdemeanor.

SEC. 3. Any person who manufactures, or causes to be manufactured, or sells or keeps for sale, or offers, or gives, or disposes of any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sand club, sand bag, or metal knuckles, to any person; or a person who offers, sells, loans, leases, or gives any gun, revolver, pistol or other firearm or any airgun, spring-gun or other instrument or weapon in which the propelling force is a spring or air, or any instrument or weapon commonly known as a toy pistol or in which any loaded or blank cartridges are used, or may be used, or any loaded or blank cartridges or ammunition for the same, to any person under the age of sixteen years, is guilty of a misdemeanor.

SEC. 4. Any person under the age of sixteen years, who shall have, carry or have

[illegible]

Amendment adopted

Bill read second time, and ordered to print, engrossment and third reading

Senate Bill No. 208—An Act to amend Section [illegible] of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property

During second reading of the bill, the following amendments were offered by the committee

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, strike out the word "Fourth"

Amendment adopted.

AMENDMENT No. 2

On page 1, line 4, of the printed bill, strike out the letter "f" in the word "after", and insert in lieu thereof the capital letter "A"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading

Senate Bill No. 277—An Act to punish the making or use of false statements to obtain property or credit

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out all of the title after the words "An Act", and insert in lieu thereof the following: "To add a new section to the Penal Code of the State of California, to be known as Section 532*a*, declaring the use of false statements for the purpose of obtaining property or credit to be a crime, and prescribing the punishment therefor."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the words "Any person," and insert in lieu thereof the following: "A new section is hereby added to the Penal Code, to be numbered 532*a*, and to read as follows:"

Amendment adopted.

AMENDMENT No. 3.

After the above amendment, and on a separate line, add the following: "532*a*. Any person,".

Amendment adopted.

AMENDMENT No. 4.

Renumber the lines.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto Title five *a*, Part three, relating to the support of bastards, and proceedings therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, after the words "Section 1", strike out all of lines 1 and 2, and insert in lieu thereof the following: "A new section is hereby added to Part III of the Code of Civil Procedure of the State of California, to be numbered Title V*a* and to read as follows:"

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 15, of the printed bill, strike out the word "procedings", and insert in lieu thereof the word "proceedings".

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 25, of the printed bill, strike out the words "made in travail".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 788—An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or ordered or exposed for sale in containers, and providing penalties for the violation thereof.

In the absence of the author, Senate Bill No. 788 was passed on file.

Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training

of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 6 of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6 of the printed bill, insert a comma (,) immediately after the word "discretion", and add the following immediately after the word "discretion" and before the word "cause": "after a careful investigation of all the circumstances of the case,".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 10 of the printed bill, strike out the semicolon (;) immediately after the word "criminally", and in lieu thereof insert a period (.).

Amendment adopted.

AMENDMENT No. 4.

On page 1, lines 10, 11, 12, 13 and 14 of the printed bill, strike out all of the said lines after the word "criminally" in line 10.

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 14 of the printed bill, strike out the words "any sexual offense", and insert in lieu thereof the following: "rape, assault with intent to commit rape, or seduction".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 16 of the printed bill, strike out the words "and sexual", and insert in lieu thereof the following: "or sexual degenerate or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses, or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, almshouses and other places, and providing for the punishment for violations of this Act.

During second reading of the bill, the following amendment was offered by the committee:

In Section 1, line 9, after the numerals "1913", strike out the period and insert the following: ", provided, that this regulation shall not be held to prohibit the use of drinking cups, glasses, or vessels which are thoroughly cleansed by boiling in boiled water after use by each individual nor shall it be held to prohibit the use of sanitary devices for individual use only."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1004—An Act providing for the sanitary regulations in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In Section 1, line 2, after the word "soap", insert a comma and the word "towels".

Amendment adopted.

AMENDMENT No. 2.

In Section 1, line 5, after the word "prohibited", strike out the period and insert the following: "; *provided*, that this regulation shall not be held to preclude the use of the same after thorough sterilization in accordance with the provision of Section 2 of this Act".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1651—An Act to regulate the use of common towels in the State of California and providing punishment for the violation of this Act.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In Section 1, line 8, after the word "other", strike out the words "private or".

Amendment adopted.

AMENDMENT No. 2.

In Section 2, line 13, after the words "a roller towel or", strike out the letter "a", and insert in lieu thereof the word "any".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

WITHDRAWAL OF BILL.

Senator Campbell asked and was granted unanimous consent to withdraw Senate Bill No. 391—An Act to establish police courts in cities of the sixth class and to fix their jurisdiction.

Senate Bill No. 391 ordered withdrawn, and stricken from the file.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered 36, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 9, strike out the comma after the word "to", and insert the word "and".

Amendment adopted.

AMENDMENT No. 2.

On page 1, in line 10, strike out the words "and govern".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 10, strike out the word "crossing" and insert in lieu thereof the following: "in or along which"

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 1, strike out the period after the word "maintenance" and insert the word "extends"

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading

Senate Bill No. 1362. An Act to amend Section 653 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

Bill read second time, ordered engrossed and to file for third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 389. An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in certain cities, prescribing penalties and duties and exemptions and to provide penalties for the violation thereof, and repealing an Act entitled 'An Act to regulate the building and maintenance of tenement houses in incorporated cities, and providing when said cities and counties may provide penalties for the violation thereof,' approved April 1st, 1907, Statutes of California of 1909, page 948," and approved April 7th, 1911, Statutes of California of 1911, page 880.

Also, Senate Bill No. 806. An Act to amend Sections 3[illegible], 3[illegible] and 3[illegible] of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Also, Senate Bill No. 1282. An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining the powers and prescribing the duties of said department, the officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1909, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the fiscal year,' approved April 1, 1897, also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him, and them to perform certain duties relating to drainage, to purchase dredging machines, dredges, and appliances therefor, to improve and reclaim swamp and overflowed lands by public works necessary and incident to said drainage, to construct and use pumps for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a [illegible] commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof, approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 7 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers duties and salaries, and particularly to the chief engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Also: Senate Bill No. 859—An Act to amend Sections 860 and 861 of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Also: Senate Bill No. 657—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Also: Senate Bill No. 659—An Act to amend Section 4281 of the Political Code, relating to salaries and fees of officers of counties of the fifty-second class.

Also: Senate Bill 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

Also: Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth of January, the date of the discovery of gold in California, by James W. Marshall.

Also: Senate Bill No. 1310—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

Also: Senate Bill No. 1309—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Also: Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

Also: Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 880—An Act to repeal Sections 1923, 1935 and 1936 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1953, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said Code, to be known as Sections 1928a, 1928b, 1928c and 1928d, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Also: Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

Also: Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 377—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any unnavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the pur-

pose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to [illegible] the purposes of such examinations and surveys and creating a reclamation board and defining its powers," approved December 24, 1913, also creating a drainage district, to be known as Sacramento Drainage District, providing for the organization and control of said district and the making of assessments and levying of taxes thereon, also defining the powers of certain corporations, boards, drainage and reclamation districts therein, and making an appropriation to pay the expenses of the State Engineer, also making said bonds receivable as investments of all moneys in the public money and trust funds and by banks. Have had the same under consideration, and respectfully report the same back with amendments, and recommend that the substitute be adopted and do pass, and be re-referred to Committee on Finance.

BENSON, Chairman.

Senate Bill No. 377 ordered on file for second reading.

Senate Bill No. 1218 ordered re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 13—An Act to amend an Act entitled "An Act to provide for the establishment and granting of title on any property on one of the lines or divisions of public records," approved June 16, 1905, so as to provide that actions instituted thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

Also, Senate Bill No. 324—An Act relating to the formation of county [illegible] cemetery corporations and the filing of certain [illegible] in [illegible] in trust of real estate.

Also, Senate Bill No. 325—An Act to amend Section 936 of the Civil Code of the State of California, relating to property of cemetery corporations.

Also, Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 918, relating to membership in cemetery corporations and the rights of members to the same thereof.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section 4054, relating to the unclaimed burial [illegible].

Also, Senate Bill No. 323—An Act providing for the establishment and [illegible] of cemeteries and cemetery lands or plots, for cemetery associations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Also, Senate Bill No. 326—An Act to amend Section 918 of the Civil Code of the State of California, relating to the title to cemetery lots.

Also, Senate Bill No. 386—An Act conferring upon any city or city and county within this State the power under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city or city and county, and providing for collection of expenses thereby incurred.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

GATES, Chairman.

MINORITY REPORT.

The following minority report was submitted:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: The following is submitted as a minority report on Senate Bills Nos. 323, 324, 325, 326, 327 and 386, relating to cemeteries and the removal of remains therefrom. Recommend that said bills do not pass.

JUILLIARD,
CAMINETTI,
CAMPBELL,
SHANAHAN,
Members of Judiciary Committee.

Senate Bills Nos. 13, 324, 325, 327, 323, 326 and 386 ordered on file for second reading.

Assembly Bill No. 964 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

On motion of Senator Birdsall, Assembly Bill No. 199 was passed on file.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Hewitt, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1848 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13 of Article XI, relating to supervision, regulation and conduct in affairs of reclamation and drainage districts.

On motion of Senator Birdsall, Assembly Constitutional Amendment No. 47 was passed on file.

Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1503 passed by the following vote:

AYES—Senators Beban, Birdsall, Breed, Brown, Butler, Caminetti, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Kehoe, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying in asylums and institutions, boarding houses and homes for the reception and care of children by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 512 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boyd, Brown, Burbo, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Curtin, Finn, Flint, Gerdes, Gerlach, Gross, Hans, Hewitt, Kehoe, Lawrence, Leon, Mott, Owens, Rogers, Scott, Sanford, Stanbery, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 722 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boyd, Brown, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Curtin, Gerdes, Flint, Finn, Gerlach, Gross, Grunsky, Hans, Hewitt, Hurley, James, Kehoe, Lawrence, Leon, Mott, Owens, Rogers, Scott, Sanford, Stanbery, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Anderson asked, and was granted, unanimous consent to withdraw Senate Bill No. 834—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Senate Bill No. 547 ordered withdrawn, and stricken from the file.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1558—An Act to amend Sections 1198 and 1199 of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar and the destruction of unused ballots.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1558 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Butler, Campbell, Carr, Cartwright, Cassidy, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Hewitt moved a call of the Senate.

Motion carried.

Time, four o'clock and thirty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Birdsall, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Tyrrell—32.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Hewitt.

The roll of absentees was called, and Assembly Bill No. 1889 refused passage by the following vote:

AYES—Senators Anderson, Butler, Caminetti, Carr, Cogswell, Gates, Grant, Kehoe, Mott, Rush, Shanahan, and Thompson—12.

NOES—Senators Beban, Birdsall, Bryant, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Hewitt, Juilliard, Larkins, Lyon, Regan, Sanford, and Tyrrell—18.

NOTICE OF MOTION TO RECONSIDER.

Senator Hewitt gave notice that he would, on the next legislative day, move to reconsider the vote whereby Assembly Bill No. 1889 was refused passage.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Owens, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. A. B. McKenzie, of Martinez, district attorney of Contra Costa County.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to

enact ordinances prohibiting the cleaning, laundering, switching, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions, authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

On motion of Senator Finn, Assembly Bill No. 979 was passed to file.

Assembly Bill No. 1017.—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 12, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, and to permit such boards of supervisors to reconstruct or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Curtin, Assembly Bill No. 1017 was passed to file.

Assembly Bill No. 1547.—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1547 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Bonelli, Boynton, Burnett, Caminetti, Campbell, Carr, Cartwright, Chandler, Chipman, Cogswell, Curtin, Curtis, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Leonard, Lukens, Lawrence, Lyon, Mott, Owens, Regan, Rush, Shanahan, Thompson and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1040.—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1040 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Bonelli, Boynton, Burnett, Caminetti, Campbell, Carr, Cartwright, Chandler, Chipman, Cogswell, Curtin, Curtis, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Leonard, Lukens, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson and Tyrrell—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2031.—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2031 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 692 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, 1913.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 950 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628*a*, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Read third time.

On motion of Senator Campbell, Assembly Bill No. 165 was passed on file.

Assembly Bill No. 444—An Act to amend Section 1576*a* of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 444 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Black, Brown, Bryant, Burnett, Campbell, Caminetti, Carr, Chandler, Cogswell, Cosgrove, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Johnson, Kehoe, Larkins, Leret, Owens, Rigdon, Rush, Sanford, Stanton, Strobridge, Thompson, Tyrrell and Wright—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—SENATE BILL NO. 1411.

Senator Cohn moved that the Senate take up for consideration Senate Bill No. 1411.

Motion carried.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision 7, declaring permanent insanity as a further ground for divorce.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, five o'clock and fifty minutes p.m.

The President directed the Sergeant at Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Birdsall, Black, Brown, Bryant, Burnett, Campbell, Carr, Caminetti, Chandler, Cogswell, Cosgrove, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Johnson, Jones, Kehoe, Larkins, Leret, Owens, Rigdon, Rush, Sanford, Stanton, Strobridge, Thompson, Tyrrell and Wright.

The Secretary announced the absentees.

The Sergeant at Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At six o'clock p.m. Senator Brown, was brought to the bar of the Senate and, on motion of Senator Campbell, he was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At six o'clock and five minutes p.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Curtin.

The roll of absentees was called, and Senate Bill No. 1411 refused passage by the following vote:

AYES—Senators Brown, Butler, Caminetti, Cassidy, Finn, Gates, Gerdes, Hiram Hewitt, Kehoe, Mott, Rogers, Rush, Sanford, Stanton, Strobridge, Tyrrell and Wright—18.

NOES—Senators Anderson, Avey, Beban, Birdsall, Bryant, Burnett, Cogswell, Campbell, Carr, Cohn, Curtin, Flint, Grant, Jones, Justin, Larkins, Owens, and Thompson—19.

NOTICE OF MOTION TO RECONSIDER.

Senator Cohn gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1411 was refused passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article to be designated and numbered Article IXa, of Chapter III, of Article III of Part III of said code, relating to elementary and secondary schools—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

AVEY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school, at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 954—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school, at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be re-referred to Committee on Finance.

AVEY, Chairman.

Senate Bill No. 11 ordered on file for second reading.

Senate Bills Nos. 953, 954 and 955 ordered re-referred to Committee on Finance.

COMMUNICATION.

The following telegram was received and read:

SAN FRANCISCO, CAL., April 9, 1913.

The Members State Senate, Sacramento, Cal.:

At joint meeting Northern and Southern California Chapters American Institute of Architects held in San Francisco April 8th, resolutions were adopted requesting Governor and both branches of State Legislature to provide appropriation for State Building at Panama-Pacific Exposition.

JOHN C. AUSTIN, President.
FERNAND PARMENTIER, Secretary.
GEO. B. MACDOUGALL, President.
SYLVAIN SCHNAITTACHER, Secretary.

ADJOURNMENT.

At six o'clock and ten minutes p.m., on motion of Senator Strobridge, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Thursday, April 10, 1913.

The Senate met at [illegible] o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Boland, Burnett, Burnett, Butler, Campbell, Carr, Cartwright, Cassidy, Chamberlain, Cobb, Curtin, Finn, Flint, Gerdes, Gerdes, Grant, Hans, Hewitt, Inman, Jeffrey, Kehoe, Larkins, Lyon, Magee, Owens, Rush, Rust, Sanford, Shortridge, Stetson, Thompson, Tyrrell, and Wright—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 9, 1913, the further reading was dispensed with, on motion of Senator Rush.

APPROVAL OF JOURNALS.

The Journals of Monday, March 17, 1913; Tuesday, March 18, 1913; Wednesday, March 19, 1913; Thursday, March 20, 1913; Friday, March 21, 1913; Saturday, March 22, 1913; Monday, March 24, 1913; Tuesday, March 25, 1913; Wednesday, March 26, 1913; Thursday, March 27, 1913, and Friday, March 28, 1913, were corrected and, on motion of Senator Thompson, approved.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Butler, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Captain J. G. Nevins of Vallejo, and John J. Barrett of San Francisco.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 325—An Act to add [illegible] to the Penal Code of the State of California, to be numbered Section 9[illegible], relating to the protection and preservation of salt water fish.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of this Act, providing for penalties for the violation of the provisions of this Act.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 325 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 477 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers, and providing for the proper distribution of such books.

Also: Senate Bill No. 1308—An Act to amend Sections 1, 3, 8, 20 and 21 of an Act approved March 23, 1901, and entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885," to repeal Sections 13 and 24 of said Act; also to amend Sections 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also to amend Section 21½ of said Act as added thereto by said Act approved March 20, 1903, and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907," all relating to the Board of Dental Examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909.

Senate Bill No. 540—An Act to carry into effect the provisions of Section 1½ of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered 3612.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Assembly Bill No. 1140—An Act to amend Section 290*a* of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 1140 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be amended, and do not pass.

BRYANT, Chairman.

MINORITY REPORT.

I do not agree with the conclusion of the committee, and respectfully recommend that the bill do pass as amended.

BRYANT.

Senate Bill No. 896 ordered on file for second reading.

INTRODUCTION OF JOINT RESOLUTIONS.

The following joint resolutions were introduced:

By Senator Anderson: Senate Joint Resolution No. 32—Relative to the protection of the walnut industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on walnuts.

Resolution referred to Committee on Federal Relations.

By Senator Sanford: Senate Joint Resolution No. [illegible] Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate Joint Resolution extending the presidential term to six years, and limiting the President to one eight term.

Resolution referred to Committee on Federal Relations.

[illegible] INTRODUCTION OF BILLS

The following requests for permission to introduce bills were presented:

By Senator Hewitt: Permission to introduce a Senate bill—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where said work is to be done.

By Senator Anderson: Permission to introduce a Senate bill—An Act to provide for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis and for investigation of its prevalence and providing for dispensaries under the direction of the State Board of Health, and making an appropriation therefor.

By Senator Breed: Permission to introduce a Senate bill—An Act to define investment companies, investment brokers and agents, to provide for the regulation, supervision and licensing thereof, to provide penalties for the violation hereof, to create the office of corporation commissioner, to provide for his appointment and to define the powers and duties of such corporation commissioner, and making an appropriation therefor.

By Senator Bryant: Permission to introduce a Senate bill—An Act to add a new section to the Civil Code, to be numbered nine hundred fifty five, relating to assignments of claims for wages.

By Senator Cassidy: Permission to introduce a Senate bill—An Act to add a new section to the Civil Code of the State of California, to be numbered section three hundred nine a, relating to the loaning of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

Requests referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS

Senate Bill No. 297—An Act to regulate the practice of optometry, to provide for the appointment of a board of examiners, defining its duties and powers and prescribing a penalty for the violation of this Act.

On motion of Senator Breed, Senate Bill No. 297 was passed to the

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers, for indicating low water, or otherwise preventing explosions.

On motion of Senator Lyon, Senate Bill No. 984 was passed to the

BILL RECALLED FROM PRINT AND RE-ENGROSSMENT.

Senator Shanahan moved that Senate Bill No. 1222 be recalled from print and re-engrossment.

Motion carried.

THIRD READING OF BILLS—(RESUMED).

Committee Substitute for Senate Bill No. 588—An Act to amend Sections 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer committee substitute for Senate Bill No. 588 to Senator Gates, as a special committee of one, to amend as follows:

On page 4, line 10, of the printed bill, strike out the period (.) immediately after the word "plat", and insert immediately after the word "plat" and before the word "if", the following: "within thirty days after the same is submitted to it as above provided."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred committee substitute for Senate Bill No. 588, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 411—An Act to amend Section 5254 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

On motion of Senator Curtin, Senate Bill No. 411 was passed on file.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

On motion of Senator Boynton, Senate Joint Resolution No. 25 was passed on file.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building intercounty bridges.

On motion of Senator Caminetti, Senate Bill No. 967 was passed on file.

Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening,

improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 13, 1907, and amended March 6, 1909.

Read third time on a previous day.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1412 passed by the following vote:

AYES—Senators Anderson, Ayer, Bennett, Breed, Brown, Chamberlain, Carr, Cartwright, Cassidy, Caygnell, Cook, Elliott, Flint, Gates, Gerdine, Gesmer, Hans Howard, Juilliard, Kehoe, Lane, Owens, Regan, Sanford, Shoemaker, Townsend, Tyrrell and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1532—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State and appointment of other judicial officers.

In the absence of the author, Senate Bill No. 1532 was passed on file.

Senate Bill No. 1649—An Act to prohibit trespassing upon railroad tracks, grounds, cars or engines.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Cartwright, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

In line 2, of the title, strike out the word "grounds,".

AMENDMENT No. 2.

In line 3, page 1, of the printed bill, strike out the figure and letter "230a" and insert in lieu thereof the following: "230b. 1."

AMENDMENT No. 3.

At the beginning of line 7, page 1, of the printed bill, insert the figure "2."

AMENDMENT No. 4.

At the beginning of line 10, page 1, of the printed bill, insert the figure "3."

AMENDMENT No. 5.

After the word "right", line 4, page 1, of the printed bill, insert the following "or permission from the person, firm or corporation operating cars or trains thereof."

AMENDMENT No. 6.

In line 5, page 1, of the printed bill, strike out the words "or any station grounds,".

AMENDMENT No. 7.

In line 8, page 1, of the printed bill, strike out the words "but a trespasser", and insert in lieu thereof the following: "without right or permission from the person, firm or corporation operating same."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1649, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARTWRIGHT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all properties necessary therefor, and also to provide for the distribution and sale of water by said districts.

On motion of Senator Caminetti, Senate Bill No. 265 was passed on file.

CONSIDERATION OF SPECIAL ORDER.

The hour of eleven o'clock having arrived, the President placed before the Senate the consideration of Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases, with pending amendment thereto.

CONSIDERATION OF SPECIAL ORDER CONTINUED.

At twelve o'clock and twenty-five minutes p.m., on motion of Senator Thompson, the further consideration of Senate Bill No. 54 and the pending amendment was postponed till three o'clock and thirty minutes p.m.

RESOLUTION.

The following resolution was introduced:

By Senator Wright:

Resolved, That the Secretary of the Senate be and he is hereby directed to forthwith mail to the Railroad Commission five copies of Senate Bill No. 1649, together with a copy of this resolution; and further, be it

Resolved, That the Senate respectfully solicits the advice and recommendation of said Railroad Commission in regard to the wisdom of passing the proposed law, and respectfully requests said commission, if in its opinion the general policy of the bill be correct, that it suggest such amendments as will be in the interest of the general welfare.

Resolution read and adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 23—A resolution relative to the appointment of a committee to investigate certain charges against the Secretary of State—had had the same under consideration, and report back a substitute therefor, and recommend that the substitute be adopted.

BOYNTON, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION

Senator Boynton asked and was granted unanimous consent that the rules be suspended and that Senate Concurrent Resolution No. 23 be taken up for consideration of the committee substitute and the adoption of the resolution.

COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 23

Relative to the appointment of a committee to investigate charges against the Secretary of State.

WHEREAS, The Secretary of State of the State of California has petitioned the Senate of the State of California by the Attorney-General of the State of California to investigate certain charges stated by him to have been made to the effect that he had not properly fulfilled the duties of his office, and requesting an investigation of the matter, and to report upon the truth or falsity of such charges during the present session of the Legislature; now, therefore, be it

Resolved, by the Senate of the State of California, the Assembly concurring, That a special committee of the Legislature be appointed to be composed of three Senators appointed by the President of the Senate and three Assemblymen appointed by the Speaker of the Assembly to investigate the conduct of the office of Secretary of State by the said Frank C. Jordan, investigate and report upon the said charges and falsity thereof, and the acts of said Secretary of State and each of his subordinates, deputies or assistants relating to said complaints and charges, together with power to the duties of said office of Secretary of State, or of any other office which he may hold or fill or any of his assistants, clerks or deputies, and to make investigation to report to both houses of this Legislature the result thereof, together with such recommendations for such remedial action thereon as may seem proper; and be it further

Resolved, That said committee be and it is hereby authorized and empowered to do any and all things necessary or helpful in the said investigation of the matters and subjects hereinbefore enumerated, and to the end to employ all necessary counsel and expert accountants, and said committee is hereby authorized and empowered to employ attorneys, and said persons and experts so employed and to take all necessary means to procure the attendance of witnesses and to examine testimony, and the members of said committee may and each of them is hereby authorized to administer oaths, and all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and the Sergeant-at-Arms of the Senate is hereby authorized and empowered to serve any and all subpoenas and orders or other process that may be issued by the said committee under authority to do by the chairman thereof, that said committee is further authorized to cooperate with the State Board of Control in making such investigation and inquiry into such matters as may be called to the attention by said board or any member thereof, and to the end that the committee and duty of the Board shall be its consideration of all evidence taken by said State Board of Control concerning the the office of the Secretary of State that said committee be given leave to aid therein the success of the Senate and Assembly, and that it report its opinion to the Legislature the result of its investigations in such manner with such recommendations as it may deem proper; and be it further

Resolved, That the sum of three thousand dollars is hereby made available for the purpose of defraying the expenses of such committee in said investigations, one-half of the same to be paid from the Contingent Fund of the Senate, and one-half to be paid from the Contingent Fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said joint committee for such expenditures as the same may be audited as herein from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Committee substitute read and adopted.

The question being on the adoption of the resolution,

The roll was called, and committee substitute for Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Anderson, Avey, Bishop, Burnett, Bunkers, Busick, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Chamberlain, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hare, Jones, Kehoe, Larkins, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson and Wright—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

Also: Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Also: Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

FINN, Chairman.

Senate Bills Nos. 1199, 1538 and 1723 ordered on file for second reading.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Curtin, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the preservation and form of claims against counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 377—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization

and government of storm water districts for the purpose of protecting the land therein from damage from storm water and from the waters from any unnavigable stream, watercourse, canyon or road, or for the purpose of saving and conserving the storm flood, or paper water for beneficial and useful purposes," for the construction of the necessary works of protection and conservation of said storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 964.—An Act to add a new section to the Political Code of the State of California, to be designated as Section 3041, relating to the issuance of burial permits.

Bill read second time, and ordered on file for third reading.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 903.—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party, and to provide for the settlement of disputes by the Industrial Accident Commission, by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration, by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety, to require reports of industrial accidents, to provide penalties for offenses by employers, their officers, agents and by employees and other persons and corporations, to change the name of the Industrial Accident Board to Industrial Accident Commission, to provide for its organization, define its powers and duties and provide for a review of its orders, decisions and awards and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

On motion of Senator Thompson, Senate Bill No. 903 was passed to file.

Senate Bill No. 1460.—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 694a, providing for the formation of religious corporations.

During second reading of the bill the following amendment was offered by the committee:

On page 2, line 34, of the printed bill, strike out the word "or" and insert in lieu thereof the word "may."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 788.—An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or ordered or exposed for sale in containers and providing penalties for the violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 10, of the printed bill, strike out the words "a human being", and insert in lieu thereof: "human beings".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 18, of the printed bill, strike out the word "sold".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 36, of the printed bill, strike out everything following the word "than", and strike out all of line 37 and all of lines 1 and 2, on page 3, and insert in lieu thereof the following: "eleven cents, at retail."

Amendment adopted.

AMENDMENT No. 4.

On page 4, of the printed bill, strike out all of line 4, and insert in lieu thereof the following: "April 1, 1914."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 144—An Act to amend Sections 3, 5, 6, and 7 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2 of the title, strike out the word "and", and, after the word "seven", insert the words "nine, twenty-seven and sixty-six".

Amendment adopted.

AMENDMENT No. 2.

On page 1, at the end of the last line in the title, strike out the period and insert in lieu thereof the following: ", and adding a new section thereto, to be numbered 82a, relating to re-assessment by a court of competent jurisdiction."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 1, strike out the words and figures "5, 6 and 7 of that Act", and insert in lieu thereof the words "of an Act".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 5, after the word "work", replace the comma with a period, and capitalize the letter "s" in the word "said" following.

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 9, strike out the word "shall", and insert in lieu thereof the word "should".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 10, strike out the word "should" and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 24, strike out the word "provisions" and insert in lieu thereof the word "provisions".

Amendment adopted.

AMENDMENT No. 8.

On page 2, between lines 25 and 26, insert the following:
"SEC. 2. Section 5 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 9.

On page 2, after line 37, add the following: "A substantial compliance with the requirements herewith in regard to posting shall be sufficient."

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 1, strike out the words "the resolution herein mentioned must be passed and"

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 2, between the words "passing" and "duly", insert the words "must be"

Amendment adopted.

AMENDMENT No. 12.

On page 3, line 14, insert a period after the word "law" and strike out the words "in accordance therewith"

Amendment adopted.

AMENDMENT No. 13.

On page 3, insert a period after line 18 and strike out lines 19 and 20.

Amendment adopted.

AMENDMENT No. 14.

On page 3, between lines 20 and 21, insert the following:
"SEC. 3. Section 6 of said Act is hereby amended to read as follows:".

Amendment adopted.

AMENDMENT No. 15.

On page 4, between lines 8 and 9, insert the following:
"SEC. 4. Section 7 of said Act is hereby amended to read as follows:".

Amendment adopted.

AMENDMENT No. 16.

Add to Senate Bill No. 144, the following:

SEC. 5. Section 9 of said Act is hereby amended to read as follows:

Section 9. In all resolutions, petitions, notices and determinations contemplated in the resolution of intention, it shall be sufficient to describe the work or the assessment district or such there by, or both by reference to the resolution of intention.

SEC. 6. Section 27 of said Act is hereby amended to read as follows:

Section 27. At any time after the period of thirty days from the date of the date of the warrants, as herein provided or if no appeal is taken to the city council, as provided in Section 26 of this Act, at any time after five days from the decision of said council, or after the return of the warrant or assessment after the same may have been corrected, altered or modified, as provided in said Section 26 (but not less than thirty five days from the date of the warrant), the contractor or his assignee may sue, in his own name, the owner of the land, lot, or portions of lots assessed on the day of the date of the recording of the warrant, assessment, and diagram, or any day thereafter during the continuance of the time of said assessment, and collect the amount of any assessment remaining unpaid, with interest thereon at the rate of ten per cent per annum until paid. And in all cases of recovery under the provisions

of this Act, where personal demand has been made upon the owner or his agent but not otherwise, the plaintiff shall recover such sum as the court may fix, in addition to the taxable cost as attorney's fees, but not any percentage upon said recovery. And when suit has been brought, after a personal demand has been made and a refusal to pay such assessment so demanded, the plaintiff shall be entitled to have and recover the sum of fifteen dollars as attorney's fees, in addition to all taxable costs, notwithstanding that the suit may be settled or a tender may be made before a recovery in said action, and he may have judgment therefor. Suit may be brought in the superior court within whose jurisdiction the city is in which said work has been done, and in case any of the assessments are made against lots, portions of lots, or lands, the owners whereof cannot, with due diligence, be found, the service of each of said actions may be had in such manner as is prescribed in the codes and laws of this state. It shall be competent to bring a single action, under any such assessment irrespective of the number of lots assessed where the parties defendant are identical, and where separate actions are brought, the same may be consolidated by order of the court. The said warrant, assessment, certificate and diagram, with the affidavit of demand and nonpayment, shall be held prima facie evidence of the regularity and correctness of the assessment and of the prior proceedings and acts of the superintendent of streets and city council upon which said warrant, assessment, and diagram are based, and like evidence of the right of the plaintiff to recover in the action.

In a complaint in any such action it shall be held sufficient to allege that the city council ordered the work, briefly describing it, the execution of the contract for doing said work, the performance of the work, the making of the assessment, the issuing of said warrant and certificate and the making of said diagram; that an assessment (naming the amount) was levied against that certain lot or parcel of land (describing the same) which, according to the information and belief of the plaintiff, is owned by the defendant; that payment of said assessment has been demanded in the time, form and manner prescribed in section twenty-four and that the same has not been paid.

SEC. 7. Section 66 of said Act is hereby amended to read as follows:

Section 66. The bonds so issued by said treasurer shall be payable to the party to whom they issue, or order, and shall be serial bonds, as is hereinbefore described, and shall bear interest at the rate specified in the resolution of intention to do said work. They shall have annual coupons attached thereto, payable in gold coin on the second day of January in each year after the date of the bonds until all are paid; and each coupon shall be for an even annual proportion of the principal of the bonds. They shall have semi-annual interest coupons thereto attached the first of which shall be payable upon the second day of January or July, as the case may be, next after its date, and shall be for the interest accrued at that time, and the last of which shall be for the amount of interest accruing from the second day of January or July, as the case may be, next preceding the maturity of said bonds, to the maturity thereof. The owner of, or any person interested in, any lot or parcel of land upon which a bond has been issued under the terms of this Act, may at any time pay off such bond and discharge his land from the lien of the assessment by paying to the city treasurer for the holder of such bond the amount due, accrued on the principal sum thereof, and all interest thereon which has accrued and is unpaid, together with the semi-annual installment of interest which will next become due thereafter, and in addition thereto, interest for one year at the rate specified in the bond upon the unpaid amount of the principal. The treasurer shall thereupon make an entry upon his bond register that such bond has been paid in full. The said treasurer shall, in addition to his other duties in the premises, report all payments of principal upon said bonds to the street superintendent, who shall forthwith endorse the same upon the margin of the record of the assessment to the credit of which the same is paid. The assessment upon which a bond is issued shall be a first lien upon the property affected thereby until the bond issued for the payment thereof and the accrued interest thereon shall be fully paid. Said bonds by their issuance shall be conclusive evidence of the regularity of all proceedings thereto under this Act.

SEC. 8. A new section is hereby added to said Act, to be known as Section 82*a*, and to read as follows:

Section 82*a*. Whenever any assessments made and issued under the provisions of this Act, or whenever any bond or bonds issued to represent the amount of any such assessment in accordance with the provisions of this Act, have been set aside by any court having competent jurisdiction, or such court has refused to enforce any assessment, or has decreed that any bond or bonds issued under this Act do not constitute valid and subsisting liens against the lots, pieces or parcels of land upon which the assessments represented by them have been levied, then the superintendent of streets shall cause a new assessment to be made for the same purpose for which the former assessment was made, whether any part of the assessments have been paid or not, and new bonds shall in regular course thereafter issue in the event that bonds were issued under or provided for in the original assessment. It is hereby made the duty of any court of competent jurisdiction in rendering its judgment holding invalid any assessment or assessments hereafter made or issued, or of any

bond or bonds hereafter made or issued to represent the amount of such assessment to make it binding as to whether or not any irregularity was committed without the power of the said city to issue said bonds when otherwise regularly legally authorized and contemplated with the requirements of this Act has occurred in the proceedings upon which said assessment is predicated, and how best and what other shall be given to those so entitled thereto. In the event that the court shall find that the work [illegible] to said assessment or bonds was done in good faith under the ordinance pursuant to a resolution of the city council providing for said improvement to be paid for by a special assessment it shall so find date of the said ordinance a new assessment upon [illegible] assigns or the holder or holders of the bonds for the assessment or the case may be. The said court may at the request of the contractor [illegible] or the holder of the bonds representing the assessment by confirming said assessment set aside said assessment or proceedings and bonds or the case may be and make a new assessment or assessments and levy the same upon the [illegible] a new assessment or assessments and levy the same upon the property benefited decree being first obtained of or from any court having jurisdiction of the [illegible] upon the assessment or bonds and may [illegible] and take all necessary orders or judgments to [illegible] and may reassess and levy the same upon the property benefited [illegible] case. Such reassessment or reassessments shall [illegible] or pursuant to a resolution of the council [illegible] cost of the work in connection to the respective lots, parcels or pieces of land assessed at the time of the passage of the ordinance, and may not [illegible] nor exceed the total amount of the original assessment. Such reassessment or reassessments shall become a charge upon the property [illegible] and collected in the same manner as provided [illegible] and collected in connection with the original assessment. [illegible] consent with the provisions of this section [illegible] notice of the time and place of the hearing [illegible] and the hearing of the assessment roll [illegible] that the proceedings of the city council [illegible] city or agent of the municipality [illegible] [illegible] [illegible] [illegible] requirements of this article. It is hereby [illegible] of this section to make the said assessment [illegible] in the aforesaid assessment roll [illegible] special taxes payable to the said county [illegible] reassessment thereof which shall [illegible] of land thereby benefited the amount [illegible] ment notwithstanding that the proceedings [illegible] agent of the city or of the contractor [illegible] or not in full conformity with the provisions of this article. Such reassessment shall be made without [illegible] the assessment roll shall be made and issued [illegible] dent of streets shall cause the [illegible] most of upon the passage of a resolution [illegible] proceed at once to make a reassessment [illegible] or said resolution of the city council. Said reassessment roll [illegible] district described in the said notice of proposed [illegible] In the event that there shall have been irregularities [illegible] the description of the lands of said district upon which the [illegible] or council shall find to be some property [illegible] finding said court or council shall follow the [illegible] tion so far as the same can be ascertained and in all cases of [illegible] city they shall give regard to the lines described and make such a determination as to the lines where there is any uncertainty [illegible] tion as may be just and equitable. In the event that a portion of the work or improvement has been found to have been satisfactorily performed and completed in order done, then said assessment shall be for the completed of the work or improvement only, and the interests arising from the work [illegible] jurisdiction of the city to order shall not be considered in making the reassessment. Upon the completion of the reassessment it shall be presented to the city council and a day of hearing shall be fixed by it which shall be at some regular [illegible] after the filing of the reassessment. The city clerk shall then advertise the [illegible] said filing by publishing a notice in the newspaper in which the notice of award of contract was published, or in such other paper as the council may direct, for [illegible] (5) insertions if the paper be a daily, or for two (2) insertions if the paper be a weekly or semi-weekly newspaper, stating in [illegible] the reassessment has been filed with him and that objections to said reassessment will be heard at the time specified by the city council. At the day fixed for said hearing or at such time or times to which the same may be thereafter adjourned the city council shall consider the objections to said assessment and in its discretion may correct or modify such reassessment in such manner as is most equitable and shall thereupon pass a resolution approving and confirming such reassessment and such decision shall be a final determination of all matters relating to the [illegible]

the improvement by the respective lots, pieces and parcels of land enumerated in the reassessment. Said reassessment shall thereupon be recorded by the street superintendent, and it shall in all respects have the same effect and weight as the original assessment, and shall be enforced in the same manner. All payments made upon the original assessment shall be credited upon the reassessment and in the event that the reassessment in any instance is less than the amount of the original assessment, the excess shall be payable to the owner by the contractor.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, strike out all of lines 8 to 17, inclusive, also strike out all of pag. 2, and in lieu thereof insert the following:

1. The county clerk, [illegible] dollars per annum: *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one judgment clerk, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one assistant judgment clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; six courtroom deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one index clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one document clerk, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one clerk to the board of supervisors, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one registration clerk whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one deputy, who shall also act as courtroom clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; four deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; four copyists, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, and two stenographers, whose salaries are hereby fixed at the sum of nine hundred dollars per annum each; all the foregoing deputies, clerks, copyists and stenographers herein provided for, shall be appointed by the clerk of said county, and their salaries shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county clerk: *provided further*, that in such years as the compilation of a great register of voters is required by law to be made, the county clerk, in counties of this class shall be and he is hereby, allowed the following additional help: Ten clerks for a period of and not exceeding six months, whose salaries are hereby fixed at one hundred dollars per month each; ten clerks for a period of and not exceeding one month, whose salaries are hereby fixed at one hundred dollars per month each; *and provided further*, that if no help is allowed to county clerks under the direct primary law the county clerk in counties of this class, in such years as a general state direct primary election is held shall be and he is hereby allowed the following additional help: Ten clerks for a period of and not exceeding two months immediately next preceding the direct primary election day, whose salaries are hereby fixed at one hundred dollars per month each; such clerks shall be appointed by the county clerk of said county and during their respective periods of employment their salaries shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as is the salary of the county clerk of such county.

2. The sheriff, [illegible] dollars per annum: *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one deputy, who shall be a bookkeeper for the sheriff's office, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one deputy who shall be assistant bookkeeper for the sheriff's office whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one deputy for the office, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; two deputies, who shall be detectives for the sheriff, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; two deputies, who shall be transportation agents, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; seven deputies, who shall be bailiffs, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; one deputy, who shall be a stenographer, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one deputy, who shall be chief jailer, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two deputies, who shall be assistant jailers,

of fifteen hundred dollars per annum each; one chief clerk, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two correspondence clerks, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one bookkeeper, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one state lands clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one stenographer, whose salary is hereby fixed at the sum of nine hundred dollars per annum: *provided, further*, that there shall be and there hereby is allowed to the tax collector three extra deputies for a period not to exceed eight months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed five months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed four months in any one year, at a salary of one hundred dollars per month each: *provided, further*, that in counties of this class the tax collector shall appoint six persons, to be known as indexers, which office is hereby created, and whose duties it shall be under the supervision and direction of the tax collector to compile, make out, and complete an index of the assessment rolls of the county, and of the sanitary assessment rolls for each sanitary district in the county of Alameda, yearly, commencing with the year nineteen hundred and nine, as soon as said rolls are completed by the assessor of the county and each assessor of said sanitary districts and for each year thereafter, the said indexes to be a public record for use of the tax collector and the general public and to be kept in the office of the tax collector during the collection of taxes, and to be turned over to the auditor at the same time as the assessment rolls are turned over in the final settlement of the tax collector with the county auditor. Such indexers shall be paid a salary of one hundred dollars per month each, payable at the same time and in the same manner as other county officers are paid, but such indexers shall not be employed to exceed four months in any one year: *provided, further*, that the chief deputy, the stenographer, and all other deputies herein provided for shall be appointed by the tax collector of said county, and the salaries of said chief deputy, stenographer, and all deputies herein provided for shall be paid by said county during the time which they shall hold office as herein provided at the same time and in the same manner and out of the same fund as the salary of the tax collector.

7. The license collector shall receive fifteen per cent of all licenses collected by him.

8. The assessor, seven thousand dollars per annum: *provided*, that in counties of this class there shall be, and there hereby is allowed to the assessor, the following assistants, deputies and employees, who shall be appointed by the assessor and shall be paid salaries as follows: One assistant assessor, whose salary is hereby fixed at the sum of three thousand dollars per annum; one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one head city deputy, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one assistant city deputy, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one assistant city deputy, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one building inspector, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; three assistant building inspectors, whose salaries are hereby fixed at the sum of twenty-four hundred dollars per annum each; one cashier, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one assistant cashier and bookkeeper, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one record deputy, who shall be stenographer, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one head district deputy, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum, three district deputies, whose salaries are hereby fixed at the sum of sixteen hundred and twenty dollars per annum each; five district deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; six copyists, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; four comparers, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; eight deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; two district deputies for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and fifty dollars per month each; ten field deputies for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred dollars per month each; and such additional deputies as the assessor may appoint and whose compensation shall not in the aggregate exceed the sum of four thousand five hundred dollars per annum: *and provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amounts paid and the persons to whom such compensation is paid for such extra assistants as aforesaid.

The salaries herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor is paid: *provided, however*, that should the assessor be directed by any law or, by any order of the board of supervisors, or by any municipality within said counties of the third class to procure maps, plats or block-books for the use of the county or assessment rolls for the use of any municipality, then said assessor shall make such maps, plats, or block-books or assessment rolls for the use of any municipality but shall only receive the actual

cost by him incurred in making or preparing said maps, plats or blankbooks: *and provided, further*, that he shall file with the county auditor a sworn statement showing the persons to whom and the purposes for which such maps, plats or blankbooks, and no claim account forthwith and any sum in the county any difference between such cost and the amount allowed him for such work; *and provided, further*, that the salaries herein named shall be in full compensation for all services of every kind and description rendered by the assessor, his deputies and assistants; *and it is further provided*, that in counties of the class that the assessor shall receive no commission for the collection of taxes on personal property, nor shall such assessor receive any compensation or commission for the collection of poll taxes or road and taxes nor shall the assessor receive any compensation for making out the military roll of persons rendered by him as subject to military duty as provided by Section 1901 of the Political Code; provided, however, that fifteen per cent of all moneys collected by him for poll taxes and road and work poll taxes shall be allowed to such counties on their settlement with the state and he and remain the property of such counties.

9. The district attorney four thousand dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the district attorney the following assistant deputies and employees who shall be appointed by the district attorney of said county and who shall be paid salaries as follows: One assistant district attorney whose salary is hereby fixed at the sum of two hundred and seventy-five dollars per month; one chief deputy district attorney whose salary is hereby fixed at the sum of two hundred and fifty dollars per month; two deputy district attorneys, whose salaries are hereby fixed at the sum of two hundred and twenty-five dollars per month each; two deputy district attorneys whose salaries are hereby fixed at the sum two hundred dollars per month each; two deputy district attorneys whose salaries are hereby fixed at the sum of one hundred and seventy-five dollars per month each; two deputy district attorneys whose salaries are hereby fixed at the sum of two hundred dollars per month each, which duty it shall be in addition to performing services as deputies in other attorneys, to attend the sessions of the police courts in cities of the second class and conduct the prosecutions of the people, all prosecutions for public offenses of which said police courts shall have jurisdiction; one clerk whose salary is hereby fixed at the sum of one hundred and twenty-five dollars per month; one process server whose salary is hereby fixed at the sum of one hundred dollars per month; three stenographers whose salaries are hereby fixed at the sum of seventy-five dollars per month each; two investigators whose salaries are hereby fixed at the sum of two hundred dollars per month each, which duty it shall be in addition to performing services as deputies in other attorneys, to attend the sessions of the police courts in cities of the second class and conduct the prosecutions of the people, all prosecutions for public offenses of which said police courts shall have jurisdiction; one clerk whose salary is hereby fixed at the sum of one hundred and twenty-five dollars per month; one process server whose salary is hereby fixed at the sum of one hundred dollars per month; three stenographers whose salaries are hereby fixed at the sum of seventy-five dollars per month each; two investigators whose salaries are hereby fixed at the sum of two hundred and seventy-five

books, blanks and supplies for said county and generally to do and perform any and all things necessary to the proper conduct of said office; provided, however, that no such deputy shall be allowed to the county of Los Angeles more than [illegible] deputies, who shall be appointed by the [illegible] upon the application of the [illegible] with the approval of the board of supervisors of said county, and whose salaries shall be fixed at the sum of fifteen hundred dollars per annum, payable in twelve equal monthly installments out of the moneys [illegible] in the same manner and at the same time as the salary of the [illegible] of said county; [illegible] prescribed for county officers and [illegible] for the faithful discharge of the duties of their respective offices, conditioned for the faithful discharge of the duties of their offices, which bonds shall be approved and filed in the manner provided for [illegible] of county officers. He shall keep a record of the proceedings of each court and [illegible] of the justice of said court and [illegible] the amount of fees, costs and moneys [illegible] and [illegible] fees and fees paid for said [illegible] and [illegible] and [illegible] fees and fees paid and collected and the [illegible] when the amount has been [illegible] and certify [illegible] and [illegible] and [illegible] and

Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1214—An Act to repeal an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 1596*a*.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In Section 1, line 15, of the printed bill, after the word "walls", insert the words "or state prison cemetery work."

Amendment adopted.

AMENDMENT No. 2.

On line 15, section 1, of the printed bill, after the word "culverts", insert the words "and curbing."

Amendment adopted.

AMENDMENT No. 3.

On line 16, Section 1, of the printed bill, after the word "roads", strike out the period and insert "or stone for piers on state harbor work, and stone for fireplace mantels in state buildings."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1072—An Act to amend Section 1734 of the Political Code, relating to the annexation of school districts to high school districts, and to the exclusion of school districts from union or joint union high school districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 812—An Act entitled "An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of post graduate grammar school course for certain schools.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 384—An Act to add a new section to the Penal Code of California, to be known as Section 172*b*, relating to the sale, keeping for sale, exposing for sale, giving away or serving malt vinous, spirit-

uous or other alcoholic liquors in buildings or upon grounds used for exposition purposes, where such exposition is aided by state funds.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 18, of the printed bill, strike out the period, and insert the following: "*provided*, that nothing in this section shall prohibit the service of alcoholic liquors by any person at his own home to members of his family or his guests, when no money or thing of value is received in return therefor, and whose said home is not a place of public resort; provided further, that nothing in this section shall prohibit the sale and service of alcoholic liquors with meals in any hotel having two hundred or more rooms furnished and used for the accommodation of guests, or the sale or service of wines and such liquors with meals in the main dining-room of any restaurant or cafe, which has in such dining-room tables and chairs sufficient to accommodate one hundred guests at one and the same time, or the giving away of sealed samples of any liquors exhibited at such exposition in the building where exhibited, providing such samples are not given to minors and are not allowed to be drank upon the premises where exhibited; provided further, that nothing in this section shall prohibit the sale or furnishing of alcoholic liquors by any registered pharmacist for bona fide medicinal purposes only upon a prescription issued, signed and dated by a duly licensed physician, said prescription being made for each prescription and all such prescriptions being kept on file at the place of business of such pharmacist open to public inspection."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 13—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title of real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, in the first line of the title, strike out the figure "4", and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "7".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CALL OF THE SENATE.

Senator Campbell moved a call of the Senate.

Motion carried.

Time, two o'clock and twenty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Boynton, Brossi, Brown, Bryant, Buzzo, Cameron, Campbell, Cassidy, Cohn, Gates, Gerdes, Grant, Hewitt, Kelso, Larkins, Metz, Regan, Shanahan, Thompson, and Wright—21.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and thirty minutes p.m., Senators Benson, Rush, Jones and Tyrrell were brought to the bar of the Senate, and, on motion of Senator Wright, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and thirty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IX*a*, of Chapter III, of Article III of Part III of said code, relating to elementary and secondary schools.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out the period (.) after the word "schools" in line 16, page 1, and insert a semicolon (;).

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 16, after the word "schools;", insert the following: "*provided*, that a post-graduate course may, on application of the trustees of any school district, be taught therein under and subject to the provisions of Section 1779".

Amendment adopted.

AMENDMENT No. 3.

In line 5, page 2, strike out the words "in force".

Amendment adopted.

AMENDMENT No. 4.

In line 9, page 2, after the word "grade", insert the word "except".

Amendment adopted.

AMENDMENT No. 5.

In line 10, page 2, strike out the figures "1653", and insert the figures "1779".

Amendment adopted.

AMENDMENT No. 6.

Strike out on lines 34, 35, 36, and 37, page 2, the following: "adopted as provided by law, and also in such other schools included in the public school system, excepting normal schools, college high schools and high schools, provided by law," and insert the following: "established, or as a separate school, or as may otherwise be provided by law".

Amendment adopted.

AMENDMENT No. 7.

On line 10, page 3, strike out the words "the college high school", and insert the following: "A college high school may be established by the board of trustees of any high school district or by joint action of two or more high school districts, and"

Amendment adopted.

AMENDMENT No. 8.

On line 15, page 3, strike out the figures "1911", and insert the figures "1913".

Amendment adopted.

AMENDMENT No. 9.

Strike out lines 21 and 22, page 5, and insert: "or as a person acted on or to any otherwise be bonded up for"

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

SPECIAL ORDER POSTPONED.

On motion of Senator Wright, the consideration of Assembly Bill No. 958—An Act to amend Section 367 of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles, when the same collide with a person or vehicle conveying a person, and prescribing a penalty for the failure to perform such duty—was made a special order for two o'clock p.m., Friday, April 11, 1913.

SECOND READING OF BILLS.

On motion of Senator Boynton, the Senate took up the consideration of the second reading of

Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 1, of the printed bill, after the word "corporation" insert the following: "organized for purposes other than pecuniary profit.".

Amendment adopted.

Bill read second time and ordered to print, engrossed and third reading.

PRESIDENT PRO TEM. RESUMES THE CHAIR.

At two o'clock and thirty-five minutes p.m., Hon. A. E. Boynton, President pro tem., of the Senate, resumed the chair.

SECOND READING OF BILLS.—[Continued.]

Senate Bill No. 325—An Act to amend Section 830 of the Civil Code of the State of California, relating to property of religious corporations.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, after the word "corporation" insert the following: "organized for purposes other than pecuniary profit."

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out the last three words in line 11, all of line 12, and the first five words of line 13, and the comma in line 13.

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 815, relat-

ing to membership in cemetery corporations and the rights of members to the assets thereof.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 8, of the printed bill, after the word "corporation", insert the following: "organized for purposes other than pecuniary profit".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom, and repealing all Acts in conflict therewith.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title of cemetery lots.

Bill read second time, ordered engrossed and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services and earnings of legitimate unmarried minor children.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 199 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Mott, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13 of Article XI, relating to supervision, regulation and conduct in affairs of reclamation and drainage districts.

On motion of Senator Birdsall, Assembly Constitutional Amendment No. 47 was ordered to the foot of the file.

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs, and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county for-

esters, and to prescribe the duties and fix the compensation of county foresters and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, berms, shrubs and flowers," approved April 28, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 277 passed by the following vote:

AYES—Senators Anderson, Ayer, Benson, Bennett, Boynton, Bunny, Brown, Butler, Caminetti, Campbell, Cook, Cassidy, Edwards, Flint, Gerdes, Gerdes, Grant, Hans, Heath, Inman, Kehoe, Lawson, Mott, Rush, Shoemaker, Stetson, Thompson, Tyrrell and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 276—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

On motion of Senator Birdsall, Assembly Bill No. 276 was passed on file.

Assembly Bill No. 237—An Act to amend Section 2 of an Act entitled "An Act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and imposing penalties for the violation thereof," approved March 23, 1907.

On motion of Senator Birdsall, Assembly Bill No. 237 was passed on file.

Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628*a*, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Kehoe moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

By striking out of Section 1, lines 6 and 7, the words "not to exceed one dollar, nor more than one pint."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 165, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 538—An Act to regulate the production and sale of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

On motion of Senator Birdsall, Assembly Bill No. 538 was passed on file.

Assembly Bill No. 154—An Act to amend Section 1034 of the Code of Civil Procedure of the State of California.

On motion of Senator Birdsall, Assembly Bill No. 154 was passed on file.

Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 417 passed by the following vote:

AYES—Senators Anderson, Avey, Boden, Bronson, Birdsall, Beamer, Breed, Brown, Burke, Caminetti, Campbell, Carr, Cassidy, Cohn, Finn, Flint, Gates, Geddes, Grant, Hegan, Kehoe, Lackins, Mott, Rogers, Rush, Stanton, Strobridge, Thompson, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At two o'clock and fifty-five minutes p. m., Senator Thompson, of the Thirty-fifth District, in the chair.

Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3572 of said Political Code.

On motion of Senator Birdsall, Assembly Bill No. 1050 was passed on file.

Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

On motion of Senator Flint, Assembly Bill No. 1094 was passed on file.

Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code relative to fees to be collected by the Secretary of State.

On motion of Senator Birdsall, Assembly Bill No. 1141 was passed on file.

Assembly Bill No. 1295—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, and relating to threats against life, and providing a punishment therefor.

On motion of Senator Birdsall, Assembly Bill No. 1295 was passed on file.

Assembly Bill No. 1307—An Act to amend Section 681 of the Code of Civil Procedure, relating to the entry of judgment.

On motion of Senator Birdsall, Assembly Bill No. 1307 was passed on file.

Assembly Bill No. 1722—An Act to amend Section 1241 of the Political Code, relating to the disposal of ballot after a challenge to a person offering to vote is sustained.

On motion of Senator Jones, Assembly Bill No. 1722 was passed on file.

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands or title thereto or any harbor or other navigable waters thereon, to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations, to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide games for such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the existence of obstruction thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer Assembly Bill No. 849 to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Amend the title of the printed bill as follows: In line 5 of the title strike out the words "waters validating" and insert in lieu thereof the words "waters to validate".

AMENDMENT No. 2.

Amend the text of the printed bill as follows: In line 44 of the text of the printed bill strike out the period (.) immediately after the word "thereof" thereof and in lieu thereof a semicolon (;) and add the following: "and to authorize and validate the filing by and approval of such harbor lines heretofore and hereafter established by municipal or other authority."

AMENDMENT No. 3.

Strike out all of Section 1, all of lines 2 to 5, both inclusive, on page 2, and all of lines 1 to 5, inclusive, on page 3 of the printed bill and insert in lieu thereof the following:

"Section 1. Any municipal corporation that by grant from the State of California or otherwise owns, holds or possesses or may hereafter own, hold or possess tidal lands and submerged lands of the bays, or such lands situated within the boundaries of such municipal corporation and fronting on the waters of any harbor, bay, inlet, estuary or other navigable water, and the boundaries of such municipal corporation is hereby granted power and authority to be exercised by ordinance to fix and establish harbor lines, bulk head lines and pierhead lines in and for such harbor, bay, inlet, estuary or other navigable water and to enforce or abolish such harbor lines as the public interest in the lands of commerce and navigation may require. That the aforesaid power and authority is hereby granted and shall be exercised by any such municipal corporation in the same manner as might the State of California might exercise the same, in the making of any grant such harbor or any such municipal corporation, provided that no such harbor lines shall be fixed or established beyond or outside of any harbor lines established by the United States"

AMENDMENT No. 4.

On page 2, line 16, of the printed bill, immediately after the comma following the word "validated" and immediately before the word "except", insert the following: **in so far as the same purport to fix or establish harbor lines, and".**

AMENDMENT No. 5.

On page 3, of the printed bill, strike out all of lines 7 and 8, and insert in lieu thereof the following: "to establish, by ordinance, such public streets, highways and other public rights of way to such waters as are or may be required for any".

AMENDMENT No. 6.

On page 3, line 15, of the printed bill, strike out the word "establish".

AMENDMENT No. 7.

On page 3, of the printed bill, strike out all of line 17, and insert in lieu thereof the following: "of way; and to fill in or authorize to be filled in all or any part of tide lands and submerged lands lying between said streets and lying between the mainland and harbor lines established by said municipal or other authority: *provided*, that when any such lands are so filled in, sufficient streets shall be opened and maintained open through or adjacent to said lands so filled in to enable the public to have convenient and adequate access to and along the water front of such lands and to such navigable waters. That the power and authority hereby granted".

AMENDMENT No. 8.

On page 3, line 22, of the printed bill, strike out the words "the title to which is held by," and insert in lieu thereof the following: "that may hereafter be owned **or possessed, or the title to which is now or may hereafter be held by".**

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 849, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 883 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Caswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1017.—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridges or bridges on such highways or boulevards as they may deem necessary; and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard and providing the manner in which the cost and expense thereof shall be paid.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Curtin moved to refer to Senator Carr, as a special committee of one, to amend Assembly Bill No. 1017, as follows:

On page 1, line 7, strike out the words "The above entitled Act" and insert in lieu thereof the following: "An Act entitled 'An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits or any portion thereof, by the supervisors or highway commissioners of the county,' approved March 19, 1909."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1017, with instructions to amend, respectfully reports that same has been amended as per instructions.

CARR, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 596.—An Act amending the Penal Code by adding a new section thereto, to be numbered 639*a*.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 596 passed by the following vote:

AYES—Senators Anderson, Avey, Bolton, Benson, Bunnell, Burnett, Chamberlain, Campbell, Carr, Cartwright, Chipman, Cobb, Finn, Flint, Gerdes, Gerlach, Hans, Hewitt, Jones, Juilliard, Kehoe, Lawlor, Mott, Rigdon, Rush, Saunders, Strobridge, Thompson, Tyrrell and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 678.—An Act to amend Section 4278 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

Also: Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be numbered 632c, relating to the taking of trout by using salmon or trout roe or eggs.

Also: Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Also: Senate Bill No. 48—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Also: Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Also: Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Senate Bill No. 363—An Act controlling the sanitation of oyster and other shellfish grounds and premises where oysters and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof and making an appropriation therefor.

Also: Senate Bill No. 548—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Also: Committee substitute for Senate Bill No. 619—An Act to amend Sections 2, 3, 4 and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Senate Bill No. 964—An Act to amend Section 538 of the Political Code.

Also: Senate Bill No. 965—An Act to amend Section 535 of the Political Code.

Also: Senate Bill No. 1357—An Act to amend Section 1664 of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Also: Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 140—An Act to provide for one day of rest in seven.

Also: Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Also: Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Also: Senate Bill No. 939—An Act to create a drainage district to be called Knight's Landing ridge drainage district; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds.

Also: Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, alienating, encumbering or granting of the real property of religious, social and benevolent corporations.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 750—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park, in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Also: Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston School of Industry.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 770—An Act appropriating money to purchase a site adjoining Yosemite for the use of the State Engineer and defining the duties of the Board of Control, has had the same under consideration, and respectfully reports that it do pass.

Also: Assembly Bill No. 1476—An Act appropriating money to pay the Judgment in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Also: Assembly Bill No. 1571—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Have had the same under consideration, and respectfully report, the same back with amendments, and recommend that they do pass as amended.

STEPHENS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913

MR. PRESIDENT: Your committee on Finance, to whom was referred Senate Bill No. 126—An Act appropriating money for the construction, maintenance and furnishing of the women's dormitory building at San Francisco State Normal School.

Also: Senate Bill No. 127—An Act appropriating money for completing and improving the heating system of the dormitory building at San Francisco State Normal School.

Also: Senate Bill No. 128—An Act appropriating money for furnishing and repairing the buildings at San Francisco State Normal School.

Also: Senate Bill No. 226—An Act appropriating money for furnishing, equipping and preparing for use the new building for the Los Angeles State Normal School.

Also: Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

STEPHENS, Chairman.

Senate Bills Nos. 750 and 1701 ordered on file for second reading.

Senate Bills Nos. 126, 127, 128, 226 and 227 ordered on file for second reading.

Assembly Bills Nos. 770, 783 and 1571 ordered on file for second reading.

ON AGRICULTURE

SENATE CHAMBER, SACRAMENTO, April 9, 1913

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 221—An Act for the preservation of the environment and habitat of the Sequoia gigantea (Big Tree), providing a suitable boundary of conservation, providing for the selection of the officers defining the powers and duties, and making an appropriation therefor, has had the same under consideration, and respectfully returns the same back with amendments, and recommends that it do pass, and be referred to Committee on Finance.

CRESWELL, Chairman.

Senate Bill No. 221 ordered to be referred to Committee on Finance.

CONSIDERATION OF BILL—(OUT OF ORDER)

On motion of Senator Shanahan the Senate took up the consideration of Senate Bill No. 1222 out of order.

Senate Bill No. 1222—An Act to amend section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Shanahan moved to refer to Senator Kehoe, as a special committee of one, to amend as follows:

By striking out of Section 1, line 21, page 3, the words "two cents of" and insert in lieu thereof: ", provided, that".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1222, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

RECONSIDERATION OF VOTES.

Senator Cohn moved that the vote whereby Senate Bill No 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce—was refused passage be reconsidered.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 1411 was refused passage was reconsidered by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

Senator Hewitt moved to reconsider the vote whereby Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections—was refused passage be reconsidered.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Assembly Bill No. 1889 was refused passage was reconsidered by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

On motion of Senator Hewitt, Assembly Bill No. 1889 was ordered to the file of unfinished business.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 680—An Act to create a commission to be known and designated as the commission on superannuation and pensions, for the purpose of investigating and reporting to the forty-first session of the Legislature, conditions and remedies in relation to superannuation, dependency due to old age or invalidity, retirement, pension and relief provisions, and kindred subjects, defining its powers and duties and making an appropriation for the expenses of such commission—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

LYON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

Also: Assembly Bill No. 1405. An Act to amend the Penal Code by adding a new section thereto, to be known as Section 626, relating to week of suspension.

Have had the same under consideration, and respectfully report the same back and recommend that the bill do pass as amended.

LEWIS, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the issue of bills of indebtedness, warrants, certificates, bonds, deposit-notes and scrip or paper currency issued by the corporations or municipal corporations of this State, or any officer or agent thereof, and prescribing a time of redemption, the manner of redemption, and prescribing penalties for violations of this Act," approved April 23, 1911.

Also: Assembly Bill No. 1409. An Act to amend Sections 2 and 3 of an Act entitled "An Act to establish and maintain a library of State documents," approved March 3, 1885, and to add a new section thereto, to be numbered as Section 3a, relating to the duties and powers of the superintendent and the assistants.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LEWIS, Chairman.

Senate Bill No. 688 ordered re-referred to Committee on Finance.

Senate Bill No. 516 ordered on file for second reading.

Assembly Bills Nos. 1405, 94 and 1409 ordered on file for second reading.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

On motion of Senator Hewitt, the Senate took up the consideration of Senate Constitutional Amendment No. 17, out of order.

Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relative to the exemption of ships and vessels engaged in foreign commerce from taxation.

Read on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer to Senator Gates, as a special committee of one, to amend as follows:

By striking out lines 6 and 7 of the title of the resolution and inserting in lieu thereof the following: "exemption of vessels engaged in commerce from taxation."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred resolution proposing Senate Constitutional Amendment No. 17, with instructions to amend, respectfully reports the same back, amended as per resolution.

GATES, Committee.

Report read and adopted.

Constitutional amendment ordered to print and re-engrossed.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Juilliard, the Senate took up the consideration of Senate Bill No. 880, out of order.

Senate Bill No. 880—An Act to repeal Section 1935 of the Political Code of the State of California and to amend Sections 1906, 1925, 1926,

1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1957, 1963, 2076, 2077, 2079, 2080, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928*a*, 1928*b*, 1928*c* and 1928*d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Sanford, as a special committee of one, to amend as follows:

By striking out, in line 9, on page 12, all of said line beginning with the word "Before", and all of lines 10, 11, 12, 13, 14, 15, 16 and 17, and inserting in lieu thereof the following: "No person shall be commissioned as a general officer in the national guard of this state unless he shall have attained to the grade of field officer, and shall have had four years' previous experience, either as a commissioned officer in command of, or in service with, troops of the line of this state, or of another state, or territory, or District of Columbia, or of the United States army or marine corps, or in any or all of said services combined."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 880, with instructions to amend, respectfully reports the same back, amended as per instructions.

SANFORD, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Birdsall, as a special committee of one, to amend Assembly Bill No. 114 as follows:

By striking out Section 2 thereof, and inserting in lieu thereof the following: "SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 114, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIRDSALL, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Birdsall, as a special committee of one, to amend Assembly Bill No. 135, as follows:

By striking out Section 2 thereof, and inserting in lieu thereof the following: "SEC. 2. This Act [omitted] is hereby declared to be an emergency law for the usual current expenses of the state, and within the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 135, with instructions to amend, respectfully reports that said bill has been amended as per instructions.

BIRDSALL, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—MOTION.

Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Birdsall, as a special committee of one, to amend Assembly Bill No. 1374 as follows:

By inserting after the word "the", as the 13 page 3, of the printed bill, the word "usual".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1374, with instructions to amend, respectfully reports that said bill has been amended as per instructions.

BIRDSALL, Committee.

Report read and adopted.

Bill ordered to print.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Grant, the Senate took up for consideration of Senate Bill No. 389, out of order.

Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, statutes of California of 1909, page 948," and approved April 1, 1911, statutes of California of 1911, page 860.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Grant moved to refer to Senator Hewitt, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, of the printed bill, in line 18 thereof, after the word "alteration", and before the period (.), insert the following: "and shall issue the permit hereinafter mentioned entitled 'Permit of occupancy upon completion of construction'".

AMENDMENT No. 2.

On page 9, of the printed bill, in line 27 thereof, before the word "When", add the following: "Provided that", and strike out the capital "W" from the word "When", and insert a small "w".

AMENDMENT No. 3.

On page 10, of the printed bill, in line 15 thereof before the word "When", add the following words: "Provided that", and strike out the capital "W" from the word "When", and insert in lieu thereof a small "w".

AMENDMENT No. 4.

On page 16, of the printed bill, line 35, strike out the words "not more than".

AMENDMENT No. 5.

On page 16, of the printed bill, line 37, after the word "that" and before the word "such", insert the following: "when three stories of living apartments are constructed or designed to be constructed or occupied above such first story or basement of a wooden tenement".

AMENDMENT No. 6.

On page 16, of the printed bill, line 37, after the word "story" and before the word "shall", insert the words "or basement".

AMENDMENT No. 7.

On page 17, of the printed bill, line 1, after the word "than" and before the word "nine", insert the following words: "fourteen feet or less than".

AMENDMENT No. 8.

On page 17, of the printed bill, line 8, after the word "rooms" and before the word "which", insert the following: ", not to exceed five in number,".

AMENDMENT No. 9.

On page 17, of the printed bill, line 11, after the period (.) at the end of the line, add the following:

"Each of said reception or amusement rooms shall have a minimum floor area of one hundred and fifty square feet and a minimum width of ten feet and shall have a window or windows therein, opening upon a street or public alley, or other public thoroughfare or public park, or court or yard, as follows:

When such room contains not more than one hundred and eighty square feet of floor area the window area, if said room is not a basement room, shall be not less than one eighth the superficial area of said room and if located in a basement shall be not less than one sixth the superficial area of such room, and the upper half of the windows shall be made so as to open the full width.

No such reception or amusement room shall have a lesser window area than that provided for such rooms containing not more than one hundred and eighty square feet of floor area.

No such reception or amusement room shall be used for lodgings, sleeping apartments or family domicile.

All reception or amusement rooms in tenements, other than wooden tenements, shall be governed by the provisions of this section regarding such rooms in wooden tenements.

Whenever such reception or amusement rooms are placed in a wooden tenement building or in a tenement which is not a wooden tenement, the story or basement in which such rooms are located shall have a minimum height between the finished floor and finished ceiling of not less than nine feet."

AMENDMENT No. 10.

On page 31, of the printed bill, line 13, after the comma (,), and before the word "when", insert the following: "when application is made therefor in writing by the owner, his agent or architect,".

AMENDMENT No. 11.

On page 31 of the printed bill, line 16 after the period [illegible]

AMENDMENT No. 12.

On page 32 of the printed bill, line 6, strike out the word "[illegible]"

AMENDMENT No. 13.

On page 32 of the printed bill on the end of line 5 add the following: "As the term 'department of health' used in this Act it means any department, bureau or part of the government of any incorporated town, [illegible] city or city and county in which this Act applies which is charged with the enforcement of [illegible] ordinances and regulations relating to the protection of public health."

AMENDMENT No. 14.

On page 39 of the printed bill, line 28 after the word "[illegible]" strike out the words "at the bill" and after the word "thereof" [illegible]

Motion carried.

REPORT OF SPECIAL COMMITTEE ON ENR.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee [illegible] Senate Bill No. 389, with instructions to amend, respectfully reports the same back, amended as per instructions.

HEWITT, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossed.

CONSIDERATION OF BILL — (3 P. OF ORDER)

On motion of Senator Finn, the Senate took up the consideration of Assembly Bill No. 979, out of order.

Assembly Bill No. 979. An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions, authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 979 passed by the following vote:

AYES—Senators Anderson, Belan, Benson, Birdsall, Breed, Brown, Bryant, Caminetti, Campbell, Carr, Cassidy, Finn, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

USE OF SENATE CHAMBER GRANTED.

On motion of Senator Cartwright, the use of the Senate Chamber for this evening was granted to the Committee on Public Morals for a hearing on Senate Bill No. 1158.

DISPOSITION OF BILL.

The acting President ordered that Senate Bill No. 1411 be placed on the file of unfinished business.

PRESIDENT WALLACE IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Cassidy, the Senate took up the consideration of Senate Bill No. 386 for second reading, out of order.

Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

During second reading of the bill, the following amendments were offered by Senator Cassidy:

AMENDMENT No. 1.

On page 1, line 3, of the printed bill, after the words "removal of", insert the words "bodies interred in".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 15, of the printed bill, strike out the word "four", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 16, of the printed bill, strike out the word "four", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The consideration of the special order pending at the hour of recess was placed before the Senate.

Senate Bill No. 54—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

The question being on the adoption of the report of the special committee of one to amend.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Caminetti, Juilliard and Avey.

The roll was called and report of the special committee refused adoption by the following vote:

AYES—Senators Beban, Benson, Bryant, Caminetti, Campbell, Cartwright, Finn, Gerdes, Grant, Hans, Juilliard, Lane, Leake, Stanford, Strobridge and Tyrrell—18.

NOES—Senators Anderson, Avey, Boynton, Chamberlain, Cutten, Dennett, Flint, Cassidy, Caldwell, Chan Cecil, Chan Clyde, Finn, Irwin, Hewitt, Jones, Lawrence, Mott, Owen, Rush, Strother, Thompson, and Wright—20.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 54 refused passage by the following vote:

AYES—Senators Beban, Benson, Bryant, Caminetti, Campbell, Cartwright, Finn, Flint, Gerdes, Grant, Hans, Juilliard, Lane, Leake, Stanford, Strobridge and Tyrrell—18.

NOES—Senators Anderson, Avey, Boynton, Chamberlain, Cutten, Dennett, Flint, Cassidy, Caldwell, Chan Cecil, Chan Clyde, Finn, Irwin, Hewitt, Jones, Lawrence, Mott, Owen, Rush, Strobridge, Thompson, and Wright—20.

REPORT OF STANDING COMMITTEE—CITY OF CHINO.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Privileges and Elections, to whom was referred the request of Senator Anderson to introduce a bill entitled "An Act to provide for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for appropriation of the public money and providing for the distribution by the State Board of Health, and making an appropriation therefor."

Also: The request of Senator Benson to introduce a bill entitled "An Act to define investment companies, investment bankers and agents, to provide for the licensing, supervision and bonding thereof, to provide penalties for the violation thereof, to create the office of corporation commissioner, to prescribe the qualifications and to define the powers and duties of such corporation commissioner, and making an appropriation therefor."

Also: The request of Senator Hewitt to introduce a bill entitled "An Act to provide for the planting, protection and care and the removal and destruction of shade trees and ornamental shrubs along and in public streets, highways, squares, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and parcels fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done."

Also: The request of Senator Bryant for permission to introduce a bill entitled "An Act to add a new section to the Civil Code, to be numbered three hundred forty-five, relating to assignments of claims for wages."

Also: The request of Senator Cassidy for permission to introduce a bill entitled "An Act to add a new section to the Civil Code of the State of California, to be numbered Section 3082, relating to the taking of money by corporations organized under the laws of the State of California or by officers, directors or stockholders."

Have had the same under consideration, and respectfully report the same back, and recommend that said requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Carr, Cartwright, Cassidy, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Hewitt: Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Anderson: Senate Bill No. 1738—An Act to provide for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and providing for dispensaries under the direction of the State Board of Health, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Breed: Senate Bill No. 1739—An Act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation hereof; to create the office of corporation commissioner; to provide for his appointment and to define the powers and duties of such corporation commissioner; and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Bryant: Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignments of claims for wages.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 309*a*, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cogswell: Senate Joint Resolution No. 34—Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

Resolution referred to Committee on Federal Relations.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Thompson: Permission to introduce a Senate bill—An Act to provide for the payment of municipal bonds before maturity.

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER

The following reports of standing committees were presented and read:

ON EDUCATION

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

Mr. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1311—An Act to add a new section to the Political Code, to be numbered seventeen hundred seventy-four, relating to the sale or leasing of school property by boards of trustees of common school districts and to repeal all ordinances in conflict herewith—have had the same under consideration, and respectfully report back with the recommendation that the same do pass.

AVEY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

Mr. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1192—An Act appropriating money to pay for the expense of improving Fifth street in the city of Chico, fronting the property belonging to the state normal school in that city—have had the same under consideration, and respectfully report the same back and recommend that the same do pass and be referred to Committee on Finance.

AVEY, Chairman.

Senate Bill No. 1311 ordered to file for second reading.

Senate Bill No. 1192 ordered to be referred to Committee on Finance.

ON PENAL, STATE AND INSTITUTIONAL LANDS

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

Mr. PRESIDENT: Your Committee on Penal, State and Institutional Lands, to whom was referred Senate Bill No. 976—An Act to amend Section 1240 of the Political Code of the State of California, relating to examinations, qualifications, appointments and salaries of deputy county surveyors—have had the same under consideration, and respectfully report back with recommendation that the same do pass.

LUNSTAY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

Mr. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1410—An Act amending the Political Code No. 742 and providing for its publication and the payment of all outstanding indebtedness—have had the same under consideration, and respectfully report the same back with committee substitute and respectfully recommend that the substitute be adopted and do pass.

BENSON, Chairman.

Senate Bills Nos. 376 and 1410 ordered on file for second reading.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—OUT OF ORDER

Senator Thompson asked and was granted unanimous consent to take up for consideration Senate Constitutional Amendment No. 15, out of order.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution, to be numbered Section 1a of Article XIII thereof, relating to exempting certain property of education institutions of college grade from taxation.

Constitutional amendment read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Thompson moved to refer to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Strike out of line 12, page 1, of the printed amendment, the word "upon" and insert in lieu thereof the word "within"

AMENDMENT NO. 2.

Strike out of line 13, page 1, the words "bonds and other securities", and the comma following the word "securities", and insert in lieu thereof the words "securities and income."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 15, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Constitutional amendment ordered to print and re-engrossment.

ADJOURNMENT.

At six o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, April 11, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 10, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 84 referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 11—Relative to requesting your Senators in Congress to support "A bill, H. R. No. 20871," pending in the Senate of the United States.

L. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Senate Joint Resolution No. 11 referred to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 69, An Act to amend the political code of California, relating to the appointment of notaries public, and to repeal certain acts and parts of acts relating thereto, and to provide for the appointment of practitioners of shorthand to supersede the appointment of shorthand reporters by the judges of the superior courts of California, to provide for the examination of such practitioners of shorthand, to create a board of examiners of shorthand, to define its duties and powers, to provide for the expenses of said board, and to prescribe penalties for the violation of the provisions of this act, to create a board of examiners of shorthand, to define the duties and to prescribe a fee to carry out the purposes of the Act.

L. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 69 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters and qualified voters to whom such certificates and ballots have been issued to cast their votes whenever they may be within the State of California, on the day of any primary or primary election, and to provide the manner in which such votes shall be cast and counted.

L. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 541 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 747—An Act to repeal an Act entitled "An Act to provide that the indebtedness to pay the purchase price of certain lands for the use of the state normal school in Los Angeles be assumed by the state of California, to provide for the establishment of said state normal school in Los Angeles, to prescribe the conditions of such establishment, to provide for the location and purchase of said lands, to provide for the management, government and control of said state normal school, to provide for the appointment of trustees of said state normal school, to prescribe their powers and duties, to provide for the appointment of a president of said state normal school, to prescribe his powers and duties, to provide for the appointment of such professors, teachers, employees and agents as may be necessary for said state normal school, to prescribe their powers, compensation and duties, to provide for the maintenance of said state normal school, to provide for the disposition of moneys to the credit of said state normal school fund, to provide for the payment of moneys out of said fund, to provide for the payment of moneys out of the state treasury to said fund, to provide for the payment of moneys out of said fund, to provide for the payment of moneys out of said fund, to provide for the payment of moneys out of

State of California by adding a new section thereto, to be numbered 1410g, relating to the water of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

Also: Senate Bill No. 506—An Act to amend Section 1876 of the Political Code of the State of California, relating to contracts by boards of school trustees and city boards of education.

Also: Senate Bill No. 504—An Act to amend Section 1740 of the Political Code of the State of California, relating to meetings of high school boards.

Also: Senate Bill No. 502—An Act to amend Section 1674 of the Political Code of the State of California, relating to union high school districts.

Also: Senate Bill No. 124—An Act to amend Section 791 of the Political Code, relating to notaries public.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 412, 506, 504, 502 and 124 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 625—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

Also: Concurred in Senate amendment to Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Also: Concurred in Senate amendment to Assembly Bill No. 444—An Act to amend Section 1576g of the Political Code of the State of California, relating to the employment of clerks in certain school districts.

Also: Concurred in Senate amendment to Senate Bill No. 2031—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Also: Concurred in Senate amendment to Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendment to Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance of the construction, or maintenance, by the State of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damage done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newtown jetties,' and repealing an Act entitled 'An Act to authorize the Lauritzen Company of San Francisco, a corporation, to sue the State of California,' approved March 23, 1907," approved March 20, 1911.

Also: Concurred in Senate Amendment to Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Also: Concurred in Senate Amendment to Assembly Bill No. 1502—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation reclamation and drainage districts.

Also: Concurred in Senate Amendment to Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined the following:

Senate Bill No. 526—An Act to promote the better execution of agents and the better care of the sick in the State of California, to provide for the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to graduate applicants by the State Board of Health, and to repeal an Act approved March 26, 1909, entitled "An Act to promote the better education of the profession of nursing, the care of the sick in the State of California, to provide for the granting of certificates of registration as a registered nurse to graduate applicants by the Board of Regents of the University of California, and to provide penalties for violations thereof."

Also: Senate Bill No. 564—An Act providing it unlawful to sell or traffic in liquor, entitling liquors within the State of California without a license or consent, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

Also: Senate Bill No. 1177—An Act to amend Section 1161 of the Penal Code, relating to unlawful acts and liens.

Also: Senate Bill No. 1380—An Act conferring upon any city and county, within the State, the power, under certain circumstances, of removing dead bodies from any cemetery within the limits of such city and county, and providing for authority of supervising officers concerned.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined the following:

Senate Bill No. 1312—An Act to amend Section 227 of the Civil Code of the State of California, relating to leased instruments filed in the mail.

Also: Senate Bill No. 7—An Act authorizing the classification and assessment of a class room building on the grounds of the University of California and making an appropriation therefor.

Also: Senate Bill No. 1294—An Act to amend Section 653f of the Penal Code of the State of California, relating to unarmed fire and police.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined the following:

Senate Joint Resolution No. 24—Relating to the preservation of the natural conditions of Lake Tahoe and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

Also: Senate Joint Resolution No. 26—Relative to making investigations and experiments as to origin and cure of tuberculosis.

Also: Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the resources of the State of California at the Universal and International Exposition to be held in the city of Ghent, in the Kingdom of Belgium, in the year nineteen hundred thirteen and providing for a commissioner thereof.

Also: Senate Bill No. 228—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the readjustment and discharge of their indebtedness and the dissolution of their property," approved February 26, 1909, and amended March 3, 1909, by making it more certain whether or not subsection two *a*, relating to the dissolution of such districts when they have no assets, now have no indebtedness not carried by the statute of limitations and have ceased to be going concerns.

Also: Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court Judges and providing for the appointment of four additional Superior Court Judges to be for the city and county of San Francisco, and repealing the acts conflicting.

And report that the same have been correctly engrossed and presented the same to the Governor on this 10th day of April, 1913, at three o'clock and fifty minutes p. m.

GRANT, Chairman.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred fifty-a, relating to exposure or threats of exposure of paroled or discharged prisoners.

Also: Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

Also: Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Also: Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Also: Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

Also: Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Also: Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 18, 19, 20, and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FINN, Chairman.

Assembly Bills Nos. 274, 653, 758, 1179, 1384, 1514 and 2016 ordered on file for second reading.

PETITIONS.

The following petitions were presented:

WHEREAS, There is now pending before the Legislature of the State of California a measure having for its purpose and object the enlargement and increase of the powers, duties and responsibilities of the State Reclamation Board, and the creation of a district of lands situate within the Sacramento and the San Joaquin valleys and susceptible to inundation from the flood waters of said rivers and their tributaries, to be placed under the jurisdiction and control of said reclamation board to the end that all works of reclamation hereafter inaugurated within said district may be made to conform to one general and comprehensive plan of reclamation having for its object the safe reclamation of so much of the lands within said district as may be safely reclaimed, and the construction of such works as may be necessary to provide a safe means for the escape of the flood waters of said rivers and their tributaries by means of by-passes and artificial channels into the waters of Suisun Bay in conformity with the plans and recommendations of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, together with such modifications and amendments thereof as have been heretofore adopted or may hereafter be adopted by said reclamation board; and

WHEREAS, Owing to the reclamation of large bodies of land situate within the basins adjacent to said Sacramento River and its tributaries which have heretofore formed natural reservoirs for the storage and passage of the flood waters of said rivers and the consequent exclusion by means of such works of reclamation of such waters from such basins, thereby greatly increasing the volume of water which must necessarily be confined within the natural channels of said rivers, with a consequent increase in the height of the flood plane thereof to such an extent as to endanger the levees protecting the lands situate near the banks of said rivers, including the territory comprised within the limits of the city of Sacramento; and

WHEREAS, It is deemed by the city commission of the city of Sacramento that it is of vital interest to the welfare of said city that legislation should be adopted vesting in said reclamation board the powers, duties and responsibilities hereinabove referred to; now, therefore, be it

Resolved, That such pending legislation be, and the same is hereby, approved by the City Commission of the city of Sacramento; and be it further

Resolved, That the Senate and Assembly of the State of California be and they are hereby, respectively, respectfully requested to enact said amendments as the same may be reported back from their respective committees upon drainage, swamp and overflowed lands, together with such amendments as may be recommended for adoption by said committees; and be it further

Resolved, That in the event of the passage of said measure by the Legislature of the State of California, his Excellency the Governor be respectfully requested to approve the same.

I hereby certify that the foregoing is a full, true and correct copy of a certain resolution adopted by the City Commission of the city of Sacramento, county of Sacramento, State of California, at a regular meeting of said commission, held on the 3d day of April, 1913, and that the original of said resolution is on file in my office.

[SEAL] M. J. DESMOND,
City Clerk of the City of Sacramento, County of Sacramento.

COMMUNICATION TO SENATE.

The following communication was received and read:

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.
SAN FRANCISCO, April 10, 1913.

To the Honorable the State Senate, Sacramento, California.

GENTLEMEN: We are in receipt of a letter dated April 9, 1913, written by Mr. W. N. Parrish, the Secretary of your honorable body, inclosing copy of a resolution passed by your honorable body requesting an opinion from the commission upon Senate Bill No. 984, as amended on March 6, 1913, and stating also that a few days ago he had forwarded to this commission for the consideration thereof Assembly bills 50 and 63. As a matter of fact, this commission did not receive any such communication with reference to Assembly bills 50 and 63. We proceed to comment on these three bills as follows:

SENATE BILL NO. 984—LUCK—LABOR AND CAPITAL.

This bill provides, in effect, that on and after January 1, 1914, all engines of locomotive steam boilers shall supply and maintain automatically on each and every boiler and in such position that it may be inspected at reasonable light, a suitable low water indicator which will give an alarm when the water falls below the prescribed limit. The bill provides that the apparatus shall be of such character as to indicate audibly a low water or danger condition of water and to prevent the generation of steam during the danger period. Appropriate penalties are prescribed for violations of the Act.

We have not been advised that railroad cabs with reference to the subject matter of this bill. If there is complaint, the matter may be addressed to being brought to the attention of this commission. The commission at present has complete power, under Section 42 of the Public Utilities Act, to prescribe the use of safety appliances referred to in the bill and if such other safety appliances as may be necessary to promote or safeguard the safety of any employees or passengers of railroad companies. We leave it to the sound judgment of the Legislature as to whether, in view of the fact that the matter sought is already covered by the Public Utilities Act, and that this commission can make needful investigations into the subject in case its attention is drawn to it, it would be a wise state policy to enact special legislation on this subject.

SENATE BILL NO. 50—SMITH—MUNICIPAL CORPORATIONS.

This bill proposes to add to the Civil Code a new section to be known as Section No. 550, and providing in effect that it shall be the duty of every water company which has contracted with an incorporated city or town to install and connect fire hydrants upon being directed so to do by the legislative body of such incorporated city or town, within thirty days after receiving written notice of the passage of an ordinance requiring the installation. In case the water company fails to install the hydrants as required by ordinance, the city or town shall cause the same to be installed and connected, whereupon the charge for the work shall be a lien against the water company.

This is a matter affecting the police powers of the cities and we have no comment to make thereon.

ASSEMBLY BILL NO. 63—SMITH—MUNICIPAL CORPORATIONS.

This bill proposes to amend Section 540 of the Civil Code of this State, which now provides, in effect, that all water companies must furnish pure, fresh water to the inhabitants of cities and towns for family uses so long as the supply permits at reasonable rates and without distinction of persons, upon proper demand therefor, and must furnish water to the extent of their means, in case of fire or other great necessity, free of charge. The section also provides that the board of supervisors or

the proper city or town authorities may prescribe proper rules relating to the delivery of water, not inconsistent with the laws of the State.

It is proposed now to add to this section the following sentence: "In making service connections with its mains it shall be the duty of a water company to extend its service pipes from its mains to a point within the curb line of any street upon which its mains are located, free of cost to the person to whom water service is to be supplied."

While this principle, as it would ordinarily be applied, is undoubtedly correct, and has uniformly been applied by this commission in such water cases as have come before it, we desire to draw the attention of your honorable body to the fact that injustice may result from applying this principle to particular cases. For instance, under this language, it would be the duty of a water company which had laid a water main along only a small portion of a particular street, to construct service connections from this main to property located at any place along the street throughout its entire length, even though the distance be several miles, without any compensation.

Whether or not, in view of the fact that this commission has at the present time, under the Public Utilities Act, jurisdiction over this question, and of the possible injustice which may arise from the application of the principle in its rigid form, the Legislature deems it advisable to embody this provision in the statute, is a matter which we desire to leave to the good judgment of the Legislature.

We desire to draw attention to the fact that that portion of the bill which proposes to re-enact the last sentence of Section 549 of the Civil Code and to give to the boards of supervisors the authority to prescribe proper rules relating to the delivery of water, is undoubtedly unconstitutional, as being opposed to the provisions of Section 23 of Article XII of the constitution, as amended on October 10, 1911, and providing, in part, that all powers over public utilities theretofore exercised by boards of supervisors should be vested in this commission. We assume that if the Legislature desires to pass this bill, it will desire to remove the portion which is unconstitutional.

Very respectfully,

RAILROAD COMMISSION OF CALIFORNIA.

JOHN M. ESHLEMAN,
H. D. LOVELAND,
ALEX GORDON,
MAX THELEN,
EDWIN O. EDGERTON,
Commissioners.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Boynton: Permission to introduce a Senate bill—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

By Senator Beban: Permission to introduce a Senate bill—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

By Senator Curtin: Permission to introduce a Senate bill—An Act to amend Section 3937, and re-enacting Section 3938, relating to the county boundary between Tuolumne and Mariposa counties.

By Senator Birdsall: Permission to introduce a Senate bill—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County between said county and Placer County.

By Senator Birdsall: Permission to introduce a Senate bill—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County between said county and El Dorado County.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER)

The following report of standing committee was received and read:

ON HOSPITALS AND ASYLUMS

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués near Stockton, California, and to provide for the government and management thereof, and making an appropriation therefor, have had the same under consideration, and respectfully return the same with committee substitute and recommend that the substitute be adopted and do pass, and be re-referred to Committee on Finance.

RUSH, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 629—An Act to amend Section 3158 of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital, have had the same under consideration, and respectfully return the same, with committee substitute and recommend that the same be adopted, and that the bill do pass.

RUSH, Chairman.

Senate Bill No. 628 re-referred to Committee on Finance.

Senate Bill No. 629 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS

Senate Bill No. 297—An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cartwright moved to refer to Senator Finn, as a special committee of one, to amend as follows:

By striking out all of Sections 1 to 15, inclusive.

Also, By striking out the number "16" in line 1, page 10, and inserting in lieu thereof the figure "1."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 297, with instructions to amend, respectfully reports the same back, amended as per instructions.

FINN, Chairman.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Beban, Campbell, Cartwright, Cassidy, Cohn, Finn, Gerdes, Larkins, Regan, Rush, and Shanahan—11.

NOES—Senators Anderson, Birdsall, Boynton, Bressi, Brown, Butler, Caminetti, Gates, Hewitt, Juilliard, Metz, Owens, Stetson, Thompson, Tyrrell, and Wright—16.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Brown, as a special committee of one, to amend as follows:

On page 5, line 12, of the printed bill, after the comma following the word "ground", strike out all the remaining portion of the section, and insert in lieu

thereof the following: "he shall accompany his application with a certificate for a duly accredited school of optometry, acknowledged before an officer authorized to take acknowledgments showing the applicant to have successfully completed one year's work in such school, and the board shall issue to him a certificate entitling him to practice optometry in the State of California without examination.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 297, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

The question being on the adoption of the report.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Butler, Tyrrell and Breed.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Beban, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Larkins, Rush, Sanford, Shanahan, and Wright—20.

NOES—Senators Boynton, Breed, Hewitt, Juilliard, Mott, Owens, Strobridge, Thompson, and Tyrrell—10.

Bill ordered to print and re-engrossment.

CONSIDERATION OF SPECIAL ORDER.

The hour of eleven o'clock having arrived, the President placed before the Senate the special order set for this time—Assembly Concurrent Resolution No. 19—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By striking out of line 3 the words and figures "twelve o'clock m. Saturday, April 26th," and inserting in lieu thereof the following: "ten o'clock p.m. Saturday, May 3d".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Concurrent Resolution No. 19, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

MOTION.

Senator Curtin moved that the concurrent resolution, the pending amendment and report be re-referred to the Committee on Finance.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Capt. Z. J. Hatch

and R. J. R. Aden, of Vallejo and to M. McIntyre and J. T. Yost, of Napa.

On request of Senator Boynton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lydia D. Lawhead, teacher of United States History and Civics, and the following members of the senior class of the Woodland High School: Eugene Langemeyr, Kenneth Langemeyr, Earl Carson, Lawrence Maxwell, Roy Mast, Jack Lawson, Harold Ball, Waverly Hodge, Cyril Nelson, Geo. Cranston, Lonnie Woods, Adelaide Stevens, Percy Hurst, Flora Reith, Grace Sefford, Mabel Miller, Muriel Dinsdale, Sophia Dinsdale, Elmyra Norton, Eugenia Miller, Lucile Hildebrant, and Ruth Hildebrant.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Hon. S. F. Boynton, President pro tem. of the Senate, in the chair.

MOTION TO COMMIT LOST.

The question being on the motion of Senator Curtis.

The roll was called, and the motion lost by the following vote:

AYES—Senators Anderson, Campbell, Cartwright, Cassidy, Curtis, Finn, Gosse, Juilliard, Owens, Sanford, Stephens, and Wright—11.

NOES—Senators Ayer, Bennett, Boynton, Bunkl, Burnett, Burke, Chamberlain, Caminetti, Caswell, Hans, Hewitt, Larkins, Lane, Main, Regan, Rush, Shumaker, Strobridge, Thompson, and Tyrrell—20.

MOTION TO POSTPONE.

Senator Wright moved that the further consideration of the resolution and the pending report be postponed one week.

The question being on the motion of Senator Wright.

The roll was called, and the motion lost by the following vote:

AYES—Senators Anderson, Campbell, Cassidy, Cohn, Finn, Gosse, Juilliard, Larkins, Owens, Sanford, Stephens, and Wright—12.

NOES—Senators Ayer, Bennett, Boynton, Bunkl, Burnett, Burke, Caminetti, Carr, Cartwright, Caswell, Curtis, Finn, Gosse, Curtis, Hans, Hewitt, Lane, Regan, Strobridge, Thompson, and Tyrrell—21.

REPORT OF COMMITTEE OF ONE ADOPTED.

The report of the special committee of one was read and adopted.

Resolution ordered to print.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634a, relating to the protection of boundaries—had the same under consideration, and respectfully report the same back and recommend that it do pass.

HANS, Chairman.

Assembly Bill No. 1459 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, and December 24, 1911, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12*a*, 14, 15, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 34, 35, 37, 41, 42, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 105, 106, 121, 123, 124, 127, 128, 130, 131, 133, 134, 136, 137, 138, 139 and 145 thereof, and by repealing Sections 13, 18, 33, 100 and 104 thereof, and by adding new sections thereto to be numbered Sections 12*b*, 12*c*, 21*a*, 31*a*, 54, 55, 56, 61*a*, 107, 130*a*, 135*a*, 136*a* and 136*b*, and by repealing Section 135 thereof and adding a new section thereto, to be numbered Section 135, all relating to the definition and regulation of the business of banking—have had the same under consideration, and respectfully report the same back, as amended, and recommend that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 1137 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEWITT, Chairman.

Assembly Bill No. 971 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LYON, Chairman.

Senate Bill No. 1627 ordered on file for second reading.

SENATOR GATES IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Senator Gates, of the Thirty-fourth District, in the chair.

SPECIAL ORDER — "CONTINUED".

The motion of Senator Caminetti to reconsider the vote whereby Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess—was refused passage, was ordered placed on the file of unfinished business.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Gerdes, the hour of recess was extended fifteen minutes.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to pro-

vide for the acquisition of water rights or construction thereby of water works and for the acquisition of all properties necessary therefor, and also to provide for the distribution and sale of water by said districts.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Caminetti moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

AMENDMENT NO. 1

After the word "stated," in line 22, page 2, insert the following:

"With such publication there shall also be published a notice of the time of the meeting of the board when such petition will be considered and that all persons interested therein may then appear and be heard. At such time the board of supervisors shall hear the petition and those appearing thereto and may adjourn such hearing from time to time, not exceeding four weeks in all. No defect in the contents of the petition or in the title to or form of the notice or signatures, or lack of signatures, thereto shall vitiate any proceedings thereon, provided such petition or petitions have a sufficient number of qualified signatures attached thereto. On the final hearing said board shall make such changes in the proposed boundaries as may be deemed advisable and shall define and establish such boundaries. But said board shall not modify said boundaries so as to exclude from such proposed district any territory which would be benefited by the formation of such district, nor shall any lands which will not, in the judgment of said board, be benefited by such district, by means of any of said systems of works, be included within such proposed district. Any person whose lands are proposed to be left out may, upon his application, in the discretion of said board, have such lands included within such proposed district. Upon such hearing of said petition, the board of supervisors shall determine whether or not said petition complies with the requirements of the provisions of this Act, and for that purpose must hear all competent and relevant testimony offered in support of or in opposition thereto. Such determination shall be entered upon the minutes of said board of supervisors. A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and action shall be final and conclusive against all persons except the State of California upon suit commenced by the attorney general. Any such suit must be commenced within one year after the order of the board of supervisors declaring such district organized as herein provided, and not otherwise."

AMENDMENT NO. 2

Strike out the words "when such petition is presented" in line 22 of page 4 thereof, and insert "Upon the final determination of the question of the district"

AMENDMENT NO. 3

Insert after the word "district," in line 21, page 13 thereof, the following: "and to conserve water for future use and to appropriate, acquire and possess water and water rights and for this purpose to use, improve and maintain in the name of the district, and assume the costs of, irrigation systems for the use of water or water rights within the district and those used and useful for the purposes of the district or of any of the lands situated therein."

AMENDMENT NO. 4

On page 14, line 9, insert two new subdivisions and two new sections as follows:

"10. To cause taxes to be levied for the purpose of paying any obligation of the district and to accomplish the purposes of this Act in the manner herein provided.

11. To make contracts, to employ labor and to do all acts necessary for the full exercise of the foregoing powers.

SEC. 13. The powers herein enumerated shall, except as herein otherwise provided, be exercised by the board of directors herein provided for and elected and appointed as described herein.

SEC. 14. The president shall sign all contracts on behalf of the district and perform such other duties as may be imposed by the board of directors. The secretary shall countersign all contracts on behalf of the district and perform such other duties as may be imposed by the board of directors. The secretary shall give his full time during office hours to the affairs of the district. The general manager shall have full charge and control of the maintenance, operation and construction of the waterworks or waterworks system of said water district, and full power and authority to employ and discharge all employees and assistants at pleasure, prescribe

their duties, and shall, subject to the approval of the board of directors, fix their compensation. The general manager shall perform such other duties as may be imposed upon him by the board of directors. The general manager shall report to the board of directors in accordance with such rules and regulations as they may adopt. The auditor shall be charged with the duty of installing and maintaining a system of auditing and accounting that shall completely and at all times show the financial condition of the district. He shall draw warrants to pay demands made against the district when such demands have been first approved by at least three members of the board of directors, and by the general manager. The board of directors shall also designate a depositary or depositaries to have the custody of the funds of the district, all of which depositaries shall give security sufficient to secure the district against possible loss, and who shall pay the warrants drawn by the auditor for demands against the district under such rules as the directors may prescribe. The general manager, secretary and auditor, and all other employees or assistants of said district who may be required so to do by the board of directors, shall give bonds to the district conditioned for the faithful performance of their duties as the board of directors from time to time may provide."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 265, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

RECESS.

At one o'clock and forty minutes p.m., on motion of Senator Campbell, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Tyrrell, the Senate took up the consideration of the second-reading file of Assembly Bills.

Assembly Bill No. 1140—An Act to amend Section 290*a* of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustees or to engage in the business of banking.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 3, strike out the word "section".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 26, strike out the word "and".

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 32, strike out the word "two", and insert the word "one"

Amendment adopted.

AMENDMENT NO. 4.

On page 2, line 36, strike out the word "and".

Amendment adopted.

AMENDMENT No. 1.

On page 3, line 34, strike out the word "town" and insert the word "tax".

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer and defining its use and the liability therefor.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, section 2, line 4, before the word "current" and after the word "the", insert the word "usual".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 5, strike out the word and figure "Sec. 2", and insert in lieu thereof the word and figure "Sec. 3".

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting a new section, to be numbered Section 2, to read as follows: "Sec. 2. The state controller is hereby authorized and directed to draw his warrant on the state treasury for the amount herein appropriated and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SENATOR THOMPSON IN THE CHAIR.

At two o'clock and five minutes p.m., Senator Thompson of the Thirty-fifth District in the chair.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, section 2, line 10, after the words "the" and before the word "current", insert the word "usual".

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word and figure "Sec. 2" on page 1, line 9, and insert in lieu thereof the word and figure "Sec. 3".

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting a new section, to be numbered Section 2, to read as follows: "Sec. 2. The state controller is hereby authorized and directed to draw his warrant on the state treasury for the amount herein appropriated and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1371—An Act making an appropriation for maintenance of the Lake Tahoe wagon road.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 2, line 6, after the word "for" and before the word "current", insert the word "usual".

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2, on page 1, line 5, by striking out the word and figure "SEC. 2", and inserting in lieu thereof the word and figure "SEC. 3."

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting a new section, to be numbered Section 2, to read as follows: "SEC. 2. The state controller is hereby authorized and directed to draw his warrant on the state treasury for the amount herein appropriated and the state treasurer is hereby directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as Section 653*c*, relating to wages of employees.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out the third line of the title, and insert in lieu thereof the following: "to wages to be paid to certain employees of the State of California or of any political subdivision thereof, whether such employees be employed directly or by contractors or sub-contractors of the same; making it the duty of the commissioner of the bureau of labor statistics upon demand and for the purposes of this Act, to determine and certify the rate of wages prevailing in any trade or occupation in any locality; providing the manner of enforcing the provisions of this Act, and fixing penalties for the violation thereof."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 30, at the end of the line add the following: "In case of any dispute concerning the prevailing rate of wages in any trade or occupation in any locality, such dispute shall be referred to the commissioner of the bureau of labor statistics for investigation and determination; upon demand therefor, said commissioner shall certify under the seal of the bureau of labor statistics the prevailing rate of wages as aforesaid, and such certificate shall be prima facie evidence of the facts therein contained; *provided, however*, that whenever information concerning rates of wages paid by employers shall be on file in said bureau, the labor commissioner may use such information for ascertaining and certifying the prevailing rates of wages as aforesaid. But nothing contained in this section shall be construed so as to authorize the payment of wages for labor or services hereunder at less rates than such as are or may be established by law."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers, and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1109—An Act to amend Sections 1 and 7 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto to be designated as Section 3a, relating to the duties and powers of the commissioner and his appointees.

Bill read second time, and ordered on the file for third reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Tyrrell the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission, by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization; define its powers and duties and provide for a review of its safety decisions and awards, and appropriating moneys to carry out the provisions of this Act, and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

On motion of Senator Boynton Senate Bill No. 905 was passed to file.

Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviations from such rating schedules, and providing a penalty thereof.

In the absence of the author, Senate Bill No. 896 was passed to file.

Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, Section 6, line 20, of the printed bill, after the word "possessed" add the following: "said book shall be kept for an officer of the prison."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At two o'clock and ten minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 750—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, Section 3, line 1, strike out the word "fifty", and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 3, line 6, strike out the words "directors of the state agricultural society", and insert in lieu thereof the words "persons authorized by law to receive the same".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston School of Industry.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, amend by adding a new section, to be numbered Section 2, to read as follows:

"SEC. 2. The state controller is hereby authorized and directed to draw his warrant on the state treasury for the amount herein appropriated, and the state treasurer is hereby directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 126—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, amend by adding a new section after Section 1, to read as follows:

"SEC. 2. Of the moneys herein appropriated, not more than one hundred sixty thousand dollars shall be available during the year ending June 30, 1914, and the remaining one hundred thousand shall be available during the year ending June 30, 1915."

Amendment adopted.

AMENDMENT No. 2.

A new section is added after Section 2, to be numbered Section 3, and to read as follows:

"SEC. 3. The state controller is hereby authorized and directed to draw his war-

rants on the state treasury for the amounts herein appropriated, and the state treasurer is hereby directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 127.—An Act appropriating money for repairing and calcimining the training school building at San Francisco State Normal School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, amend by adding a new section, to be numbered Section 2, to read as follows:

"SEC. 2. The state controller is hereby authorized and directed to draw his warrants on the state treasury for the amounts herein appropriated, and the state treasurer is hereby directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 128.—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, amend by adding a new section, to be numbered Section 2, to read as follows:

"SEC. 2. The state controller is hereby authorized and directed to draw his warrants on the state treasury for the amounts herein appropriated, and the state treasurer is hereby directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 226.—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 1, strike out the words "[illegible] two thousand six hundred", and insert in lieu thereof the words "[illegible] six thousand".

Amendment adopted.

AMENDMENT No. 2.

Amend by adding a new section, to be numbered Section 3, to read as follows:

"SEC. 3. The state controller is hereby authorized and directed to draw his warrants for the amount herein appropriated, and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 227.—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, amend by adding a new section, to be numbered Section 2, to read as follows:

"SEC. 2. The state controller is hereby authorized and directed to draw his

warrant for the amount herein appropriated, and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 1, of the printed bill, strike out the words "one thousand," and insert in lieu thereof the words "five hundred."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 2, of the printed bill, strike out the words "one year," and insert in lieu thereof the words "seven months."

Amendment adopted.

AMENDMENT No. 3.

On page 2, strike out all of lines 5 and 6, and insert in lieu thereof the following: "SEC. 3. This Act shall apply only to labor done directly and exclusively for and on behalf of the State of California under contract duly entered into by or through its authorized officers or agents, and where such contract is to be performed within the State of California."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 5, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1311—An Act to add a new section to the Political Code, to be known as Section 1617*b* of said code, relating to the sale or leasing of school property by boards of trustees of common school districts and by boards of education in city school districts.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 1311.

An Act to add six new sections to the Political Code, to be numbered sections sixteen hundred twenty-five, sixteen hundred twenty-six, sixteen hundred twenty-seven, sixteen hundred twenty-eight, sixteen hundred twenty-nine and sixteen hundred thirty, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the Political Code, to be numbered sixteen hundred twenty-five, and to read as follows:

1625. The board of trustees, board of education or other governing body of any school district may sell, or may lease for a term not to exceed ninety nine years, any real property belonging to such school district, and not necessary for school purposes, when thereunto authorized by vote of the electors of such district as hereinafter provided. The board of trustees, city board of education, or other governing body of any school district, desiring so to sell or lease any such real property thereof, must at first adopt, at a regular meeting, and by a vote of two thirds of all its members, a resolution declaring its intention so to do, and finding and determining that the property proposed to be sold or leased, and described therein, is not necessary

for school purposes and that the sale or lease thereof will be for the best interest of the school district. The sale or lease of any portion or segment thereof of such real property may be distributed by the same procedure and with regard to such conditions therein made by designated persons or by appropriate committees. Such resolutions shall set forth in reasonable detail the proposed agreement for the sale, the terms and price for which the same will be sold, and as to lease, terms of rentals proposed to be fixed, the term and location of the property which is proposed to be sold, and shall be passed by majority votes (two-thirds of the board of education, board of education or other governing body of the school district).

Sec. 2. A new section to follow section 70-1-6, Utah Code Annotated 1953, to be numbered 70-1-6.1, and to read as follows:

70-1-6.1. Upon the submission of the resolution mentioned in Section 70-1-6 of this code, the board of education, board of trustees or other governing body of the school district shall fix a time for the hearing of the objections and protests of any persons interested in the matter, and the time and place of the meeting at which the resolution will be finally considered and passed upon. The notice setting such meeting shall be filed and otherwise given in the manner provided by law for the publication of such notice of proposed resolutions, and the notice shall state that any objections or protests to the proposed resolution must be filed with the clerk of the district or a representative of general circulation published in the county, if any newspaper is published therein.

Such notice shall contain the following:

1. The time and place of holding the meeting.
2. The names of the citizens of whom nominated to conduct the same.
3. The boundaries of the district in which the polls will be open.
4. A statement of the purposes for which the election is held.
5. A description of each parcel proposed to be sold, with the appraised value as assessed by the committee of appraisers and the lowest price for which each parcel may be sold, and a description of each parcel of land proposed to be leased, with its appraised value, as assessed by such committee, and the price and the lowest rental for the lease thereof.

Sec. 3. A new section is hereby added to the Political Code, to be numbered sixty-two hundred twenty-eight, and to read as follows:

6228. Such persons shall be empowered to conduct an election to determine one thousand five hundred and eighty-six thousand five hundred and ninety-three, one thousand six hundred and eight, one hundred five hundred and ninety-three, one thousand six hundred and one thousand six hundred and one of the said parcels of land as mentioned in the resolution and one of the said parcels, provided that no particular form of ballot shall be required, but shall give substantially to qualified such questions to be voted upon at the election shall have been otherwise duly published. Upon the ballot to be used at such election there shall appear in separate lines as to each parcel of land proposed to be sold and leased, the words "Sale (or lease) of parcel number ..... (stating the number) — Yes" and "Sale (or lease) of parcel number ..... (stating the number) — No." Persons voting at such election shall make a cross (x) upon their ballots, with pencil or ink, after the words "Sale (or lease) of parcel number ..... — Yes" or "Sale (or lease) of parcel number ..... — No" as the case may be, to indicate whether they favor (or are against) the sale or lease of any such parcel of property.

Sec. 4. A new section is hereby added to the Political Code, to be numbered sixty-two hundred twenty-nine, and to read as follows:

6229. On the seventh day after the election mentioned in Section 70-1-6 of this code at one o'clock p.m. the trustees having been made to the board of education, board of education, or other governing body of such school district, such board or body shall meet and canvass the returns, and if it appears from such canvass that a majority of the votes cast were for the sale or lease of any parcel of land as in favor of the sale or lease, then the board shall, upon the return of that fact to be made upon the canvass, and the clerk as secretary of the board shall make a record and minutes of all the proceedings had in the premises as to each parcel of land. Thereupon said board shall be and is hereby empowered to sell or lease, as the case may be, any parcel of real property belonging to the school district and not necessary for school purposes, the sale or lease of which was authorized at such election, upon the following conditions, to wit: No lease of any of school property shall be made except at a public meeting of the board of trustees or board of education, and notice of such intended lease of such shall be given by publishing such notice in a newspaper of general circulation in the county in which the school district is situated, and has been made a week for three successive weeks

before the date of making the lease or sale; or by posting notices in three public places in the district, not less than three weeks before the date of making the lease or sale; and the said property shall be leased or sold to the person who will comply with all the conditions of the lease or sale and pay therefor the highest rental or the highest price, respectively; *provided, however*, that no parcel of real property shall be sold for less than the amount specified in the resolution of intention and in the notice of the election, and no parcel of real property shall be leased for a longer term or less rental than specified therein. Any deed or lease made by the board of trustees, board of education or other governing body of any school district shall be executed by the presiding officer and by the clerk or secretary thereof, or by a majority of the members thereof; and there shall be attached to such deed or lease the certificate hereinbefore in this section mentioned, signed by the clerk or secretary, of all the proceedings had in the premises, relative to the sale or lease of the property described in such deed or lease, sold or leased in accordance with the provisions of this code.

SEC. 6. A new section is hereby added to the Political Code, to be numbered sixteen hundred thirty, and to read as follows:

1630. Nothing contained in any section of this code shall be construed to prevent the board of trustees, the board of education, or other governing body of any school district from granting to any incorporated city or town situated in such school district, and any such board or body is hereby empowered to grant thereto any easement or right of way for any public purpose of such incorporated city or town, in or upon any school property of such school district, upon such terms and conditions as said board of trustees, board of education or other governing body may deem proper; *provided, however*, that no grant of any such easement or right of way in or upon such school property shall be made except at a regular meeting of the board, and authorized by resolution adopted by a vote of two thirds of all the members of such board.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 376—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 376.

An Act to amend section three thousand four hundred and ninety-one of the Political Code of the State of California, relating to reclamation districts.

The people of the State of California do enact as follows:

SECTION. 1. Section three thousand four hundred and ninety-one of the Political Code of the State of California is hereby amended to read as follows:

3491. In each reclamation district in this state, formed under this code or any statute, there shall be an election every two years, held at such time and place in or near the district, and after such notice as the board of supervisors shall direct; *provided*, that the notice shall be not less than one month, and at such election each bona fide owner of lands in the district shall be entitled to vote in person or by proxy, and shall have right to cast one vote for each one dollar's worth of real estate owned by him or her in the district, the value thereof to be determined from the next preceding assessment roll of the county, and a majority of the votes cast at such election shall elect. After an assessment has been levied by commissioners each land owner shall have a right to cast one vote for each one dollar assessed upon his lands according to the next preceding assessment made by the commissioners. In all elections for trustees every owner of real estate shall have the right to cumulate his or her vote, and give one candidate as many votes as the number of trustees to be elected multiplied by the number of dollars' worth of real estate owned by him or her shall equal, or to distribute them on the same principle among as many candidates as he shall think fit. The board of supervisors to which the petition for the formation of the district was presented shall, upon the application of any landowner in the district, appoint a time and place for holding such election, which election shall be held within sixty days from the time of such application; the place shall in all cases be in or near the district. Notice of such election shall be given by publication for not less than one month in a newspaper in each county in which any portion of the lands of the district are situated, if any newspaper is published therein, and if not, then in a newspaper having general circulation in such county. The trustees elected under the provisions of section three thousand four hundred and fifty-two shall hold office until their successors are elected under the provisions of this section. For the purposes of such election the board of supervisors of the county in which the whole or the larger part of the lands of any district are situate, must appoint from the landholders of the

district one inspector and two judges of election. The chief inspector, a board of election for each precinct, and in case any board of appointees fail to appear on the precinct appointed shall be called on the first such citizen registered and the electors present at the time and place of casting the ballots shall appoint the board or such of the others as are needed to complete precinct. Each precinct of the board must, upon entering upon the duties, subscribe to a constitutional oath before by some officer authorized to administer oaths. The board of election must canvass the votes cast and make declaration of election at the polling precinct, and must also file the returns with the county clerk of the county in which the district is located, the county auditor of the county. Any candidate voted upon may examine any vote and the board of election shall determine for the cause of the question or other cause as they shall deem proper, whether or not the person challenged is entitled to vote, and in case of challenge, shall call on the person challenged to swear, without oath or affirmation, before any officer authorized to administer oaths. The oath shall be made from the poll book. In case of contest in the board of election the board of supervisors shall by appointment fill such vacancy.

An act compensating for all services rendered by the treasurer of the county of Kings in any proceedings, whether he shall be held and paid out of all moneys paid to him, and to which subject from the payment of such moneys as may be due him and not yet paid for the compensation for all services rendered.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1410—An Act dissolving Reclamation District No. 742, and providing for its liquidation and the payment of all outstanding indebtedness.

During second reading of the bill the following committee amendments was offered by the committee:

COMMITTEE AMENDMENTS TO SENATE BILL NO. 1410

An Act dissolving Reclamation District No. 742 and Reclamation District No. 900, and providing for their liquidation and payment of all outstanding indebtedness.

The people of the state of California do enact as follows:

SECTION 1. Reclamation District No. 742 and Reclamation District No. 900 are hereby ~~established~~ ~~under the provisions of Statutes 1911, No. 600, are~~ ~~and declared to be~~ dissolved; ~~that the purpose of the proposition shall have the power and~~ ~~authority to proceed to liquidate the affairs of said districts and to collect~~ upon the assessments now existing thereof, and to sell property, if sufficient amount to pay and discharge all outstanding indebtedness of said districts; ~~through~~ ~~existing laws are declared to have for the purpose of compromising and liquidating~~ ~~said assessments therefor and the purposes of accomplishing said~~ business. Deeds or and ~~decrees~~ shall ~~supplement~~ ~~may sell~~ be ~~issued~~ ~~subsequent~~ including any bonds that may have been ~~heretofore~~ issued.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, APRIL 11, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following bill:

Senate Bill No. 1354—An Act for the relief of purchasers of school lands.

Also Committee Substitute for Senate Bill No. 1161—An Act providing that the State Board of Equalization shall determine and pay over to taxing agencies assessed by any county of the State by the collection of delinquent property taxes, assessments, in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, and providing for the payment of such fees by the State, when no allowance is made in the counties thereof and making an appropriation for the payment of such fees and for prosecuting any actions by the State which claims to have assessed any such property taxes in excess thereof and which any county has objected to the amount of such property taxes as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of

such loss, prosecute such suit to final judgment, regulating the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

Also: Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Also: Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title to cemetery lots.

Also: Senate Bill No. 523—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Also: Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of post-graduate grammar school course for certain schools.

Also: Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provisions for fire drills in certain schools.

Also: Senate Bill No. 812—An Act entitled "An Act to amend Section 1532 of the Political Code of the State of California," relating to the duties of the Superintendent of Public Instruction.

Also: Senate Bill No. 1214—An Act to repeal an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Also: Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

Also: Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Also: Senate Bill No. 1130—An Act to amend Section 4289 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Also: Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Campbell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to J. B. Elliot of Los Angeles, and Rev. R. M. Mestres of Monterey.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. W. M. Northrup.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Read third time on a previous day.

MOTION TO STRIKE OUT PROVISO PASSED BY ONE.

Senator Hewitt moved to refer Assembly Bill No. 1008 to Senator Gates, as a special committee of one, to amend as follows:

On page 1, line 11, of the original bill, immediately after the period following the word "purpose," add the following: "Any banking firm or association, or person or persons banking institution so designated as aforesaid, may so transfer the state treasurer at the discretion and without the approval of the governor, to receive a bond or bonds to the state of California, conditioned for the faithful performance of the duties of such agency, in such amount as directed by said board from time to time to be fixed by the state treasurer, with the approval of the governor."

Motion agreed to.

REPORT OF SPECIAL COMMITTEE ON BILL.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1008, with instructions to amend, respectfully reports that same has amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print.

ROLL CALLED FOR PURPOSE.

On motion of Senator Hewitt the Secretary was directed to have a push order for printing Assembly Bill No. [illegible].

PUBLIC HEALTH AND SANITATION.

Assembly Bill No. 236.—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Read third time.

On motion of Senator Campbell, Assembly Bill No. 236 was passed on file.

Assembly Bill No. 237.—An Act to amend Section [illegible] an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

Read third time.

On motion of Senator Campbell, Assembly Bill No. 237 was passed on file.

Assembly Bill No. 538.—An Act to regulate the production and sale of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 538 passed by the following vote:

AYES—Senators Anderson, Boynton, Bryant, Wood, Bunkers, Campbell, Cogswell, Carr, Cassidy, Caminetti, Cobb, Finn, Flint, Gates, Grant, Hans Mussy, Hewitt, Rush, Shanahan, Thompson and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 154— An Act to amend Section 1034 of the Code of Civil Procedure of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 154 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Larkins, Lyon, Mott, Owens, Rush, Shanahan, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3572 of said Political Code.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1050 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HANS IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator Hans, of the Fourteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1094 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Butler, Caminetti, Campbell, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1141 passed by the following vote:

AYES—Senators Anderson, Ayer, Burnett, Dixon, Finlay, Gaffney, Gerdes, Gerdes, Carr, Cassidy, Caldwell, Cohn, Curtis, Flint, Gates, Gerdes, Hans, Harris, Irwin, Owens, Rush, Stanton, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1208—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to threats against life and providing a punishment therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1208 passed by the following vote:

AYES—Senators Anderson, Ayer, Burnett, Dixon, Finlay, Gaffney, Gerdes, Gerdes, Carr, Cassidy, Caldwell, Cohn, Curtis, Flint, Gates, Gerdes, Hans, Harris, Irwin, Owens, Rush, Stanton, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1267—An Act to amend Section 872 of the Code of Civil Procedure, relating to the entry of judgment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1267 passed by the following vote:

AYES—Senators Anderson, Ayer, Burnett, Dixon, Finlay, Gaffney, Gerdes, Gerdes, Carr, Cassidy, Caldwell, Cohn, Curtis, Flint, Gates, Gerdes, Hans, Harris, Irwin, Owens, Rush, Stanton, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1552—An Act to amend Section 1058 of the Political Code, relating to the qualifications of electors.

On motion of Senator Anderson, Assembly Bill No. 1552 was passed on file.

Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1732 passed by the following vote:

AYES—Senators Anderson, Ayer, Burnett, Dixon, Finlay, Gaffney, Gerdes, Gerdes, Carr, Cassidy, Caldwell, Cohn, Curtis, Flint, Gates, Gerdes, Hans, Harris, Irwin, Owens, Rush, Stanton, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the preservation and form of claims against counties.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1401 was passed on file.

Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1534 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Larkins, Lyon, Mott, Rush, Shanahan, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 441 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Shanahan, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 442 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 443 passed by the following vote:

AYES—Senators Anderson, Ayer, Boggs, Burnett, Bond, Brown, Campbell, Cassidy, Caminetti, Chan, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Leyden, Lukens, Lyon, Mott, Owens, Rigdon, Saunders, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 434.—An Act to amend Section 1242 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Read third time.

On motion of Senator Ayer, Assembly Bill No. 434 was passed to the

Assembly Bill No. 377.—An Act to amend Sections 4, 5, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the action from any navigable stream, embracing power to work on but the purpose of saving and conserving any stock, flood or storm waters for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said districts, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements" approved March 31, 1909.

On motion of Senator Anderson, Assembly Bill No. 377 was passed on file.

Assembly Bill No. 964.—An Act to add a new section to the Political Code of the State of California, to be designated as Section 4064, relating to the issuance of burial permits.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 964 passed by the following vote:

AYES—Senators Anderson, Ayer, Boggs, Burnett, Bond, Brown, Bunkers, Caminetti, Campbell, Chan, Cogswell, Curtin, Finn, Flint, Gates, Hans, Hewitt, Jones, Leyden, Lukens, Mott, Owens, Rigdon, Saunders, Thompson, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Thompson, the following message from the Governor was read:

To the Senate of the State of California:

I return to you herewith Senate Bill 409 without my approval. My objections are as follows:

The bill amends Section 583 of the Code of Civil Procedure. This section is now plain and explicit, authorizing a court in the discretion of justice to dismiss for want of prosecution on motion of the defendant and after notice to the plaintiff, when the plaintiff has failed for two years after summons was issued to bring the action to trial, and authorizing the court in the same manner, or upon motion of plaintiff to dismiss an action unless the same is brought to trial within two years after defendant has filed his answer.

Senate Bill No. 409, to which I refuse my approval, changes a plain and reliable

statute into one which is contradictory and ambiguous. The proposed amendment provides that any action heretofore or hereafter commenced shall be dismissed by the court after due notice to plaintiff or by the court on its own motion, unless such action is brought to trial within five years after the defendant has filed his answer, except where the parties have stipulated in writing that the time may be extended. This provision, of course, of itself is plain, but the next portion of the amendment provides that in the absence of such stipulation the action shall be dismissed by the court upon the *ex parte* motion of the defendant, or of any other person interested in the subject matter of the action unless the action is brought to trial within five years after defendant has filed his answer. The proposed bill, therefore, directs dismissal in the first instance, after due notice to plaintiff, and then directs dismissal under the same set of circumstances upon the *ex parte* motion of the defendant or of any other person interested.

The statute as it now stands gives ample power apparently to dismiss for want of prosecution. The proposed statute would leave the subject of dismissal for want of prosecution in confusion and ambiguity.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Dated April 11, 1913.

VETO OF THE GOVERNOR SUSTAINED.

The question being: "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Anderson, Avey, Belcher, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cassidy, Coggswell, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—30.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SPECIAL ORDER RESET.

On motion of Senator Wright, the consideration of Assembly Bill No. 958—An Act to amend Section 367 of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles, when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty—was made a special order for two o'clock p.m., Monday, April 14, 1913.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Thompson for permission to introduce a bill entitled "An Act to provide for the payment of municipal bonds before maturity."

Also: The request of Senator Birdsall for permission to introduce a bill entitled "An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of the south boundary line of Placer County between said county and El Dorado County."

Also: The request of Senator Birdsall for permission to introduce a bill entitled "An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County between said county and Placer County."

Also: The request of Senator Curtin for permission to introduce a bill entitled "An Act to amend Section 3937, and re-enacting Section 3908, relating to the county boundary between Tuolumne and Mariposa counties."

Also, The report of Senator Boyce, for permission to introduce a bill entitled "An Act to empower the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and control public wharves, docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use thereof."

Also, The request of Senator Boynton, for permission to introduce a bill entitled "An Act to amend Section 699 of the Civil Code of the State of California, relating to sexton of cemetery corporations."

Leave had the same under consideration, and accordingly report the same back, and recommend that the request be granted.

BOYNTON, Chairman.

The question being on the adoption of the report,

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Bunkers, Burnett, Carr, Cartwright, Cogswell, Curtis, Cutler, Dennett, Finn, Flint, Gates, Grant, Hans Hewitt, Jones, Leonard, Lewis, Lore, Owens, Rush, Savage, Shortridge, Thompson, and Wright—25.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Boynton: Senate Bill No. 1742—An Act to amend Section 699 of the Civil Code of the State of California, relating to sextons of cemetery corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and control public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Curtin: Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3938, relating to the county boundary between Tuolumne and Mariposa counties.

Bill read first time, and referred to Committee on County Government.

By Senator Birdsall: Senate Bill No. 1745—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary of El Dorado County between said county and Placer County.

Bill read first time, and referred to Committee on County Government.

By Senator Birdsall: Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County between said county and El Dorado County.

Bill read first time, and referred to Committee on County Government.

By Senator Thompson: Senate Bill No. 1747—An Act to provide for the payment of municipal bonds before maturity.

Bill read first time, and referred to Committee on Municipal Corporations.

RUSH ORDER TO PRINTER.

On motion of Senator Curtin, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 1742, 1743, 1744, 1745, 1746 and 1747.

THIRD READING OF SENATE BILLS.

On motion of Senator Larkins, the Senate took up the consideration of the third-reading file of Senate bills.

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers, for indicating low water, or otherwise preventing explosions.

On motion of Senator Lyon, Senate Bill No. 984 was passed on file, to retain its place.

Senate Bill No. 1240—An Act to amend sections ten *c*, and ten *n*, of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Owens moved to refer to Senator Anderson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Amend the title in line 3 by inserting, after the word "numbered", the following: "ten *j*, ten *o*".

AMENDMENT No. 2.

Amend the title in line 3 by striking out the word "two", and inserting in lieu thereof the word "four".

AMENDMENT No. 3.

On page 2, line 19, strike out the character and figures "$50.00", and insert in lieu thereof the following: "seventy-five dollars".

AMENDMENT No. 4.

On page 2, line 16, strike out the word "sixteenth."

AMENDMENT No. 5.

Add a new section to the bill, to be numbered Section 7, and to read as follows: "SEC. 7. A new section is hereby added to said Act, to be numbered ten *o*, and to read as follows:

Section 10*o*. In each of the counties of the sixteenth class there shall be one probation officer. The salary of said probation officer shall be eighty-five dollars per month".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1240, with instructions to amend, respectfully reports the same back, amended as per instructions.

OWENS, Committee.

Report read and adopted.

MOTION TO REFER TO SPECIAL COMMITTEE AS ONE.

Senator Anderson moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

Add another section to the printed bill, to be numbered section 10½, thereof and to read as follows:

SEC. 6. A new section is hereby added to said Act, to be numbered 10½, and to read as follows:

Section 10½. In each of the counties of the state there shall be the following officer who shall constitute an officer in the county service of the county, viz.: The deputy of said producing county in which shall be the sole of said premises and also failure per annum, payable at the same time and in the same way and out of the same fund as the salaries of county officers are paid.

Motion carried.

REPORT OF JOINT COMMITTEE ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one on enrollment, to which was referred Senate Bill No. 1140, with instructions to amend, respectfully reports that same has been carefully examined and correctly enrolled.

JUILLIARD, Committee.

Report read and adopted.

Bill ordered to print and to engrossment.

SENATOR FLINT IN THE CHAIR.

At three o'clock and fifteen minutes p. m. Senator Flint, of the Twenty-third District, in the chair.

THIRD READING OF BILLS (ROLL CALL).

Senate Bill No. 140—An Act to provide for a list of coal from taken.

On motion of Senator Lyon, Senate Bill No. 140 was ordered re-referred to Committee on Finance.

Senate Bill No. 411—An Act to amend Section 3224 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

In the absence of the author, Senate Bill No. 411 was passed on the file.

Senate Bill No. 919—An Act to provide for the payment of temporary salaries of additional help in the county clerk's office of the various counties throughout the State.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 919 passed by the following vote:

AYES—Senators Anderson, Boynton, Frank Bryant, Butler, Campbell, Carr, Cassidy, Caminetti, Cline, Flint, Finn, Gerdes, Gerdes, Dennis Juilliard, Leeman, Lyon, Mott, Owens, Stanford, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

On motion of Senator Boynton, Senate Joint Resolution No. 25 was passed on file, to retain its place.

SUBSTITUTE ORDERED PRINTED.

Senator Campbell presented a substitute for the resolution, and on his motion the committee substitute and that offered by Senator Campbell were ordered printed in the Journal.

COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION No. 25.

Relative to memorializing Congress regarding the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use all honorable means to prevent a reduction in duties on citrus fruits below the point where the difference in the cost of production of the same would be equalized.

WHEREAS, The citrus fruit industry is one of the great and important enterprises of this State, representing an investment of two hundred million dollars, and materially contributes to the upbuilding thereof; and

WHEREAS, The rates of duty on citrus fruits should equalize the difference in cost of production between the United States and foreign countries; and

WHEREAS, The present rates of duty bring to the government a substantial revenue that has increased in recent years; and

WHEREAS, A material reduction of the duties on citrus fruits would hamper and retard the growth and development of the State of California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully memorialize the Congress of the United States not to reduce the duties on citrus fruits below a point equalizing the difference in the cost of production of the same in the United States and foreign countries, and we earnestly request our Senators and Representatives in Congress to use every honorable means to prevent such reduction; be it further

Resolved, That the Governor of the State of California be requested to appoint five citizens of California to present this memorial to Congress in behalf of this State; and be it further

Resolved, That a copy of this resolution be telegraphed to the President and to each of our Senators and Representatives in the Congress of the United States.

PROPOSED SUBSTITUTE BY SENATOR CAMPBELL TO SENATE JOINT RESOLUTION No. 25.

WHEREAS, The Congress of the United States has been convened in extraordinary session to revise the tariff downward, in pursuance of the overwhelming mandate of the people; and

WHEREAS, The President of the United States, in his message read to Congress, said: "We must abolish everything that bears even the semblance of privilege or of any kind of artificial advantage, and put our business men and producers under the stimulation of a constant necessity to be efficient, economical and enterprising, masters of competitive supremacy, better workers and merchants than any in the world. Aside from the duties laid upon articles which we do not, and probably cannot, produce, therefore, and the duties laid upon luxuries and merely for the sake of the revenue they yield, the object of the tariff duties henceforth laid must be effective competition, the whetting of American wits by contest with the wits of the rest of the world"; and

WHEREAS, It is practically certain that a tariff law will be enacted along the line of the principles above enunciated by the President of the United States; therefore, be it

Resolved, That the Senate and Assembly of the Legislature of the State of California do hereby respectfully request that the Congress of the United States, in considering reduction in the present tariff rate on citrus fruits, do take into careful consideration all of the facts in relation to this great California industry, which facts, it is understood, are now in the possession of the Congress. The Senate and Assembly of the Legislature of the State of California desire, in this connection, to draw the special attention of members of Congress to:

(1) The long and expensive railroad haul over the mountains and deserts, by which the California citrus fruit grower is able to reach the market.

(2) The difference in the cost of labor in California and in the competing foreign countries.

(3) The uncertain nature of the business, rendered so by the extreme perishability of the fruit, weather conditions, costly refrigeration, pests, etc.

Further, that none of the industries of California, we believe, now ask, expect or should receive any "semblance of privilege or of any kind of artificial advantage," but on the contrary, that only equality of opportunity be afforded by the fixing of tariff rates that will be just in relation to all the surrounding facts.

Resolved, further, That a copy of this resolution be telegraphed to the President and to each of our Senators and Representatives in the Congress of the United States.

THIRD READING OF BILLS — CONTINUED.

Senate Bill No. 1232.—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State and the appointment of other judicial officers.

In the absence of the author Senate Bill No. 1232 was passed on the

Senate Bill No. 1042.—An Act to prohibit trespassing upon inclosed tracts, grounds, cars or engines.

On motion of Senator Wright, Senate Bill No. 1042 was ordered to the file of unfinished business.

Senate Bill No. 337.—An Act to amend Section 1667 of the Civil Code relating to the compensation of persons appointed for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 passed by the following vote:

AYES—Senators Anderson, Boynton, Brown, Bryant, Burnett, Caminetti, Carr, Chandler, Cogswell, Cole, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hayden, Hoffenbeck, Jackson, Lewis, Lukens, Mott, Owens, Sharkey, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1238.—An Act to amend Section 1238 of the Civil Code, relating to the selling, mortgaging, alienating, encumbering or granting of the real property of religious, social and benevolent corporations.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1238 passed by the following vote:

AYES—Senators Anderson, Boynton, Brown, Bryant, Burnett, Caminetti, Chandler, Cogswell, Carr, Curtin, Cole, Cattle, Finn, Flint, Gerdes, Grant, Hans, Hayden, Hoffenbeck, Jackson, Lewis, Lukens, Mott, Owens, Sharkey, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1255.—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in said reclamation districts," approved March 27, 1880, or amendments thereof, and providing for the payment of said bonds by levying and collecting assessments, pursuant to the Political Code.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1255 passed by the following vote:

AYES—Senators Anderson, Boynton, Brown, Bryant, Burnett, Caminetti, Carr, Chandler, Cogswell, Cole, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hayden, Hoffenbeck, Jackson, Lewis, Lukens, Mott, Owens, Rush, Strobridge, Thompson and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 512—An Act to amend Section 607 of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

On motion of Senator Gates, Senate Bill No. 512 was passed on file, to retain its place.

Senate Bill No. 939—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 939 passed by the following vote:

AYES—Senators Boynton, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Jeppard, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1452—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

On motion of Senator Hans, Senate Bill No. 1452 and Assembly Bill No. 1459 were ordered re-referred to Committee on Engrossment and Enrollment for comparison.

Senate Bill No. 1053—An Act to amend Sections 3, 8, 9, 13, 19, and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, and to add to said Act a certain section to be numbered Section 3½, relating to the manner of effecting certain local improvements.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1053 passed by the following vote:

AYES—Senators Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 16 and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public streets, squares, lanes, alleys, courts, and places within municipalities, for the con-

demnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvements," approved March 24, 1903, and to add two new sections to said Act, to be numbered Sections 26a and 32a, relating to reassessments and the form of certain notices, resolutions, orders and determinations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 347 passed by the following vote:

AYES—Senators Anderson, Benson, Boyd, Bragg, Bryant, Bunkley, Cameron, Carr, Cartwright, Chamberlain, Chandler, Cogswell, Cohn, Curtin, Flint, Flosi, Gates, Gerdes, Gray, Hans, Harris, Hatch, Holohan, Lane, Leale, Lewis, Lyon, Owens, Rose, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed, Wolfe and Wyllie—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS TO THE MORNING SESSION.

At five o'clock p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RECORD).

Committee Substitute for Senate Bill No. 1299—An Act relating to real estate brokers, agents, salesmen and dealers in the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 1299 passed by the following vote:

AYES—Senators Ballagh, Burnett, Caminetti, Carpenter, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Flint, Flosi, Gates, Gerdes, Gray, Hans, Hatch, Holohan, Lane, Owens, Rose, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Weed and Wyllie—27.

NOES—Senators Anderson, Benson, Bolfing, Carr, Chandler, Harris and Wolfe—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Cogswell gave notice that he would, on next legislative day, move to reconsider the vote whereby Senate Bill No. 1299 was passed.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Sanford, the Senate took up the consideration of Senate Bills Nos. 489 and 435 out of order.

Senate Bill No. 489—An Act to amend Section 4278 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Read third time.

SENATE

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Sanford moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

By striking lines 8 and 9 out of Section 1 and inserting in lieu thereof the following:

"1. The county clerk, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk, one deputy clerk, who shall be appointed by the county clerk and shall be paid a salary as follows: The sum of one thousand dollars per annum, which shall be paid by said county in equal monthly installments, at the time and in the same manner and out of the same fund as the salary of the clerk is paid."

Also: By adding, after the word "county", end of line 14, the following: "There is also hereby allowed the sheriff one office deputy, who shall be appointed by the sheriff, and who shall be paid a salary of one thousand dollars per annum, which shall be paid by the county in equal monthly installments at the time and in the same manner and out of the same fund as the salary of the sheriff is paid."

Also: By striking line 15 out of Section 1, and inserting in lieu thereof the following: "The recorder, sixteen hundred dollars per annum, and in addition to his salary fifty per cent of fees collected by him when such fees are one hundred dollars or less, and in addition thereto twenty-five per cent of all fees over one hundred dollars so collected."

Also: By striking out of Section 1, line 16 the words "one thousand eight hundred", and inserting in lieu thereof the words "two thousand one hundred".

Also: By striking out of Section 1, line 18, the words "one thousand six hundred", and inserting in lieu thereof the words "two thousand".

Also: By striking out of Section 1, page 2, line 11, the words "one thousand six hundred", and inserting in lieu thereof the words "two thousand four hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 489, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Sanford moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

By adding, after the word "law", on page 2, line 7, the following: "*provided*, that the sum of fifty dollars per month, in addition to above expenses, shall be allowed to the district attorney for the purpose of employing a stenographer for his office."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 335, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE—OUT OF ORDER

The following report of standing committee was received and read:

SENATE CHAMBER

SACRAMENTO, SATURDAY, April 11, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 701, An Act to amend Section 1858 of the Code of Civil Procedure of the State of California, relating to appeals on jointly challenged for cause may be made to juries, [illegible]

Also, Senate Bill No. 705, An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the pleadings which may be taken under Title VII of Part III of the Code of Civil Procedure.

Also, Senate Bill No. 708, An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to what cases appeals before probate can be taken under Title VII of Part III of the Code of Civil Procedure.

Also, Senate Bill No. 709, An Act to amend Section [illegible] of the Code of Civil Procedure of the State of California, relating to the manner of appointment of guardians of minors or [illegible] under the provisions of Title VII of Part III of the Code of Civil Procedure.

Also, Senate Bill No. 711, An Act to amend Section 1232 of the Code of Civil Procedure of the State of California, relating to when a guardian of minors [illegible] proceedings under the Code of Civil Procedure.

Have had the same under consideration, and respectfully report the same back with recommendation that [illegible] do pass.

GATES, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 714, An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the pleadings which may be taken under Title VII of Part III of the Code of Civil Procedure, have had the same under consideration, and respectfully report the same back, with [illegible] and recommend that it do pass as amended.

GATES, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 716, An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the pleadings which may be taken under Title VII of Part III of the Code of Civil Procedure, have had the same under consideration, and respectfully report the same back, with [illegible] and recommend that it do pass as amended.

GATES, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 718, An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the pleadings which may be taken under Title VII of Part III of the Code of Civil Procedure, have had the same under consideration, and respectfully report the same back, with [illegible] and recommend that it do pass as amended.

GATES, Chairman.

Senate Bills Nos. 701, 705, 708, 709, 711, 1111, 714 and 718 ordered on file for second reading.

QUESTION OF PERSONAL PRIVILEGE

Senator Gates arose to a question of personal privilege and asked that the following telegram be read:

SAN FRANCISCO, CAL., April 11, 1913.

Lee Gates, Senate Chamber, Sacramento, Cal.:

In killing the anti-injunction bill you have given to me a [illegible] of a Progressive. It is a man who believes in voting for [illegible] and voting against it.

FREMONT OLDER.

Senator Gates addressed the Senate as follows:

MR. PRESIDENT: Referring to the telegram just read, I have only this to say. The author does me high honor in giving me the credit of killing the bill mentioned, and to add that if he had approved my action in so doing I should still believe I was right.

SENATOR JONES IN THE CHAIR.

At five o'clock and thirty minutes p.m., Senator Jones, of the Twenty-eighth District, in the chair.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Cassidy, the Senate took up the consideration of Senate Bill No. 386, out of order.

Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cassidy moved to refer to Senator Boynton, as a special committee of one, to amend as follows:

Amend by striking out lines 1 to 14, on page 1, of the printed bill, and inserting in lieu thereof the following:

"SECTION 1. Whenever the governing or legislative body of any city, or city and county, within the state has, by ordinance, provided for the exhuming, taking up or removal of all or any of the human remains interred in any cemetery within the boundary lines of such city, or city and county, and the person claiming ownership of any cemetery lot, or the person having the right, under the law, to remove bodies from such cemetery lot, has not removed all bodies from within said lot within two years after the passage of said ordinance, or the person, association or corporation owning or operating said cemetery has not actually commenced the removal of bodies therefrom within two years after the passage of said ordinance, and such person, association or corporation so owning or operating said cemetery does not, during each year after the second year following the passage of said ordinance".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 386, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOYNTON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

BILL RE-REFERRED.

Senate Bill No. 363—An Act controlling the sanitation of oyster and other shellfish grounds and premises where oysters and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof, and making an appropriation therefor.

On motion of Senator Cassidy, Senate Bill No. 363 was re-referred to Committee on Finance.

PETITION—(OUT OF ORDER).

Senator Boynton presented the following:

Petition opposing the enactment of any law restricting the hours of labor in harvesting, handling, curing or canning fresh fruits and vegetables, from Mrs. Kate Wolthers and two hundred and three others, of Yuba City.

[illegible]

On motion of Senator Bryant, the Senate took up the consideration of Senate Bill No. 122, out of order.

Senate Bill No. 122—An Act to amend Section 712 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of said employees.

Read third time, as previously [illegible]

[illegible]

Senator Bryant moved to refer to Senator Hubbard, as a special committee of one, to amend as follows:

[illegible]

Amendment No. 1.

Strike out of Section 1, page 2 and the title words "The two assistant engineers", and insert in lieu thereof the words "Said laborers, porters and other help."

[illegible]

Amendment No. 2.

On page 1, line 11, strike out the semicolon after the word "Chief", and insert in lieu thereof a comma and the words "each and all assistants thereof."

[illegible]

Amendment No. 3.

On page 1, line 14, strike out the word "Superintendent", and insert in lieu thereof the word "Superintendent."

[illegible]

Amendment No. 4.

On page 1, line 12, after the word "such", insert the following: "assistant gardeners and regular laborers, porters"

Motion carried.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your special committee to which was referred Senate Bill No. 122, have considered the same, respectfully report the same back amended as per instructions.

HUBBARD, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossment.

[illegible]

The following report of standing committee was received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Assembly Bill No. 754—An Act to amend Section 14 of an Act entitled "An Act to create a fire-men's relief bureau and the department and property thereof in the several counties, cities and counties, cities and towns of this State," approved March 20, 1909—have had the same under consideration, and carefully report the same back, and recommend that the same do pass.

BRYANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 1519—An Act providing for the payment to the employee or to his insurance carrier of a death benefit in the State where an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons dependent upon him for support, but none of such persons dependent according for the enforcement of the Act, fixing penalties for failure to comply therewith, defining persons liable, creating a fund for the purpose of

such payments and providing how and for what purpose such fund shall be expended —have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Labor and Capital.

BRYANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 234—An Act adding a new section to the Civil Code, to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRYANT, Chairman.

Assembly Bill No. 754 ordered on file for second reading.

Senate Bill No. 1519 ordered re-referred to Committee on Labor and Capital.

Senate Bill No. 234 ordered on file for second reading.

LEAVES OF ABSENCE.

Senator Benson was, on motion of Senator Jones, granted leave of absence for the balance of the week.

Senator Kehoe was, on motion of Senator Anderson, granted leave of absence for this day.

Senator Rush was, on his own motion, granted leave of absence for Saturday, April 12, 1913.

ADJOURNMENT.

At five o'clock and thirty minutes p.m., on motion of Senator Campbell, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, April 12, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Colm, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 11, 1913, the further reading was dispensed with, on motion of Senator Thompson.

LEAVE OF ABSENCE.

Senator Brown was, on motion of Senator Butler, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1291—An Act to amend Section 19000 of the Political Code of the State of California, relating to the appointment of notary officers by governor.

Also: Assembly Bill No. 1292—An Act to amend Section 4000 of the Political Code of the State of California, relating to the number of certain notary publics and to the procedure for the filling of vacancy therein.

I. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1731 read first time and referred to Committee on Elections.

Assembly Bill No. 1255 read first time and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 1 relating to the proposal to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to powers and taxation.

I. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Constitutional Amendment No. 1 referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1289—An Act to amend Section 4600 of the Penal Code of the State of California, relating to the sale of wild game in the close season thereof.

I. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1289 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 902—An Act to fix the compensation to be paid the officers and employees of Sonoma City and County for the services rendered during the sixty-eighth fiscal year.

Also: Senate Bill No. 903—An Act making an appropriation for the pay of officers and clerks of the Senate for the biennial session of the Legislature of the State of California beginning one thousand nine hundred forty-three.

Also: Senate Bill No. 429—An Act to amend Section 7[illegible] of the [illegible] Code, relating to the adoption of educational [illegible] textbooks and the taking of action in regard to the renewal of such adoptions.

Also: Senate Bill No. 1029—An Act to amend Section 400 of the Penal Code, relating to the harassment of wives against [illegible].

I. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 902, 903, 429 and 1029 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 4½ of Article VI thereof, relating to [illegible].

I. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Constitutional Amendment No. 12 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 165—An Act [illegible] the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 165 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Also: Concurred in Senate amendment to Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, and earnings of legitimate unmarried minor children.

Also: Concurred in Senate amendment to Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

Also: Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 21, 22, 23, and adding thereto two new sections, to be numbered 23*a* and 24*a*, all relating to revenue and taxation.

Also: Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Also: Senate Bill No. 1198—An Act to amend Section 626*a* of the Penal Code of the State of California, relating to the preservation and protection of wild game.

Also: Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places and providing for the punishment for violation of this Act.

Also: Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children and of convicts in the state prisons," approved April 26, 1909.

Also: Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting

relating to [illegible] and [illegible] and providing a penalty for a violation thereof.

Also: Senate Bill No. 208—An Act to amend Section [illegible] of the Penal Code of the State of California, relating to [illegible] of [illegible] and providing a penalty for a violation thereof.

Also: Senate Bill No. 277—An Act to add a new section to the Penal Code of the State of California, to be known as Section [illegible], relating to the [illegible] and providing the punishment [illegible].

Also: Senate Bill No. 824—An Act to amend Section [illegible] of the Political Code, relating to school [illegible] and providing [illegible] of the State of California.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined Senate Bill No. 331—An Act to amend Section [illegible] of the Penal Code of California, relating to [illegible] and [illegible] and providing a penalty for a violation thereof.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled has examined Assembly Bill No. 1030—An Act to add a new section to the Penal Code of the State of California, to be numbered Section [illegible], relating to the [illegible] of [illegible].

Also: Senate Bill No. 1452—An Act to add a new section to the Penal Code of the State of California, to be numbered Section [illegible], relating to the [illegible] of [illegible].

Have had the same under consideration, and respectfully report that Assembly Bill No. 1459 is identical with Senate Bill No. 1452.

GRANT, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 5—An Act to amend Section 971 of the Code of the State of California, relating to the [illegible] and [illegible] of property, real and personal, within said State of [illegible], have had the same under consideration, and respectfully report the same back, with recommendation, and recommend that it do pass as amended.

GAFFEY, Chairman.

Senate Bill No. 5 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Tuttle Hill state road.

Also: Assembly Bill No. 1377—An Act to make an appropriation for maintenance of the state road from Meyer's Station to Meyersville.

Also: Assembly Bill No. 1378—An Act to make an appropriation for maintenance of the Alpine state highway.

Also: Assembly Bill No. 1379—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass and be referred to Committee on Finance.

BIRDSALL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 564—An Act authorizing and empowering a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield-Maricopa and Ventura state highway, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BIRDSALL, Chairman.

Assembly Bills Nos. 1373, 1375, 1376 and 1377 ordered re-referred to Committee on Finance.

Senate Bill No. 564 ordered on file for second reading.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That Elizabeth S. Taylor and Hal Angus be transferred from the positions of Committee Clerks at $4 per day to the positions of Assistant Journal Clerks at $5 per day, and that B. Corn be transferred from the position of Gate Keeper at $3 per day to the position of Assistant Sergeant-at-Arms at $5 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Cassidy, Cogswell, Cohn, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. W. M. Northrup, of Alhambra.

PRESENTATION TO THE SENATE.

Senator Boynton, on behalf of Mrs. Lucy Boshier Long, of Los Angeles, presented to the Senate a handsomely framed pictorial study of the Law of Justice.

Senator Thompson moved that the gift be accepted, with an expression of the appreciation of the Senate for the same.

Motion carried.

ANNOUNCEMENT.

Senator Boynton announced to the Senate that he had received a communication from William Sanders, of Oakland, California, stating that his son, William R. Sanders, had died in that city. Senator Boynton briefly addressed the Senate, paying tribute to the loyalty, faithfullness and zeal, with other attributes of mind and heart, of the deceased, who had been, for many sessions, an esteemed and valued attaché of the Senate.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 984—An Act to compel users of steam boilers to install and maintain safety appliances on boilers for indicating low water, or otherwise preventing explosions.

On motion of Senator Lyon, Senate Bill No. 984 was ordered to the file of unfinished business.

Senate Bill No. 411—An Act to amend Section 5254 of the Political Code of the State of California, relating to the salaries of officers in counties of the twenty-fifth class.

In the absence of the author, Senate Bill No. 411 was ordered to the file of unfinished business.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

The question being on the report and the substitute submitted by the Committee on Judicial Relations.

Senator Campbell moved to strike out the substitute of the committee and to insert in lieu thereof and to adopt his substitute, offered on the previous day, as follows:

PROPOSED SUBSTITUTE BY SENATOR CAMPBELL FOR SENATE JOINT RESOLUTION NO. 10.

WHEREAS, The Congress of the United States has been convened in extraordinary session to revise the tariff, demanded by a majority of the voting population of the people; and

WHEREAS, The President of the United States in his message said to Congress, and

"We must discuss conscientiously how duties arise, the proportion of particular or of any kind of privilege and just and impartial how each particular relates to the maintenance of a constant revenue to the efficient administration and maintaining economies of competitive enterprises. Justice, justice, justice must be the touchstone."

"Aside from the duties and taxes necessary to pay the cost of the government, produce revenue sufficient and equal thereto, and equal taxation, for the sake of the revenue they yield, the subject of the tariff duties, historically and upon its merits, presents the question of whether it is possible with the view of the use of the money to be collected from the people; and

WHEREAS, It is practically universally agreed that a tariff law ought to be enacted along the lines of the principles stated and recommended by the President of the United States; therefore be it

Resolved, That the Senate and Assembly of the Legislature of the State of California do hereby respectfully request that the Congress of the United States in the enactment of the general tariff laws now pending therein, be asked and requested to consider all of the facts in relation to the many California products, which facts it is understood are now in the possession of the Congress. The Senate and Assembly of the Legislature of the State of California desire, in this connection, to draw the special attention of members of Congress to—

(1) The long and expensive haul that must be endured and borne by wheat, the California product, from producer's field to market;

(2) The difference in the cost of labor in California and in the competing foreign countries;

(3) The necessary ratio of the increase required in the various products of the farm, pastoral, orchard, vine and processing needs, etc.;

Further Resolved, That some of the industries of California, not enjoying such, we should receive such reasonable protection as will keep them from ruin, and not, but on the contrary, that such assistance or encouragement be afforded as the fixing of tariff rates that will be just to ourselves as to the surrounding world.

Resolved, further, That a copy of this resolution be telegraphed to the President and to each of the Senators and Representatives in the Congress of the United States.

The question being on the motion of Senator Campbell.

The roll was called, and the motion lost by the following vote:

AYES—Senators Chamberlain, Campbell, Cartwright, Cox, Curtin, Dennett, Gerdes, Larkins, Owens, Sanford, and Shoemaker—11.

NOES—Senators Anderson, Avey, Boynton, Bradford, Brown, Bryan, Burnett, Carr, Cassidy, Caminetti, Fink, Filcher, Flint, Gates, Hare, Harris, Leeds, Lewis, Mott, Regan, Stephens, Thompson, Tyrrell, and Wright—21.

Senator Sanford moved to strike out the substitute of the committee and insert in lieu thereof, and to adopt the following substitute:

SUBSTITUTE BY SENATOR SANFORD.

WHEREAS, There has been a serious split announced for the past few years among the members of the tariff democratic party and this unrest has been a source of regret; and

WHEREAS, The democratic party has been denominated the "party of reform"; and

WHEREAS, There were over 300 votes in the electoral college, President Roosevelt became President and there were 7,774 votes on the popular vote, for the president-at-large, all of which were for the democratic party would have not had been entered; and

WHEREAS, The people of the United States have at the recent election voted in favor of a reduction in the tariff; and

WHEREAS, the Congress of the United States has been convened in extraordinary session for the purpose of revising the tariff accordingly; therefore be it

Resolved, That the Legislature of the State of California requests the Congress to pass such a tariff law that will greatly reduce the high cost of living and conducive to the greatest good to the greatest number.

The question being on the motion of Senator Sanford.

The roll was called, and the motion lost by the following vote:

AYES—Senators Caminetti, Campbell, Cohn, Curtin, Grant, Juilliard, Owens, Sanford, and Shanahan—9.

NOES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Carr, Cassidy, Cogswell, Finn, Flint, Gates, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Regan, Strobridge, Thompson, Tyrrell, and Wright—26.

The question recurring on the report of the committee, the same was read and adopted.

COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION No. 25.

Relative to memorializing Congress regarding the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use all honorable means to prevent a reduction in duties on citrus fruits below the point where the difference in the cost of production of the same would be equalized.

WHEREAS, The citrus fruit industry is one of the great and important enterprises of this State, representing an investment of two hundred million dollars, and materially contributes to the upbuilding thereof; and

WHEREAS, The rates of duty on citrus fruits should equalize the difference in cost of production between the United States and foreign countries; and

WHEREAS, The present rates of duty bring to the government a substantial revenue that has increased in recent years; and

WHEREAS, A material reduction of the duties on citrus fruits would hamper and retard the growth and development of the State of California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully memorialize the Congress of the United States not to reduce the duties on citrus fruits below a point equalizing the difference in the cost of production of the same in the United States and foreign countries, and we earnestly request our Senators and Representatives in Congress to use every honorable means to prevent such reduction; be it further

Resolved, That the Governor of the State of California be requested to appoint five citizens of California to present this memorial to Congress in behalf of this State; and be it further

Resolved, That a copy of this resolution be telegraphed to the President and to each of our Senators and Representatives in the Congress of the United States.

The question being on the adoption of the resolution.

The roll was called, and committee substitute for Senate Joint Resolution No. 25 adopted by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—32.

NOES—Senators Campbell and Sanford—2.

Resolution ordered engrossed, and transmitted to the Assembly.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building inter-county bridges.

Read third time on a previous day.

On motion of Senator Caminetti, Senate Bill No. 967 was passed on file, to retain its place.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

In the absence of the author, Senate Bill No. 123 was ordered to the file of unfinished business.

Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1432 passed by the following vote:

[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the time of recess was extended until one o'clock p.m.

[illegible]

Senator Cogswell moved to reconsider the vote whereby Senate Bill No. 1279, An Act relating to real estate brokers, agents, salesmen and dealers in the State of California, was refused passage.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 1279 was refused passage reconsidered by the following vote:

[illegible]

Noes—None.

[illegible]

Senator Cogswell moved that the further consideration of Senate Bill No. 1279 be made a special order for eleven o'clock and ten minutes a.m., on Tuesday, April 15, 1913.

Motion carried.

[illegible]

Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 565 passed by the following vote:

[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 7—An Act providing for the construction and equipment of a classroom building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 passed by the following vote:

AYES—Senators Anderson, Belan, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Colm, Curtin, Finn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Regan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1512 passed by the following vote:

AYES—Senators Anderson, Belan, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cogswell, Colm, Curtin, Finn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1452—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

On motion of Senator Hans, Senate Bill No. 1452 was ordered to the file of unfinished business.

Senate Bill No. 1204—An Act to amend Section 637½ of the Penal Code of the State of California, relating to imported fish and game.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1204 passed by the following vote:

AYES—Senators Anderson, Belan, Birdsall, Boynton, Butler, Caminetti, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Regan, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Committee Substitute for Senate Bill No. 742—An Act to amend Sections 2, 3, 10, 12, and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and adding a new section to said Act to be known as Section 12½, relating to reassessments.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 742 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Butler, Caminetti, Carr, Cartwright, Cogswell, Colm, Finn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Regan, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1567.—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered section three thousand one hundred fifty-eight, relating to the procedure to be observed by supervisors, purchasing multiple-use and miscellaneous property.

On motion of Senator Boynton, Senate Bill No. 1567 was ordered to the file of unfinished business.

Senate Bill No. 1568.—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

On motion of Senator Boynton, Senate Bill No. 1568 was ordered to the file of unfinished business.

Senate Bill No. 967.—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as section six hundred thirty-three, relating to the taking of trout by using salmon or trout roe or eggs.

On motion of Senator Flint, Senate Bill No. 967 was passed to file.

Senate Bill No. 961.—An Act to amend section 637½ of the Penal Code, relating to the protection of steelhead trout.

Read third time.

On motion of Senator Finn, Senate Bill No. 961 was passed to file.

Senate Bill No. 1011.—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers and providing for the proper distribution of such books.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1011 passed by the following vote:

AYES—Senators Anderson, Ayer, Black, Boynton, Breed, Bulkley, Chandler, Cox, Curtin, Curtis, Cutten, Dale, Finn, Flint, Gerdes, Hans, Hewitt, Inman, Jacobsen, Kehoe, Lane, Regan, Saunders, Stevenson, Thompson, Tom Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 746.—An Act providing for the commemoration as "Gold Discovery Day" in all departments of the public school system of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California by James W. Marshall.

Read third time.

On motion of Senator Cantwell, Senate Bill No. 746 was passed to file.

MESSAGE FROM THE ASSEMBLY.—[illegible] on hands.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Concurrent Resolution No. [illegible] Relative to the appointment of a committee to investigate [illegible] the Secretary of State, and has appointed as such committee Assemblymen Chandler, Assemblyman Gutberson, and Assemblyman Porter.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS J. WALSH, Assistant Clerk.

RECESS.

At one o'clock p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred fifty *a*, relating to exposure or threats of exposure of paroled or discharged prisoners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to the care of female prisoners and insane patients.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1514—An Act entitled an Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 20 and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1456—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 644, relating to the protection of fish.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1127—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 3, 1909, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 19, 19a, 24, 13, 19, 21, 23, 25, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 47, 48, 49, 59, 60, 61, 62, 64, 66, 67, 78, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 103, 105, 106, 111, 123, 124, 127, 128, 130, 133, 134, 136, 137, 138 and 162 thereof and by repealing Sections 14, 15, 97, 100, 101 and 104 thereof and by adding new sections thereto, to be numbered Sections 21a, 33a, 34, 35, 36, 61a, 130a, 130c and 130d, and by repealing Section 129 thereof and adding a new section thereto, to be numbered Section 129, all relating to the definition and regulation of the business of banking.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 14 of the title, strike out the word and figure "Sections 100" following the figure "99" and insert in lieu thereof a comma and the following: "104 and 162"

Amendment adopted.

AMENDMENT No. 2.

Strike out the brackets in lines 36, 37 and 38, page 2.

Amendment adopted.

AMENDMENT No. 3.

Strike out the brackets in line 19, page 7.

Amendment adopted.

AMENDMENT No. 4.

Strike out the brackets in line 5, page 8.

Amendment adopted.

AMENDMENT No. 5.

In line 36, page 9, strike out the period after the word "others" and insert in lieu thereof a semicolon and the following: "and provided, further, that any building and loan association shall have the right to exercise such powers as are necessary and incidental to the exercise of banking powers granted by this act, including the right to receive deposits, and the exercise of such banking powers shall not be construed to be the doing of the business of banking and loan association, and provided, further, that no such association shall advertise or hold itself out to the public as a savings bank."

Amendment adopted.

AMENDMENT No. 6.

Strike out the brackets in line 23, page 10.

Amendment adopted.

AMENDMENT No. 7.

On page 11, line 29, strike out [and loan] following the word "bank" and insert in lieu thereof a semicolon and the following: "and provided, further, that any building and loan association shall have the right to exercise such powers as are necessary and incidental to the exercise of banking powers granted by this act, including the right to receive deposits, and the exercise of such banking powers shall not be construed to be the doing of the business of banking and loan association, and provided, further, that no such association shall advertise or hold itself out to the public as a savings bank."

Amendment adopted.

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AMENDMENT No. 8.

Strike out the brackets in lines 27 and 28, page 11.

Amendment adopted.

AMENDMENT No. 9.

Strike out the brackets in lines 11 and 36, on page 12.

Amendment adopted.

AMENDMENT No. 10.

Strike out the brackets in line 11, page 17.

Amendment adopted.

AMENDMENT No. 11.

Strike out the brackets in line 15, page 18.

Amendment adopted.

AMENDMENT No. 12.

Strike out the brackets in line 6, page 29.

Amendment adopted.

AMENDMENT No. 13.

Strike out the brackets in lines 13 and 14, page 30.

Amendment adopted.

AMENDMENT No. 14.

In line 5, page 33, strike out the character and figures "$100", and insert in lieu thereof "one hundred dollars."

Amendment adopted.

AMENDMENT No. 15.

In line 3, page 37, strike out the word "have", and insert in lieu thereof the word "has".

Amendment adopted.

AMENDMENT No. 16.

In line 20, page 37, strike out the period after the word "located", and insert in lieu thereof a semicolon and the following: "*and provided, further*, that the total amount of bonds issued by any such irrigation district does not exceed sixty per centum of the aggregate market value of the lands within such district, and of the water, water rights, canals, reservoirs, reservoir sites and irrigation works owned or to be acquired or constructed with the proceeds of any of such bonds by said district, such facts in reference to bonds of irrigation districts to be determined by a commission now or hereafter authorized by law to ascertain and report upon such facts."

Amendment adopted.

AMENDMENT No. 17.

Strike out of lines 9 and 10, on page 38, the words "each of its three fiscal years", and insert in lieu thereof the words "its fiscal year".

Amendment adopted.

AMENDMENT No. 18.

Strike out the brackets in line 7, page 39.

Amendment adopted.

AMENDMENT No. 19.

Strike out the brackets in lines 11, 14, 24 and 34, on page 41.

Amendment adopted.

AMENDMENT No. 20.

Insert in line 2, page 44 after the comma following the word "section", the following: "or of any law of this state.".

Amendment adopted.

AMENDMENT No. 21

Strike out the brackets in line 37, page 44.

Amendment adopted.

AMENDMENT No. 22

Strike out of lines 11 and 12, page 49, the following: "which the last mentioned corporation by its stated use annually for the support of public schools in that town" and insert in lieu thereof the following: "which as was legal for corporations to use for such purpose."

Amendment adopted.

AMENDMENT No. 23

Strike out the brackets on line 31, page 58.

Amendment adopted.

AMENDMENT No. 24

On page 60, line 20, after the word "administering", insert a comma and the following: "or any other proceeding."

Amendment adopted.

AMENDMENT No. 25

On page 60, line 17, after the comma following the word "thereof", insert the following: "or the person who has been selected to such board, or a judge thereof to execute administrative or ministerial duties connected therewith or thereto."

Amendment adopted.

AMENDMENT No. 26

On page 60, line 18, after the comma following the word "thereof", insert the following: "or without notice if all parties in interest consent thereto."

Amendment adopted.

AMENDMENT No. 27

Strike out the comma following the word "thereof" in line 32, page 60, and insert in lieu thereof the following: "or municipal or republican election ward precinct has duly qualified or not."

Amendment adopted.

AMENDMENT No. 28

Strike out the brackets in line 37, page 64.

Amendment adopted.

AMENDMENT No. 29

Strike out the brackets in line 36, page 71.

Amendment adopted.

AMENDMENT No. 30

On page 91, between lines 4 and 5, insert the following: "Sec. 36. Section one hundred forty-three of said Act is hereby repealed."

Amendment adopted.

AMENDMENT No. 31

Strike out of line 5, page 91, the figures "94", and insert in lieu thereof the figures "95".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 754—An Act to amend Section 34 of an Act entitled "An Act to create a firemen's relief, health and life insurance and pension fund in the several counties, cities and municipal [fire and] towns of the State," approved March 20, 1905.

Bill read second time, and ordered on file for third reading.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission; by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization; define its powers and duties and provide for a review of its orders, decisions and awards and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

On motion of Senator Thompson, Senate Bill No. 905 was passed on file.

Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules, and providing a penalty therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 3, line 16, beginning with the word "No", strike out all of the sentence ending with the word "rates" in line 17.

Amendment adopted.

AMENDMENT No. 2.

On page 3, strike out all of Section 4, and insert in lieu thereof the following:

"SEC. 4. Any rate or charge for such insurance shall be subject to review before the insurance commissioner upon the application of any property owner or other insured affected thereby. Upon such application for review, notice of hearing shall be given the insurance company concerned, or if the rates are those fixed by a rating bureau then notice shall also be given to such rating bureau. Notice shall also be given to such other parties interested as the insurance commissioner shall by order direct. Such hearing must be at least ten days subsequent to the time of the service of such notice upon the company and rating bureau. At the hearing of such application, the questions to be passed upon and determined shall be whether the schedule has been correctly applied to the risk or whether the use of any schedule, including any basis used for making rates is discriminatory as between different localities within the state. If it be found that the rate has not been correctly applied to the risk or that the rate or schedule filed is discriminatory, the insurance commissioner shall indicate by his order wherein such rate is incorrectly applied or such rate or schedule discriminatory, and a rate shall be forthwith put into effect by the company, or rating bureau as directed in such order as shall meet the objections therein specified, and as shall comply with the intent and purpose of this Act. Any interested person, company or rating bureau may commence an action in the superior court for the county in which the office of the insurance commissioner is located, against the insurance commissioner for the purpose of reviewing the facts and the laws pertinent to the controversy. In any such action

the court shall have full power as aforesaid at the time or any subsequent regard to the accused's continued confinement under the commitment, or the care of said person, and the provisions of the Code of Civil Procedure and Amendments thereof shall be applicable.

Amendment adopted.

Amendment No. 3

On page 4, line 2, after the comma following the word "Court", strike out the words "it shall be the duty of".

Amendment adopted.

Amendment No. 4

On page 4, line 3, after the word "commitment" and the last two words "he" and insert in lieu thereof "may, in his discretion,"

Amendment adopted.

The following amendment was offered by Senator Slater:

On page 2, Section 3, line 26, of the printed bill, strike out the words "it shall" where it appears and

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 620—An Act to amend Section 2185c of the Political Code relating to arrest, hearing and commitment of habitable and drug habitués to a state hospital.

During second reading of the bill, the following committee amendment was offered by the committee:

COMMITTEE AMENDMENTS TO SENATE BILL NO. 620

An Act to amend Section 2185c of the Political Code of the State of California.

The people of the state of California do enact as follows:

Section 1. Section 2185c of the Political Code of the State of California is hereby amended to read as follows:

2185c. Whenever it appears by affidavit to the satisfaction of a magistrate of a county or city and county, that any person is or has addicted to the intemperate use of narcotics or alcoholics as to have lost the power of self-control, or is subject to dangerous or injurious paroxysms or impulses under the influence of narcotics or alcoholics, the magistrate may issue a warrant directing that such person be arrested and brought before a judge of the superior court for a hearing and examination as such judge. Such officer making the arrest shall detain such person until a hearing and examination can be had. At the time of the arrest a copy of said affidavit and warrant of arrest must be personally delivered to said person. Such affidavit and warrant of arrest shall be substantially in the form provided by Section 2185 of the Political Code for the arrest of a person charged with crime. He must be taken before a judge of the superior court, to whom said affidavit and warrant of arrest must be delivered to be filed with the clerk. The latter must then inform him of the charge against him, and inform him of his rights to apply for counsel and to have a reasonable opportunity to consult counsel thereon. The judge must by order fix such time and place for the hearing and examination in open court as will give a reasonable opportunity for the preparation and examination of witnesses. Such order must be entered in the minutes of the court by the clerk and a certified copy of the same served on such person. The judge may also order that notice of the arrest of such person and the hearing of the charge be served on such relatives of said person known to be residing in the county, as the court may deem necessary or proper. The hearing and examination shall be had in compliance with the provisions of Sections 2170 and 2179 of the Political Code. The judge, after such hearing and examination, if he believes the person is so far addicted to the intemperate use of narcotics or alcoholics as to have lost the power of self-control, or is subject to dangerous or injurious paroxysms or impulses under that he be confined in a hospital for the care and treatment of the insane, designated in such order, and the order must be accompanied by a written statement of the judge as to the financial condition of the patient and of the persons legally liable for his maintenance, as far as can be ascertained, provided that before a person shall be committed to a state hospital, satisfactory evidence shall be submitted to the trial judge showing that the person to be committed is not of bad repute or bad character, apart from his or her habit for which the commitment is made, and that there is reasonable ground for believing that the person, if committed, will be per-

manently benefited by treatment. Such order and statement shall be in substantially the form provided by Section 2171 of the Political Code for the commitment of insane persons. The court shall commit such person for a definite period, not to exceed two years, but provided that he may be paroled by the medical superintendent under the same rules and conditions that the insane are paroled; *and provided, further*, that the state commission in lunacy shall be given the same power to discharge any person committed under this Act as contained in Section 2189 of the Political Code, upon the recommendation of the hospital superintendent, when satisfied that such person will not receive substantial benefit from further hospital treatment. Such person shall be delivered to the state hospital for the insane to which he has been committed in compliance with the provisions of Section 2172 of the Political Code, providing for the commitment and deliverance of an insane person.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911.

During second reading of the bill, the following amendment was offered by the committee:

Amend by striking out all after the colon in line 8, on page 1, of the printed bill, and inserting in lieu thereof the following:

SECTION 1. No minor under the age of eighteen years shall be employed in laboring in any manufacturing, mechanical, or mercantile establishment, or other place of labor, more than eight hours in one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week, and in no case shall the hours of labor exceed forty-eight hours in a week.

SEC. 2. No minor under the age of eighteen years shall be employed or permitted to work between the hours of ten o'clock in the evening and five o'clock in the morning.

SEC. 3. No minor between the ages of twelve and fifteen years shall be employed in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, unless such minor is supplied with a permit to work as hereinafter provided.

SEC. 4. The superintendent of schools of any city or of any city and county, or of any county (over such portions of any such county as are not within the jurisdiction of any superintendent of city schools) shall have authority to issue a permit to work to any minor between the ages of twelve and sixteen years, in any of the following circumstances:

(1) Where such minor has completed the prescribed grammar school course, and is physically fitted for the labor contemplated; or

(2) Where the physical or mental condition of such minor, as determined by examination by a reputable physician, is such as to render inadvisable said minor's attendance at school or application to study, but where the said physician's written certificate setting forth this fact also certifies that such minor is physically fitted for the labor contemplated and recommends the granting of such permit; or

(3) Where upon the sworn statement being made by the parent, or foster-parent, or guardian, of such minor, that such minor is past the age of twelve years, that the parent or parents, or foster-parent or foster-parents, or guardian, of such minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of such minor, the family is in need of the earnings of such minor, and that sufficient aid can not be secured in any other manner. The person authorized to issue such permit shall make a signed statement in granting such permit that he, or a competent person designated by him for this purpose, has carefully investigated the conditions under which the application for such permit has been asked, and has found that in his judgment the earnings of such minor are necessary for such family to support such minor, and that in his judgment sufficient aid can not be secured in any other manner.

SEC. 5. No permit as specified in Section 4 of this Act shall be issued except upon written evidence that suitable work is waiting for such minor, and such permit shall specify the kind of labor. Permits issued under Subdivisions (2) and (3) of

said Section 4 shall in no case be issued for a person under that said term unless necessary, nor for longer than six months at the end of which period such minor shall shall see that such minor returns to school during the term of such permit and holds a permit to such minor such fee getting such employment. Where such minor works for himself and not for others, such minor shall have to procure such permit. Such permit shall be issued on forms in accordance with this Act, which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California. Such permit shall be subject to cancellation at any time by such commissioner of the bureau of labor statistics or by the authority thereof such person whenever such commissioner, or the authority thereof, shall find that the conditions for the legal issuance of such permit do not exist. Such permit shall be subject also to the inspection of the attendance and truancy officers, as of the officers of the state bureau of labor statistics. A duplicate copy of each permit to work granted under the provisions of this Act shall be kept by the person issuing such permit, and shall be filed with the superintendent of schools of the city, or city and county, or the town may have appointed, and all copies of permits issued between June 15th and December 31st of any year shall be filed not later than December 31st of such year; and those issued between December 31st and June 15th of the ensuing year shall be filed not later than June 30th of such year. Corresponding semi-annual records of all such permits issued shall be made to such superintendents in such form as may be required for the enrollment of the bureau of labor statistics of the State of California.

SEC. 6. The attendance officers of any county, city and county, or school district in which any place of employment in this Act named, is situated, or the probation officer of such county, shall have the right and authority, and are hereby empowered to enter into any such place of employment for the purpose of determining whether any of the provisions of this Act, or ordinances of the provisions of an Act entitled "An Act to enforce the educational rights of children, and regulating penalties for the violation of the Act," approved March 24, 1903, and any Act amending or supplementing the same, prevailed. Provided, that if such superintendent or commissioner refuses to permit a person to such place of employment, any employment shall, upon the filing of an affidavit by such attendance or probation officer setting forth the fact that he has good cause to believe that the provisions of this Act or the Act hereinbefore referred to are being violated in such place of employment, issue an order directing such attendance or probation officer to enter and place of employment for the purpose of making such investigations, and provided, that said order shall not be issued for a period of twelve years only be exercised at any of the occupations mentioned in this Act on the regular weekly days of holidays or during the regular vacations of the public schools of the city, county, or city and county, in which the place of employment is situated, upon the production of a permit issued by the principal, superintendent of the school, or superintendent of the board of school trustees or board of education of the school which such person is attending, or has attended during the term next preceding any such vacation. Such permit shall contain the name and age of the person to whom it is issued, and shall be kept by the employer where such person is employed, and shall be produced on demand of any of the officers mentioned in this Act. Such permit shall be kept by the employer during the period of employment, and by the employer of such employment shall be returned by the latter to which it was issued.

SEC. 7. No minor who is under seventeen years of age shall be permitted to work at any gainful occupation during school hours in any county, city, town or school district in which has power of suppression is in regular session, unless he or she has completed the seventh grade of the public schools, or unless he or she is a regular graduate of the elementary school, or of a regularly conducted night school; provided however, that if the parent or guardian of said minor is such as to render [illegible] proceedings or unless the commissioner of study, a certificate from any reputable physician that said minor is physically and mentally school shall be sufficient excuse for such temporary absence.

SEC. 8. Every person, firm or corporation employing minors under sixteen years of age in any manufacturing, mechanical or mercantile establishment, or in any business or service whatsoever, during the school hours of any day, shall keep a register of all such minors, stating the number of hours per day and week and the kinds of work performed by such minors.

SEC. 9. Every person, firm or corporation, agent or officer of the same, having control of any minor employed in violation of any of the provisions of this Act, and every parent, guardian or other person who compels or permits any minor under his control or charge to work in violation of any of the provisions of this Act, and every person who employs any minor in violation of any of the provisions of this Act, and every person who employs any minor in violation of any of the provisions of this Act, and every person who employs any minor

SEC. 10. An age and schooling certificate shall be approved only by the superintendent of schools of the city or city and county, or by a person authorized by him in writing, or where there is no city or city and county superintendent of schools, by a person authorized by the local school trustees; *provided*, that the superintendent or principal of any school of recognized standing shall have the right to approve an age and schooling certificate, and shall have the same rights and powers as the superintendent of public schools to issue the certificate herein provided for the children attending such schools. The person authorized to issue age and schooling certificates shall have the authority to administer the oaths necessary for carrying out the provisions of this Act, but no fees shall be charged for issuing such certificates. An age and schooling certificate shall be issued only upon the written request of the prospective employer of such minor, which written request shall be filed by the person issuing the certificate. An age and schooling certificate shall not be approved unless satisfactory evidence is furnished by the last school census, the certificate of birth or baptism of such minor, the public register of birth of such minor, or in some other manner, that such minor is of the age stated in such certificate. A duplicate copy of each age and schooling certificate granted under the provisions of this Act shall be kept by the person issuing such certificate, such copy to be filed with the county superintendent of schools in the county where the certificate is issued; *provided*, that all such copies of certificates issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year, shall be filed not later than June 30th of each year. The county superintendent of schools of each county shall file with the commissioner of the bureau of labor statistics, a report showing the number of age and schooling certificates issued to male and female minors and such other detailed information as the commissioner may require. Said report to be filed during the months of January and July of each year for the preceding six months, ending June 25th and December 25th of each year, and cover certificates issued during said periods and on file in the office of the county superintendent of schools as described in this section.

SEC. 11. Age and schooling certificates shall be issued on forms which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California, and shall be substantially in the following form, to wit:

Age and schooling certificate. This certifies that I am the (father, mother or guardian) of (name of the minor) and that (he or she) was born at (name of the city or town), in the county of (name of county if known), and state (or country) of (name) on the day (day and year of birth), and is now (number of years and of months) old.

Signature, as provided in this Act.

City or town, and date.

There personally appeared before me the above named (name of person signing) and made oath that the following certificate by (him or her) signed is true to the best of (his or her) knowledge and belief.

I hereby approve the foregoing certificate of (name of minor), height (feet and inches), complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified, and I hereby certify that (he or she) (has or has not) completed the prescribed grammar school course.

Signature of the person authorized to sign, with his official character and authority.

Town or city and date.

This certificate belongs to the minor in whose behalf it is drawn and it shall be presented to (him or her) whenever (he or she) leaves the services of the person, firm, or corporation holding the same. The certificate as to the birthplace and age of the minor under sixteen years of age shall be signed by his father, his mother, or his guardian; if a minor has no father, mother or guardian living in the same city or town, his own signature to the certificate may be accepted by the person authorized to approve the same.

SEC. 12. Every person authorized to sign the certificate prescribed by this Act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment not more than thirty days, or by both such fine and imprisonment; *provided, however*, that no minor having a permit to work, as described in Section 4 of this Act, and no minor having an age and schooling certificate, as described in Section 11 of this Act, and no other minor under sixteen years of age, who would by law be required to attend school, shall, while the public schools are in session, be and remain idle and unemployed for a period longer than two weeks, but must enroll and attend school; *provided*, that within one week after any minor having such a permit to work or such age and schooling certificate shall have ceased to be employed by any employer such employer shall, in writing, giving the latest correct address of such minor known to such employer, notify the county superintendent of schools of such county, that such minor is no longer employed by such employer; and such county superintendent of schools, shall thereupon immediately notify the attendance officer having jurisdiction in the place of such minor's residence, giving the said latest known correct address of such minor that such minor is neither at work nor in school; *and provided, further*, that no

such minor shall be permitted to make sworn application, in form, setting a penalty of not less than fifty dollars nor more than two hundred dollars.

SEC. 13. Any person, firm, corporation, agent or officer of a firm or corporation that violates or omits to comply with any of the foregoing provisions of this Act, or that employs or suffers or permits any minor to be employed in violation thereof, is guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, and each and every offense. A failure to produce any age and schooling certificate as provided for in this Act shall be prima facie evidence of the illegal employment of any minor whose age and schooling certificate of proper age is not produced or shall not be produced. Any fine collected under the provisions of this Act shall be paid into the school funds of the county in which the offense was committed in which the offense occurred, after such fines imposed and collected as the result of prosecutions by the officers of the bureau of labor statistics, to be duly paid over half of the amount fine so paid into the state treasury and credited to the contingent fund of the bureau of labor statistics, and one half paid into the school funds of the county in which the offense was committed.

SEC. 14. Nothing in this Act shall be construed to prohibit the employment of minors at agricultural horticultural or viticultural or domestic labor during the time the public schools are not in session, or during school hours. But the purpose of this Act, horticultural work be understood to include the cutting and drying, but not the canning of any vegetable or fruit. This Act shall not be construed to prohibit any person between the ages of fifteen and eighteen years, who is in the employ or service of the State of California, under the provisions of force prescribed to be employed on the farms, or premises, or gardens of a thereof, and other places of amusement, pavilions in the form of tent schools, or in the immediate of a corporation city or county, conducting fairs or similar fairs, and after the close of the closing year. Nothing contained in this Act shall prevent the employment between the hours of nine each morning and six each evening. The written consent of the commissioner of the bureau of labor shall be in the Act provided, or to prevent the employment of any person who has passed the examination in the prescription of a diploma of the state, shall with the written consent of the commissioner of the bureau of labor statistics, for an such minor shall be given under the office seal, to be issued that the employment to which the minor is to be employed is a proper environment for the person, and that the conditions of such employment are not detrimental to the health of such minor and that the minor's education will not be neglected or hampered by its employment in such manner or thereafter, and every such written consent shall specify the name and age of the minor together with such other facts as may be necessary to the proper administration of such minor, and the days when, and the hours of labor during the employment, in which such duties or business it is to be employed, and shall specify the duties of the minor, also a which the minor is permitted to participate, and every such consent shall be recorded at the office issuing it.

SEC. 15. The bureau of labor statistics shall enforce the provisions of this Act. The commissioner, his deputies and agents shall have all the powers and authority of sheriffs or other peace officers to make arrests for violations of the provisions of this Act, and to serve any process or notice throughout the state.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 9, of the printed bill, between the second comma and the word "or", insert the following: "or other political subdivision of the county,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 705—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 30, of the printed bill, after the period add the following: "But property appropriated to the use of any county, city and county, incorporated city or town or municipal water district, may not be taken by any other county, city and county, incorporated city or town, or municipal water district, while such property is so appropriated and used for the public purposes for which it has been so appropriated."

Amendment adopted.

AMENDMENT No. 2.

On page 2, of the printed bill, strike out the last eight words in line 31, all of line 32, and the first seven words in line 33, and insert in lieu thereof the following: "any public utility,".

Amendment adopted.

AMENDMENT No. 3.

On page 2, of the printed bill, strike out the last six words of line 36 and all but the last two words of line 37, and insert in lieu thereof the following: "the service of such public utility,".

Amendment adopted.

AMENDMENT No. 4.

On page 3, of the printed bill, strike out the last five words in line 2, and insert after the word "use" in said line a period.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California, relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 7, of the printed bill, change the semicolon to a comma and add to line 7 the following: "*provided*, when the legislative body of a county, city and county, or an incorporated city or town, shall, by resolution or ordinance, adopted by vote of two-thirds of all its members, have found and determined that the public interest and necessity require the acquisition, construction or completion, by such county, city and county, or incorporated city or town, of any proposed public utility, or any public improvement, and that the property described in such resolution or ordinance is necessary therefor, such resolution or ordinance shall be conclusive evidence: (*a*) of the public necessity of such proposed public utility or public improvement; (*b*) that such property is necessary therefor, and (*c*) that such proposed public utility or public improvement is planned or located in the manner which will be most compatible with the greatest public good, and the least private injury."

Amendment adopted.

AMENDMENT No. 2.

On page 2, after the period in line 32, of the printed bill, add the following: "But private property appropriated to the use of any county, city and county, incorporated city or town, or municipal water district, may not be taken by any other county, city and county, incorporated city or town, or municipal district, while such property is so appropriated and used for the public purposes for which it has been so appropriated."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 709.—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be numbered 1248a, and relating to the including of any judgment obtained under Title VII, Part III, of the Code of Civil Procedure.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 8, of the printed bill, after the word "any", insert the following: "public utility to be".

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out all of line 9.

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 10, of the printed bill, strike out the word "the".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, of the printed bill, strike out the word "condemnor" and insert in lieu thereof the word "constructed".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 10, of the printed bill, strike out the word "compensor", and insert in lieu thereof the word "completed".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 10, of the printed bill, strike out the word "assessment", and insert in lieu thereof the word "assessed".

Amendment adopted.

AMENDMENT No. 7.

On page 1, strike out all except the last two words of line 12 and all of lines 13 and 14.

Amendment adopted.

AMENDMENT No. 8.

On page 2, strike out all of line 1 and the first word of line 2.

Amendment adopted.

Bill read second time, and ordered to print engrossed and third reading.

Senate Bill No. 711.—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

During second reading of the bill the following amendment was offered by the committee:

On page 2, after the period in line 6 of the printed bill, add the following: "In case of property being taken by the state or any county, or city and county, for highway purposes, the state or said county, or city and county, may elect not to have the fences for which damages may have been assessed and it shall then not be required assessed shall be deposited with the clerk of the court having jurisdiction of the action, and if such fences are not constructed within one year from the date of judgment the said money shall be paid to the defendant or defendants entitled thereto, or to his or their order, who shall immediately build said fences. In case the state, or county, or city and county, builds said fences the amount deposited shall be returned to said state or county, or city and county, and in case the said owners are paid the

the owner or owners of the lands condemned and are not used for said purposes, within one year from the date of judgment, the same may be recovered by said state, or county, or city and county."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California, relating to the county in which all proceedings under Title VII of Part III of the Code of Civil Procedure may be commenced and tried.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, of the printed bill, strike out the last three words of line 6, all of line 7, all of line 8, all of line 9, all of line 10, all of line 11 and the first five words and the period in line 12, and insert in lieu thereof the following: "*provided, however*, that the right in this section granted to any plaintiff to commence and try an action in any county other than the county in which may be located any property in said action sought to be taken, shall be limited to property which is owned by the defendant, or by the defendant in common with the other defendants, or some of them."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 15, change the period to a comma, and add the following: "except as in this section otherwise provided."

Amendment adopted.

AMENDMENT No. 3.

On page 2, after the period in line 19, add the following: "A *lis pendens* shall be filed at the time of the commencement of the action in every county in which any of the property to be affected shall be located."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

PRESIDENT WALLACE IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III, of the Code of Civil Procedure.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 234—An Act adding a new section to the Civil Code, to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, conveyance by and disposition of property, real and personal, within said State of California.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1.

Strike out all of the new matter from the second line of the proposed new section, "what method of time and notice as may have been prescribed may have been adopted by the State of California, providing for the sale of property purchased, retained or held by any such alien at the date aforesaid, to the State of California, and providing for disposing of the net proceeds of any such sale to such person or persons as would be entitled to the same by the laws of the State of California, and providing for the manner of the proceedings thereof upon the same thereunto, for the benefit of the state school fund, and repealing conflicting Acts."

Amendment adopted.

AMENDMENT NO. 2.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. No alien shall acquire title to or become the holder of any lands in this State, other than such as may be acquired by inheritance, under the provisions hereinafter granted, or such as may be held by citizens of the United States in good faith for the purposes of mining, for a period not exceeding five years; but nothing in this section shall be construed to impair or render invalid the title to any lands now held by any alien who has declared his intention to become a citizen of the United States, according to the laws thereof, and who has not failed to become such citizen within the time prescribed by law.

SEC. 2. Any alien who may hereafter acquire by inheritance, or by bona fide purchase or mortgage foreclosure, lands in this State, may hold the same for a period not exceeding five years after the acquisition of the title thereto, but shall dispose of the same within that time; and any such alien may prosecute or defend suits in relation to such lands in the courts of this State. Any such alien who may hereafter acquire by inheritance, or by bona fide purchase or mortgage foreclosure, lands in this State, may hold the same for a period not exceeding five years after the acquisition of the title thereto, but shall dispose of the same within that time; and any such alien may prosecute or defend suits in relation to such lands in the courts of this State. Any such alien who may hereafter acquire by inheritance, or by bona fide purchase or mortgage foreclosure, lands in this State, may hold the same for a period not exceeding five years after the acquisition of the title thereto, but shall dispose of the same within that time; and any such alien may prosecute or defend suits in relation to such lands in the courts of this State.

SEC. 3. Any corporation which is organized under the laws of this State or of any other state or territory, a majority of the shares of the capital stock of which shall be owned by [illegible] shall be subject to the provisions of this Act, and shall be entitled to hold or acquire lands in this State only to the extent and for the time that natural persons are authorized to hold or acquire lands hereunder. Any such corporation may prosecute suits in the courts of this State to enforce the collection of debts owing to it in the course of its business, but shall not hold the title to lands under mortgages or deeds of trust for a longer period than five years; provided, however, that if such corporation shall require said lands for the transaction of its business, it may apply to the governor of this State for a further time, not exceeding five years, within which to hold said lands, and the governor may, in his discretion, grant such further time or refuse the same, as he may think best for the interests of the State; and provided, that if any such corporation shall hold any lands by reason of debts owing to it, it may apply to the governor for a further time within which to dispose of such lands, and the governor may grant such time as he may think best for the interests of the State, not exceeding five years; and provided, that nothing in this section shall apply to lands hereafter acquired in good faith for the purposes of its business by any such corporation, and which may be necessary for the transaction of its business, for a period not exceeding ten years.

SEC. 4. No contract, agreement or lease whereby real property, or any interest therein, is hereafter let, leased or vested for a longer period than three years shall be made to any alien or to any corporation of the class described in section three of this Act, and no renewal or extension of any such contract, lease or agreement shall

be made extending said period of three years, as hereinabove specified, and any such contract, agreement or lease hereafter made to any alien or any such corporation contrary to the provisions of this section, shall be null and void.

SEC. 5. Any alien or any corporation of the class described in section three of this Act hereafter acquiring, owning or holding real property or any right, title or interest therein, in the State of California, in contravention of the provisions of this Act, or subject to escheat to the State of California under the provisions of this Act, may nevertheless convey the same at any time before the commencement of escheat proceedings as in this Act provided and in such case any conveyance so made shall pass the fee simple title of such alien or corporation, or such other right, title or interest as such alien or corporation may have in and to such real property: *provided, however*, that if any such conveyance be made to any alien or to any corporation of the class described in section three of this Act, then such alien or corporation shall take and acquire title under the restrictions and subject to the terms and conditions set forth in sections two and three of this Act respectively: *provided further, however*, that if any such conveyance shall be made with the intent or for the purpose of evading the provisions of this Act, such conveyance shall render the property thereby conveyed subject to escheat to the State of California for the benefit of the state school fund, and such conveyance may, in the proceedings taken as hereinafter provided for the purpose of declaring such escheat, be declared null and void, and in such case the grantee in any such conveyance, if an alien, shall not be entitled to the right given by section six of this Act to prevent such escheat by becoming a citizen of the United States, or by filing a declaration of intention to become such citizen, nor shall such grantee, if a corporation, a majority of the issued and outstanding capital stock of which is owned or held by an alien or aliens, be entitled to the right given by section six of this Act to prevent such escheat by reason of the fact that any stockholder or stockholders of such corporation shall become citizens of the United States, or shall declare their intention to become such citizens: *provided further, however*, that if no proceedings are brought to have any property acquired by any conveyance of the character mentioned in this section declared escheated to the state, within one month after any such conveyance has been duly recorded in the office of the county recorder of the county wherein the land so attempted to be conveyed is situated, then it shall be conclusively presumed that such conveyance was made in good faith and not with the intention of evading the provisions of this Act, and thereafter no escheat proceedings for such purpose by reason of such conveyance shall be commenced: *provided further, however*, that if any such conveyance be to an alien or to a corporation a majority of the issued and outstanding capital stock of which is owned or held by an alien or aliens, the title thereby conveyed shall, nevertheless, be subject to escheat under the provisions of this Act as though such alien or corporation had acquired such title in any other manner.

SEC. 6. Nothing in this Act contained shall apply to any real property, or any right, title or interest therein, acquired, owned or held by any alien who shall have declared his intention of becoming a citizen of the United States, according to law, or who shall have become a citizen of the United States, or to any real property, or any right, title or interest therein acquired, owned or held by any corporation the owners or holders of a majority of the issued and outstanding capital stock of which shall have declared their intention of becoming citizens of the United States according to law, or shall have become citizens of the United States, and if any proceedings for the escheat to the State of California of any real property acquired, held or owned by any such alien or by any such corporation shall have been commenced prior to a declaration by any such alien owner or by a sufficient number of stockholders of any such corporation to constitute with those who are already citizens of the United States, or have made their declaration of intention to become such citizens, the holders of a majority of the issued and outstanding capital stock of such corporation, of intention to become a citizen of the United States or prior to such alien owner or sufficient number of stockholders of any corporation as above provided becoming a citizen of the United States, such proceedings shall, upon proof of such fact, be discontinued and judgment in accordance with the facts shall thereupon be entered, and the recordation in the office of the county recorder of the county wherein the real property is situated of a certified copy of such declaration of intention by any such alien, or of proof of citizenship, duly certified by the officer having the custody or control of the original, or of a certified copy of the judgment entered in such action, shall establish the right of such person or corporation to own and hold real property free from the restrictions or limitations in this Act provided, so long as a majority of the issued and outstanding capital stock of any such corporation is so owned and held by citizens of the United States, or by those who have declared their intention to become such citizens in the manner provided by law.

SEC. 7. The provisions of this Act shall not impair or destroy any right secured to any alien under the provisions of any existing treaty between the United States and the country of which such alien shall be a citizen or subject.

SEC. 8. It shall be the duty of the district attorney of any county in this state wherein any real property, or any portion thereof, acquired, owned or held contrary to the provisions of this Act, is situated, when he shall be informed, or shall have

reason to believe, that any property in said county is being held contrary to the provisions of this Act, to file a complaint on behalf of the State of California, in the Superior Court of the county in which such property or some portion thereof is situated, setting forth a description of the property, the name of the owner or corporation owning or holding or claiming to own or hold the same, that the same is owned or held contrary to the provisions of this Act, and the facts and circumstances in consequence of which the property is claimed to be subject to escheat to the state, with an allegation that no person claiming the right by law to such property has filed a claim thereto, or answered such complaint, if such be the fact, or a statement to that effect if such be the fact. Upon such complaint being filed, a summons shall issue directed to the defendant, requiring defendant to answer such complaint. The complaint must be filed, if the summons is served in this county in which the action is brought, or within thirty days after service, if such service shall be made out of said county, and the summons shall contain all the matters required by section four hundred seven of the Code of Civil Procedure. Summons shall be issued and served in accordance with the provisions of this Act or part two of the Code of Civil Procedure.

SEC. 9. The court may, upon proper showing, upon the complaint being filed and upon application of the district attorney, cause letters of escheat to be issued upon such application at any time after the filing of the complaint, directed to the sheriff of the county in which the property is situated, commanding him to take charge of such property, or any part thereof, and to hold the same subject to the order of the court, and to collect the rents, issues and profits of the same until the title thereto is finally settled.

SEC. 10. All actions or proceedings instituted under the provisions of this Act shall be conducted in accordance with the provisions of law relating to civil actions, and any person claiming any interest in such property may appear and intervene in such action or proceeding at any time before the answering or appearing expires, and any other

held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Act. The legislature hereby declares that it would have passed this Act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases be declared unconstitutional.

SEC. 12. All Acts and parts of Acts in conflict herewith are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 103—An Act appropriating money for general repairs to buildings at the Veterans' Home of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 104—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Also: Senate Bill No. 105—An Act appropriating money for building and equipping a tubercular ward at the Veterans' Home of California.

Also: Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Also: Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 73—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Also: Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining room at the Napa State Hospital.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 88—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Senate Bill No. 89—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Also: Senate Bill No. 90—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Senate Bill No. 91—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Senate Bill No. 92—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

Also: Senate Bill No. 93—An Act appropriating money for remodeling north pay cottage at Napa State Hospital.

Also: Senate Bill No. 94—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 349—An Act [illegible] for the construction and equipment of a [illegible] building at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 350—An Act [illegible] for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 351—An Act [illegible] for the construction of a laundry building and the equipment of the same at Preston School of Industry.

Also: Senate Bill No. 352—An Act [illegible] for the construction and equipment of shop buildings at Preston School of Industry.

Also: Senate Bill No. 353—An Act [illegible] for the development of a water supply, the construction of a pumping plant, [illegible] and the construction of a power station and appurtenances thereto, on the premises of the state normal school at Chico, Butte county, and making an appropriation therefor.

Also: Senate Bill No. 354—An Act to provide for the construction of a power house, power plant equipment, [illegible] and [illegible] for the state normal school at Chico, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 355—An Act appropriating money for general expense, equipment and improvements at Whittier State School.

Also: Senate Bill No. 356—An Act appropriating money for the purchase of live stock, equipment and improvement of the Modesto county home and grounds.

Also: Senate Bill No. 357—An Act appropriating money to pay the outstanding warrants issued upon the state highway fund under Section 18 of the Highway Contract of Mahoney's to Placer County.

Also: Senate Bill No. 358—An Act appropriating money for the purchase and furnishing of ambulance at Napa State Hospital.

Also: Senate Bill No. 359—An Act appropriating money for the construction of temporary buildings at Preston School of Industry.

Also: Senate Bill No. 360—An Act making an appropriation for [illegible] of the California Highway Commission Commencing [illegible] and [illegible] formed in and upon the construction and completion of [illegible] the counties of Tuolumne, Calaveras and Stanislaus with the said section of Stanislaus County.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 120—An Act appropriating money for building new shops in the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 146—An Act appropriating money for the management of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four pavilions or wings at Southern California State Hospital.

Also: Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Also: Senate Bill No. 200—An Act appropriating money for the construction of a Manual Training and Domestic Science Building at San Jose State Normal School.

Also: Senate Bill No. 208—An Act appropriating [illegible] dollars for the construction of septic tanks, and making such repairs, alterations and additions as may be necessary to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Also: Senate Bill No. 209—An Act appropriating [illegible] dollars therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home at Eldridge, Sonoma County, California.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris, in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like, or greater sum, for the same purpose.

Also: Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol Building, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California.

Also: Senate Bill No. 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theater building and grounds, at Monterey.

Also: Senate Bill No. 1249—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Also: Senate Bill No. 1251—Making an appropriation for maintenance of the Emigrant Gap state road.

Also: Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Senate Bill No. 97—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital.

Also: Senate Bill No. 98—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Also: Senate Bill No. 99—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Also: Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

Also: Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home of California.

Also: Senate Bill No. 102—An Act appropriating money for painting buildings at the Veterans' Home of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 103, 104, 105, 111, 115, 118, 73, 96, 88, 89, 90, 91, 92, 93, 94, 349, 350, 485, 486, 953, 954, 225, 478, 621, 660, 662, 805, 120, 186, 192, 197, 200, 268, 269, 449, 955, 1725, 809, 1206, 1249, 1251, 1340, 95, 97, 98, 99, 100, 101 and 102 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 704—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Senate Bill No. 704 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 10, 1961

Mr. President: Your Committee on Finance and Taxation, to whom was referred Senate Bill No. 1440—An Act to amend Section 6448 of the Revenue and Taxation Code of the State of California, relating to the assessment and collection of taxes, has had the same under consideration, and recommends: Amend, Do pass, and recommended that it do pass as amended.

HARRY [illegible], Chairman.

Senate Bill No. 1440 ordered on the list for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 12, 1961.

Mr. President: Your Committee on Public Health and Welfare, to whom was referred Assembly Bill No. [illegible]—An Act to amend and add [illegible] of persons engaged in [illegible] and for their [illegible] and engaging [illegible] going treatment to [illegible] and the duties and [illegible] by the State Board of Health—have had the same under consideration, and respectfully report the same back with [illegible] and recommend that it do pass as amended.

JOHN [illegible], Chairman.

Assembly Bill No. 1995 ordered on the list for second reading.

[illegible]

On motion of Senator Thompson the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1961

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred [illegible] Bill No. 174—An Act to amend Section [illegible] of the Political Code of the State of California, relating to appointment of [illegible] school district.

Also: Senate Bill No. 1027—An Act to amend [illegible] of an Act entitled "An Act to provide for the [illegible] of [illegible] and [illegible] thereto as Banks and [illegible] corporations, fixing the purposes for which [illegible] may be deposited thereby, and providing a penalty for the [illegible] thereof, and [illegible] approved March 16, 1907.

Also: Senate Bill No. 1036—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of [illegible] moneys to [illegible] to the State, and to repeal all Acts and parts of Acts in conflict [illegible] Act," approved February 10, 1897, and amended by an Act approved March 24, 1911.

J. E. MALLORY, Chief Clerk of Assembly.
By THOMAS C. [illegible], Assistant Chief.

Senate Bills Nos. 174, 1027 and 1036 ordered to [illegible].

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—[illegible]

Senator Thompson asked and was granted, unanimous consent to take up for consideration Senate Constitutional Amendment No. 34, out of order.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by repealing Section 18 of Article XI thereof, relating to restrictions of the power of counties, cities and other subdivisions of the State to incur indebtedness.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Rees, as a special committee of one, to amend as follows:

On page 2, line 30, strike out all the [illegible] after the semicolon on [illegible] and also on page 3, strike out line 1, and insert in lieu thereof the following: "and provided, further, that the county of Alameda may [illegible] the county of [illegible]

of the qualified electors thereof voting at an election to be held for that purpose, incur a bonded indebtedness of not to exceed one million dollars, and the legislative authority of said county of Alameda, shall issue bonds therefor and grant and turn over to the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California, March 22, 1910, the proceeds of said bonds for stock in said company or under such other terms and conditions as said legislative authority may determine, the same to be used".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Constitutional Amendment No. 34, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read and adopted.

Constitutional amendment ordered to print and engrossment.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Hewitt, the Senate took up for consideration Senate Bill No. 526, out of order.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer Senate Bill No. 526 to Senator Thompson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 7, of the printed bill, immediately after the comma (,) following the word "nurses", and before the word "and" insert the following: "as defined in this Act,".

AMENDMENT No. 2.

On page 2, line 3, of the printed bill, strike out the period (.) immediately after the word "health", insert in lieu thereof a comma (,), and add the following: "in order to carry out the objects and purposes of this Act,".

AMENDMENT No. 3.

On page 2, strike out all of lines 30 and 31, and the words "that graduates" in line 32, and insert in lieu thereof the following: "been graduated from an accredited training school for nurses. An accredited training school for nurses within the meaning of this Act is hereby defined to be a school for the training of nurses attached to or operated in connection with a hospital or hospitals giving".

AMENDMENT No. 4.

On page 4, line 8, of the printed bill, strike out the words "upon warrant drawn by the controller," and insert in lieu thereof the following: "by the state treasurer upon warrants drawn by the state controller."

Motion carried.

REPORT OF JUDICIAL COMMITTEE ON S.B. [illegible]

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

Mr. President: Your special committee [illegible] to which was referred Senate Bill No. 526, [illegible] to amend [illegible] relative to the [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass as amended.

THOMPSON, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossed.

REPORT OF STANDING COMMITTEE—LIST OF ORDER.

The following report of standing committee was received and read.

JUDICIARY

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 190—An Act to amend Chapter [illegible] of the Statutes of [illegible] of the Statutes of California of 1911, approved December 20, 1911, known as the Public Utilities Act and [illegible] Section 6, [illegible] of the Code of Civil Procedure of the State of California, relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass as amended.

Also Senate Bill No. 747—An Act to amend the Penal Code of the State of California, relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass as amended.

Also Senate Bill No. 782—An Act to amend Section 10 of the Political Code of the State of California, relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass.

Also Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass.

Also Senate Bill No. 791—An Act to amend Section 1 of the Civil Code of the State of California, relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass as amended.

Also Senate Bill No. 880—An Act adding a new section to the Penal Code of the State of California, to be numbered [illegible], relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended.

GATES, Chairman.

Assembly Bill No. 190 ordered on file for second reading.

Senate Bills Nos. 747, 782, 790, 791 and 880 ordered on file for second reading.

Also

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 1203—An Act to add a new section to the Penal Code, to be numbered [illegible] relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass.

Also Senate Bill No. 1201—An Act to repeal Section [illegible] of the Penal Code of the State of California, relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass.

Also Senate Bill No. 1280—An Act to provide for a [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass as amended.

Also Assembly Bill No. 19—An Act to amend Section [illegible] of the Political Code of the State of California, relating to [illegible] has had the same under consideration, and now reports it back with the recommendation that it do pass as amended.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 1201 and 1272 ordered on file.

Senate Bill No. 1296 ordered on file for second reading.

Assembly Bill No. 19 ordered on file for second reading.

Also

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 52—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the examination and sealing thereof; to prohibit the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the registering, measurement and weighing of goods, commodities, wares, packages and containers of merchandise kept for sale or for the purpose of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures;

providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this Act into effect—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

GATES, Chairman.

Senate Bill No. 32 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 530—AN ACT conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties, power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the Superior Court, or a judge thereof, the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Senate Bill No. 530 ordered on file for second reading.

ADJOURNMENT.

At three o'clock p.m., on motion of Senator Thompson, the President declared the Senate adjourned until Monday, April 14, 1913, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER.
Monday, April 14, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Andersen, Avey, Beban, Benson, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, April 12, 1913, the further reading was dispensed with, on motion of Senator Thompson.

LEAVE OF ABSENCE.

Senator Tyrrell was, on motion of Senator Campbell, granted leave of absence for this day.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Wright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Judge Benjamin F. Bledsoe of San Bernardino, Cal.

On request of Senator Leeding, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. F. S. Dewey, editor of the Hanford Journal, Hanford.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Messrs. H. W. Smith, Forbes H. Brown and E. J. B. Aden, of Vallejo.

On request of Senator Avey, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Messrs. W. P. Benke and Thos. Ogden, of Redlands, Cal.

PETITION.

The President laid before the Senate a petition asking for the enactment of legislation to provide for a state highway upon the Big Basin, from Ventana, Page, No. 102 N. D. & W.

COMMUNICATION.

The following communication was presented to the President and ordered printed in the Journal:

OAKLAND, April 10, 1913.

Presidente State Congress, Sacramento, Cal.:

Japanese and gentlemen, respect, white race, America. Honor and respect appreciations and Japanese wish. Your Congress are favor extremely and pass [illegible] which destiny good feeling between America and Japan.

ASAHI HIRSH.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible], An Act appropriating money for the purchase of [illegible] and improvement for San Diego State Normal School.

Also: Assembly Bill No. 585—An Act providing for the purchase for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Also: Assembly Bill No. 43: An Act to amend Section 1250 of the Civil Code of the State of California, relating to the appointment of trustees.

J. E. MALLADAY, Chief Clerk of Assembly.
By THOMAS G. WALSH, Assistant Clerk.

Assembly Bills Nos. 270 and 585 read first time and referred to Committee on Education.

Assembly Bill No. 43 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis and making an appropriation therefor.

Also: Assembly Bill No. 605—An Act making an appropriation for [illegible] extension work for the University of California.

Also: Assembly Bill No. 582—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Also: Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Also: Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 582, 665, 532, 153, 531 and 152 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

Also: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution, amending Article VI thereof, by inserting therein a new section, to be known as Section 4*a*, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal, or Judges of any Superior Court, to act *pro tempore* as justices of said District Courts of Appeal, to hold such extra sessions thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Constitutional Amendment No. 2 referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT REFERRED FOR COMPARISON.

On motion of Senator Kehoe, Assembly Constitutional Amendment No. 32 was ordered referred to the Committee on Engrossment and Enrollment for comparison with Senate Constitutional Amendment No. 33.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 271—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Also: Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill, and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California, to be an item of the general appropriation bill," approved March 15, 1901.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 228, 229, 271 and 289 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

Also: Assembly Bill No. 12—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the depart-

ment of Agriculture of the University of California to pay to aid of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara and making an appropriation therefor.

Also—Assembly Bill No. 14—An Act providing for the experimental and development of a cotton-testing laboratory for the use of the Department of agriculture of the University of California to aid of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura or Santa Barbara, and making an appropriation therefor.

Also—Assembly Bill No. 97—An Act to authorize the council of the University of California for moneys expended to date in the construction of buildings, and authorizing for the completion and equipment thereof, the one Long Observatory at Mount Hamilton to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1734, 12 and 14 read first time, and referred to Committee on Education.

Assembly Bill No. 97 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended, Senate Bill No. 1628, An Act to amend Section 1662 of the Political Code of the State of California relative to providing California history in the course of study and respectfully ask that the amendments be concurred in.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS CONSIDERED.

The following Assembly amendments to Senate Bill No. 1628 were read:

AMENDMENT No. 1.

On page 1, line 15, after the words "thereof," insert the word "and"

AMENDMENT No. 2.

On page 1, line 16, strike out the words "and geography and"

AMENDMENT No. 3.

On page 2, line 1, strike out the words "and pathology and"; and insert in lieu thereof the words "and manual training".

AMENDMENT No. 4.

On page 2, line 13, after the word "of", insert the words "California and of"

AMENDMENT No. 5.

On page 2, line 14, after the first comma and before the word "elementary", insert the words "physical culture and"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1628?"

The roll was called, and the Assembly amendments to Senate Bill No. 1628 concurred in by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boyd, Brown, Butler, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gerdes, Gerber, Hans, Kehoe, Leeds, Lyon, Matt, Owens, Regan, Rush, Shanahan, Stetson, Thompson and Wright—28.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 1236—An Act to amend Section 1662 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State—

Also: Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the minimum rate of interest, and sale of school bonds.

Also: Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

AVEY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 503—An Act to amend Section 1735 of the Political Code of the State of California, relating to the election of members of high school boards.

Also: Senate Concurrent Resolution No. 8—Relative to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of extending the public school system of the State to provide for their training and education, and to report thereon to the forty first session of the Legislature of the State of California.

Also: Senate Bill No. 457—An Act to amend Sections 1712, 1713 and 1714 of the Political Code, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and extended for such libraries.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

AVEY, Chairman.

Senate Bills Nos. 1236, 1263, 1529, 503 and 457 ordered on file for second reading.

Senate Concurrent Resolution No. 8 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 455—An Act to amend Section 1532 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Also: Senate Bill No. 456—An Act to amend Section 443 of the Political Code, relating to the state school fund.

Also: Senate Bill No. 458—An Act to amend Section 1858 of the Political Code, relating to the apportioning of school moneys by the county superintendent of schools.

Also: Senate Bill No. 661—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be re-referred to Committee on Finance.

AVEY, Chairman.

Senate Bills Nos. 455, 456 and 458, and Assembly Bill No. 661 ordered re-referred to Committee on Finance.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 2034—An Act creating a reclamation district to be called and known as "Reclamation District No. 1600," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BENSON, Chairman.

Assembly Bill No. 2034 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 1603—An Act authorizing board of supervisors to [illegible] for the purchase of [illegible] for use of [illegible], have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

[illegible], Chairman.

Senate Bill No. 1603 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. [illegible]—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the payment of tuition of [illegible] pupils attending high schools in [illegible] high schools [illegible] adjoining county.

Also, Senate Bill No. [illegible]—An Act to [illegible] scaffolding or staging for the protection of workmen [illegible] requiring that [illegible] law upon employers using or [illegible] permitting the use of scaffolding or staging, swing or suspended [illegible] provided [illegible] shall [illegible] provisions of this Act, fixing penalties for a violation hereof [illegible] as provided in Section [illegible] of the Penal Code, and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

And report that the same have been correctly enrolled and presented for assent to the Governor on this fourteenth day of April, 1913, at [illegible] o'clock p.m.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. [illegible]—An Act to grant to boards of health or health officers of cities and towns and counties the right to regulate the plumbing and drainage of buildings, and to provide for the [illegible] of plumbers.

Also, Senate Bill No. [illegible]—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the annexation of school districts to high school districts and to the [illegible] of school districts from [illegible] high school districts.

Also, Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer of such company.

Also, Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

Also, Senate Bill No. [illegible]—An Act to amend an Act entitled "An act to establish a Board of Parole Commissioners for the parole and government of paroled prisoners," approved March [illegible], 1893.

Also, Senate Bill No. [illegible]—An Act to amend the Code of Civil Procedure by adding thereto Title X, Part III, relating to the [illegible] and proceedings thereto.

Also, Senate Bill No. 1123—An Act providing for the discharge and restoration to citizenship of paroled prisoners from [illegible].

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1699—An Act providing for the [illegible] of canals or waterways suitable for navigation, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROWN, Chairman.

Senate Bill No. 1699 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1082—An Act to provide for the investigation of the practicability of the construction of [illegible] and the [illegible] of rivers, their tributaries, and other waterways in California [illegible], to define the duties of the Department of Engineering and of the [illegible], and to make an appropriation to defray the cost of such investigation, have had the

same under consideration, and respectfully report back a committee substitute, and recommend that the substitute do pass, and that it be referred to Committee on Finance.

BROWN, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 592—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers, C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Captain, Corps of Engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Also: Senate Bill No. 1191—An Act appropriating the sum of five thousand dollars for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Also: Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the State, and improving the navigability of such streams and for acquiring land for necessary rights of way.

Also: Senate Bill No. 399—An Act to repeal an Act entitled "An Act to provide for the issuance and sale of state bonds to create a fund for the construction by the Board of State Harbor Commissioners for the bay of San Diego of harbor improvements consisting of a seawall, wharves, piers, state railroad, spurs, betterments and appurtenances in the county of San Diego; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of one thousand five hundred dollars for the expense of printing said bonds and to provide for the submission of this Act to a vote of the people."

Also: Senate Bill No. 1551—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of the San Joaquin River, and tributary navigable river channels, and improving the navigability thereof and for acquiring land for necessary rights of way.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

BROWN, Chairman.

Senate Bills Nos. 1082, 592, 1191, 1289, 399 and 1551 ordered re-referred to Committee on Finance.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That E. J. Olsen be transferred from the position of Bill Filer at $4.00 per day to the position of Assistant Enrolling and Engrossing Clerk at $5.00 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Gerdes, Grant, Hans, Jones, Kehoe, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Rush: Permission to introduce a Senate bill—An Act to appropriate money for the purpose of constructing a pipe line from

the property of the California State Reformatory at Yuba County, to the Veterans' Home of California at Yountville, and connecting the same with the water system at said Veterans' Home.

By Senator Rush: Permission to introduce a people bill—An Act to amend Section 5 of an Act approved March 14, 1907, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

By Senator Butler: Permission to introduce a Senate bill—An Act to amend Section 1179 of the Political Code, relating to providing and printing ballots for elections.

By Senator Lyon: Permission to introduce a Senate bill—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349 and Section 349a, relating to labor unions.

CONSERVATION OF GOLDEN GATE—SENATE BILL NO. 967.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building inter-county bridges.

On motion of Senator Campbell, Senate Bill No. 967 was passed on file.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 123 passed by the following vote:

AYES—Senators Anderson, Avey, Bryant, Burnett, Evans, Flint, Gaylord, Campbell, Cassidy, Caminetti, Cutten, Finn, Gerdes, Gerlach, Gray, Hayes, Lyon, Mott, Owens, Rush, Sanford, Smallwood, Strudwick, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 824—An Act to amend Section 1671 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 824 refused passage by the following vote:

AYES—Senators Avey, Bryant, Butler, Caminetti, Cassidy, Cutten, Finn, Gaylord, Kehoe, and Shanahan—10.

NOES—Senators Anderson, Burnett, Evans, Flint, Gerdes, Gerlach, Hayes, Hewitt, Lyon, Lukens, Mott, Owens, Regan, Sanford, Strudwick, Thompson, and Wright—15.

NOTICE OF MOTION TO RECONSIDER.

Senator Anderson gave notice that on next legislative day he would move to reconsider the vote by which Senate Bill No. 824 was refused passage.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Sanford, the Senate took up the consideration of Senate Bill No. 1124, out of order.

Senate Bill No. 1124—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Sanford moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

In section 1, page 2, line 2, by inserting between the word "of" and the word "cents", the word "ten".

Also: On page 2, by striking out of lines 34 and 35, the following: "*provided*, that the same shall be issued out of any court without the county."

Also: On page 3, line 2, strike out the words "and license" between the words "tax" and "collector".

Also: On page 3, between the lines 3 and 4, add the following:

"6. The license collector thirteen hundred dollars per annum; but he shall receive no fees nor commissions on the amount of licenses collected. This subdivision of this act shall take effect immediately."

Also: On page 4, strike out of line 3, at the end of the line, the words "In addition", and also, all of lines 4, 5 and 6.

Also: On page 5, line 25, at the beginning of the line, insert the words "three dollars".

Also: On page 6, strike out all of subdivision 17.

Also: Renumber subdivisions from "6" on.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1124, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 534 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Brown, Caminetti, Campbell, Cassidy, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Owens, Regan, and Thompson—21.

NOES—Bryant, Cartwright, Grant, Larkins, Strobridge, and Wright—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

Read third time.

On motion of Senator Cassidy, Senate Bill No. 52 was passed on file.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the time of recess was extended until one o'clock p.m.

Senate Bill No. 967.—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 699c, relating to the taking of trout by using salmon or trout roe or eggs.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 967 passed by the following vote:

AYES—Senators Anderson, Black, Boynton, Brown, Bryant, Butler, Carr, Cartwright, Cassidy, Chapman, Curtin, Finn, Flint, Gerdes, Hewitt, Hiram Johnson, Hans Kelso, Lane, Main, Owens, Rigdon, Sanford, Thompson, and Wright—20.

NOES—Senators Bannon, Cogswell, Leib, Outhwaite, and Strassburger—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Stanislaus Raisin gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 967 was passed.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of the committee to investigation of the affairs of the office of the Secretary of State, pursuant to the provisions of Senate Concurrent Resolution No. 27, as follows: Senators Hewitt, Kehoe and Grant.

INTRODUCTION OF CONSTITUTIONAL AMENDMENTS.

The following constitutional amendments were introduced:

By Senator Owens: Senate Constitutional Amendment No. 24.—Approving a certain amendment to the charter of the city of Richmond, in Contra Costa County, in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the 8th day of April, 1913.

Resolution referred to Committee on Municipal Corporations.

By Senator Campbell: Senate Constitutional Resolution No. 25.—Relative to the return of deposits paid and the cancellation of contracts between farmers and the Board of State Prison Directors.

Resolution referred to Committee on Prisons and Reformatories.

CONSIDERATION OF BILL—CITY OF ORDER.

On motion of Senator Butler the Senate took up the consideration of Senate Bill No. 277, out of order.

Senate Bill No. 277.—An Act to punish the making or use of false statements to obtain property or credit.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer Senate Bill No. 277 to Senator Hewitt, as a special committee of one, to amend as follows:

AMENDMENT NO. 1.

Amend the title of the printed bill by striking out the words "declaring the use", in line 3 of the title, and also all of lines 4, 5 and 6 of the title and insert in lieu

thereof the following: "relating to the making and use of false statements for the purpose of obtaining property or credit, and prescribing the punishment therefor."

AMENDMENT NO. 2.

On page 1, line 1, of the printed bill, at the beginning of said line 1, immediately before the word "a", insert the following: "Section 1.".

AMENDMENT NO. 3.

On page 2, of the printed bill, strike out in line 19, the word "felony", and all of lines 20, 21 and 22, and insert in lieu thereof the following: "misdemeanor, punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 277, with instructions to amend, respectfully reports the same back, amended as per instructions.

HEWITT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII, of Title II, of Part IV, of Division First, of said Civil Code, relating to mortgage insurance companies.

Also: Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II, of Title II, of Part IV of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code forming part of said Chapter II, and to add to said Civil Code a new chapter to be known as Chapter VII, of Title II, of Part IV, of Division First of said Civil Code relating to title insurance companies.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 258—An Act to amend the Penal Code of California by adding a new section thereto to be numbered 375b, relating to the regulation of the height of bill boards or fences.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Senate Bills Nos. 1419, 1478 and 258 ordered on file for second reading.

RECESS.

At one o'clock p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened. Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER

The special order set for two o'clock p.m. of this date was taken up for consideration.

Assembly Bill No. 958—An Act to amend Section 387c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Wright moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

By striking out of line 7, page 2, the words "of said vessel" and inserting in lieu thereof the following: "of the passengers, or passengers per pleasure boat".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Assembly Bill No. 958, with instructions to amend, respectfully reports the same back amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

SECOND READING OF ASSEMBLY BILLS

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Assembly bills.

Assembly Bill No. 1095—An Act to provide for the free treatment of persons exposed to rabies in their own homes and for their free transportation and support while undergoing treatment under the direction and treatment by the State Board of Health.

On motion of Senator Campbell, Assembly Bill No. 1095 was ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57 and 59 thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 3, line 3, of the printed bill, after the word "sewa", add a hyphen (-).

Amendment adopted.

AMENDMENT NO. 2.

On page 3, line 13, after the words "common carrier", add a comma (,).

Amendment adopted.

AMENDMENT NO. 3.

On page 10, line 37, after the word "purposes", add a comma (,).

Amendment adopted.

AMENDMENT No. 4.

On page 14, line 27, strike out the first word "or", and in lieu thereof insert the word "of".

Amendment adopted.

The following amendments were offered by Senator Juilliard:

AMENDMENT No. 1.

On page 9, Section 17, line 9, after the word "research", insert the words "or in patriotic work,".

Amendment adopted.

AMENDMENT No. 2.

On page 11, Section 17, line 16, after the word "purposes", insert the words "or for patriotic purposes,".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 19—An Act to amend Section 3658*a* of the Political Code of the State of California, relating to maps for assessment purposes.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 10, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission; by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization; define its powers and duties and provide for a review of its orders, decisions and awards and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

On motion of Senator Boynton, Senate Bill No. 905 was passed on file.

Senate Bill No. 564—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San

Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura State Highway.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 103—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 1, after the word "of" and before the word "thirty-", strike out the words "ten thousand", and insert in lieu thereof the words "twenty thousand five hundred".

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 104—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 105—An Act appropriating money for buildings and equipping a tubercular ward at the Veterans' Home of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 73—An Act appropriating money for the purchase of equipment for shops, power plants, and laboratories at the California Polytechnic School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 1, after the word "of", and before the word "thousand", strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining room at the Napa State Hospital.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 1, after the word "of" and before the word "thousand", strike out the word "twenty-" and insert in lieu thereof the word "twenty-two".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 88—An Act appropriating money to defray the

expenses of reclamation of low lands on the farm at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 89—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 90—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At two o'clock and forty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 91—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 92—An Act appropriating money for the purchase of bakery, kitchen, and dining room equipment at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 93—An Act appropriating money for remodeling North Pay Cottage at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 94—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipping of the same at Folsom State Prison.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 486—An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 954—An Act for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 275—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 2, section 3, after the word "of" and before the word "thousand" strike out the word "forty", and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT No. 2.

Add a new section to be numbered Section 2, to read as follows:

SEC. 2. This Act contains no provision for an appropriation for the usual current expenses of the state party under provisions of Section 8, of Article IV of the constitution (one million dollars).

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 478—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

During second reading of the bill the following amendment was offered by the committee:

On page 1, section 2, line 1, after the word "of" and before the word "thousand", strike out the word "three" and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 671—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On line 4, after the word "pay," strike out all words preceding the word "improvement" in lines 4, 5, 6, 7 and 8, and insert in lieu thereof the following: "the claim of Duane Bliss against the State of California."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 2, line 10 after the word "the" and before the word "various" add the word "usual".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 660—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 7, after the word "the" and before the word "various", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 662—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 7, after the word "the" and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 805—An Act making an appropriation to pay the claim of the California Highway Construction Company for money expended and labor performed in and upon the construction and completion of state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, in the title, after the word "company", strike out all to and including the word "county", and insert in lieu thereof the words "against the State of California."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, lines 1 and 2, strike out the words and figures "nine hundred and fifty and 76-100", and insert in lieu thereof the words and figures "seventy-five and 22-100".

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 1, lines 5, 6, 7 and 8, after the word "corporation", strike out all to and including the word "county", and insert in lieu thereof the words "against the State of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 208—An Act appropriating $5,500 for the construction of septic tanks and making such repairs, alterations and additions, as may be necessary, to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 267—An Act appropriating $27,000 therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Hornbrook in said county of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like or greater sum for the same purpose.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 965—An Act to provide for repairing, altering, enlarging, furnishing and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1175—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol building, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 809—An Act to amend Section 731 of the Political Code of the State of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 5, of the printed bill, strike out the words "county of", being the last two words of the sentence, and where after being a [illegible] and insert in lieu thereof the following: "counties of Los Angeles, Alameda, and Sacramento, in six thousand dollars, of the counties of Riverside, Colusa, Yuba, San Joaquin, Marin, Mendocino, Santa Clara, Fresno, San Diego, Sonoma, Placer, San Bernardino, Napa, San Benito and Solano, five thousand dollars, of the counties of Santa Cruz, San Mateo, Yolo, Santa Barbara, Orange, Monterey, San Luis Obispo, Shasta, Sutter, Stanislaus, Tehama, Kern, Contra Costa, Tulare, Mariposa, Ventura, Mono, Kings, Amador, Calaveras, Siskiyou, El Dorado, Merced, Madera, Lassen, Trinity, Inyo, Orange, Colusa, Plumas and Humboldt, four thousand dollars, and of the county of Alpine, two thousand dollars, one half of which shall be paid by the state and the other half thereof by the county of which the judge is elected or appointed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theater building and grounds at Monterey.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 1 after the word "of" and before the word "thousand", strike out the word "three", and insert the word "two".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1249—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 6, after the word "for" and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1251—An Act making an appropriation for maintenance of the Emigrant Gap state road.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 6, after the word "for", and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 6, after the word "for", and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 97—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 98—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 99—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 102—An Act appropriating money for painting buildings at the Veterans' Home of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 704—An Act to amend Section 1250 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 20, of the printed bill, after the word "same," insert the following: "or by the guardian of minor heirs from moneys from lands taken under this title relating to eminent domain."

Amendment adopted.

AMENDMENT No. 2

On page 1, line 12, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "and provided, further, that school land shall not be taken for the use of a [illegible] of municipal city, or incorporated village, or of any subdivision, or any city organized by the power of the California school commissioners referred to in that section Art. of the [illegible] amended, Act 1911 appointing the board of the California [illegible] commissioned by the governor of the state of representatives to the assembly of state on June 17, 1911, directing the appointment of state of municipal village [illegible] Sacramento above or as otherwise as [illegible] the swamp lands adjacent to said cities, directing the state engineer to [illegible] lots and make surveys and appropriations for the purpose of protecting the above mentioned or said report of the California [illegible] commissioners and to make requisite disposal, making an appropriation to pay the expenses of said commissioners and engineer, and creating a to consider report and making an appropriation therefor, approved December 20, 1911, or any modifications or [illegible] that may be adopted on the same, unless a [illegible] or easement shall be given on the condemnation hearing shall be necessary. Such condition shall be conditions sufficient [illegible] a lease or [illegible] simple or easement as the case may be or necessary."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1440—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 5, strike out the word "ships" and all of the words following it, and insert in lieu thereof the following: "or ships or who receives for shipment or transportation from the State of California to any place in any other state, territory or foreign country, or who has in his possession, for any purpose, any dried shrimp or shrimp shells of shrimp caught or taken in the waters of this state shall be guilty of a misdemeanor; and it is provided that the possession of such dried shrimp or shrimp shells by any person shall be prima facie evidence that such dried shrimp or shrimp shells are of shrimp which were caught or taken in the waters of this state. Every person who, between the first day of March and the thirty-first day of October of the same year, both inclusive, [illegible] kills, has in possession, buys, sells or offers for sale any lobster (crawfish) of less than nine inches in length, measured from one extremity to the other and exclusive of legs, claws or feelers, or who shall at any time, [illegible] kills, has in possession, buys, sells or offers for sale any lobster (crawfish) or crab of [illegible] or who shall at any time [illegible] any lobster (crawfish) crab (Cancer magister) [illegible] or who shall have in his [illegible] any lobster (crawfish) or crab (Cancer magister) [illegible] or who shall [illegible] any lobster (crawfish) or crab (Cancer magister) or any portion of any lobster (crawfish) or crab (Cancer magister) without preserving portions of such lobster (crawfish) or crab (Cancer magister) in such condition

that the size of such lobster (crawfish) or crab (*Cancer magister*) can not be measured, shall be guilty of a misdemeanor. Every person who, at any time, has in his possession for sale, or sells, or offers for sale, any dressed catfish less than seven inches in length not including the head, or who, at any time kills or has in his possession any sturgeon of less than twenty-five pounds in weight, shall be guilty of a misdemeanor. Every person who, at any time, takes, catches, kills, has in possession, buys, sells, or offers for sale, any crab (*Cancer magister*) of less than seven inches in breadth measured straight across the back from point to point, or any female crab (*Cancer magister*), or who between the first day of August and the fifteenth day of November of the same year, both dates inclusive, takes, catches, kills, has in possession, buys, sells, or offers for sale any crab (*Cancer magister*), shall be guilty of a misdemeanor. Every person who, between the first day of February and the thirtieth day of April of the same year, both dates inclusive, takes, catches or kills any abalone (*Haliotis*), or who, at any time, takes, catches or kills any red abalone (*Haliotis rufescens*) less than nineteen inches around the outer edge of the shell or any green abalone (*Haliotes cubacea*) less than eighteen inches around the outer edge of the shell, or any pink abalone (*Haliotis corrugata*) less than sixteen inches around the outer edge of the shell, or any black abalone (*Haliotis cracherodii*) less than fourteen inches around the outer edge of the shell, or who by any means whatsoever, takes, or catches any abalone (*Haliotis*) and does not bring the same, naturally attached to the shell and alive, to the shore above high water mark, or who takes, catches, or kills any abalone (*Haliotis*) for other than food purposes, or who at any time offers for shipment, or stores, or receives for shipment or transportation from the State of California to any point in any other state, territory or foreign country any abalone (*Haliotis*), abalone meat, fresh or dried; or abalone shells, excepting articles manufactured from abalone shells or who takes, catches, or kills any abalone (*Haliotis*) by the use of a spear or spears, shall be guilty of a misdemeanor. Every person who, in fish and game district six of this state, uses or assists in using any diving apparatus of any kind whatever for the taking or catching of any abalone (*Haliotis*), or who takes, catches or kills any black abalone (*Haliotis cracherodii*), or who takes, catches or kills during any one calendar day more than ten (10) abalone (*Haliotis*) shall be guilty of a misdemeanor. None of the provisions of this Act shall apply to lobster (crawfish) or abalone (*Haliotis*) caught or taken without the waters of this state, and bearing after inspection such evidence of having been so caught or taken as may be hereafter prescribed by the fish and game commission; *and be it provided*, that all the expense of such inspection shall be borne by the importer of such lobster (crawfish) or abalone (*Haliotis*); *and be it provided further*, that all lobster (crawfish) or abalone (*Haliotis*) imported into this state shall be of the size prescribed in this section.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 747—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 667.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, of the printed bill, change the period after the word "seven" in the last line of the title to a comma, and add the following: "relating to the punishment for crime."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out the last five words in line 4 and the first eight words and the commas in line 5.

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out in line 24 the following: "the amendment in January."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out the first four words in line 4 and the first eight words and the commas in line 5.

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out the following in line 14: "the second Tuesday in January."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 721—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out the last six words in line 4 and the first seven words and the commas in line 5.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 14, strike out the last six words of said line.

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 890—An Act adding a new section to the Penal Code of the State of California, to be known and numbered as Section 508½, relating to embezzlement.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out the words "and one half" in the second line of the title and insert in lieu thereof the word "a".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, of the printed bill, strike out the words "and one half", and insert in lieu thereof the word "a".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, of the printed bill, strike out the number "508½", and insert in lieu thereof the number "508a".

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out all after the first line of the title of the printed bill, and insert in lieu thereof the following: "to add a new section to the Code of Civil Procedure of the State of California to be numbered Section 1218a, providing for a jury trial in certain cases of contempt."

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Code of Civil Procedure, to be numbered Section 1218a, and to read as follows:

1218a. Any person who shall commit any contempt of court by wilfully, out of the presence of the court and not so near thereto as to obstruct the administration of justice, disobeying any lawful writ, process, order, rule or command of any court or any judge thereof, shall upon demand made by him or his attorney, be tried by a jury, regardless of whether such contempt be of a civil or criminal nature, and whether it be punishable by statute, at common law or in equity."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 530—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpœnas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the Superior Court or a judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

Bill read second time, ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1649—An Act to add a new section to the Penal Code, to be numbered 369b, relating to trespassing upon railroad tracks, cars or engines.

Also, Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III of the Code of Civil Procedure.

Also, Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Also, Senate Bill No. 231—An Act adding a new section to the Civil Code, to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

And report that the same have been correctly engrossed.

GRANT, Chairman.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the third-reading file of Assembly bills.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to

permit the construction and maintenance of any state or county highway or boulevard over highways or streets in incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Thompson, Assembly Bill No. 1017 was passed on file.

SENATOR GOODES IN THE CHAIR.

At three o'clock and five minutes p. m., Senator Goodes, of the Twenty-first District, in the chair.

THIRD READING OF BILLS—URGENCY.

Assembly Bill No. 23.—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

On motion of Senator Mott, Assembly Bill No. 23 was passed on file.

Assembly Bill No. 227.—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

On motion of Senator Mott, Assembly Bill No. 227 was passed on file.

Assembly Bill No. 1374.—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Read third time and a previous day.

Section 4, setting forth the urgency clause of the bill, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the section setting forth the urgency clause of Assembly Bill No. 1374 passed by the following vote:

Ayes—Senators Anderson, Benson, Bennett, Bonnet, Boone, Campbell, Cannell, Carr, Cartwright, Chamberlain, Crawford, Curtin, Curtis, Flint, Finn, Goodes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Stetson and Wright—28.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1374 passed by the following vote:

Ayes—Senators Anderson, Benson, Bennett, Bonnet, Boone, Breed, Campbell, Cannell, Carr, Cartwright, Chamberlain, Crawford, Curtin, Curtis, Flint, Finn, Goodes, Grant, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Stetson and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1267.—An Act to provide for the organization and organization of public utility districts, authorizing such districts to issue bonded indebtedness for the purpose of the construction of works and

the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1267 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Regan, Rush, Shanahan, Thompson, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmited to the Assembly.

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the preservation and form of claims against counties.

On motion of Senator Breed, Assembly Bill No. 1401 was passed on file.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

On motion of Senator Avey, Assembly Bill No. 434 was passed on file.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers, and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911.

On motion of Senator Thompson, Assembly Bill No. 94 was passed on file.

Assembly Bill No. 1109—An Act to amend Sections 1 and 7 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto to be designated as Section 3*a*, relating to the duties and powers of the commissioner and his appointees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1109 passed by the following vote:

AYES—Senators Anderson, Behan, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Regan, Rush, Sanford, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered 650*a*, relating to exposure or threats of exposure of paroled or discharged prisoners.

On motion of Senator Thompson, Assembly Bill No. 274 was passed on file.

Assembly Bill No. 653—An Act to amend Section 3616 of the Penal Code of the State of California relating to the care of female prisoners and insane patients.

On motion of Senator Campbell, Assembly Bill No. 653 was passed on file.

Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which pure goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Bennett, Boynton, Breed, Brown, Caminetti, Campbell, Carr, Cartwright, Cassidy, Chipman, Colby, Crowley, Elliot, Finn, Gates, Gerdes, Gibson, Hans, Hewitt, Jones, Juilliard, Kehoe, Lawlor, Leon, Mount, Rose, Stanford, Thompson and Wyman—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1179 passed by the following vote:

AYES—Senators Beban, Benson, Bennett, Boynton, Breed, Brown, Butler, Campbell, Carr, Cartwright, Cassidy, Chipman, Colby, Crowley, Elliot, Finn, Gates, Gerdes, Gibson, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lawlor, Leon, Mount, Rose, Stanford, Thompson and Wyman—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1284—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the management and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1891, by amending Section 10 thereof.

On motion of Senator Campbell, Assembly Bill No. 1284 was passed on file.

PRESIDENT PRO TEM. RESUMES THE CHAIR.

At three o'clock and twenty-five minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(CONTINUED).

Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11,

1897, and to provide for the disposition of the money in the fund created by said Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1514 passed by the following vote:

AYES—Senators Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Regan, Rush, Sanford, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 20 and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

On motion of Senator Thompson, Assembly Bill No. 2016 was passed on file.

Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1459 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Regan, Rush, Sanford, Shanahan, Thompson, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR GRANT IN THE CHAIR.

At three o'clock and thirty minutes p.m., Senator Grant, of the Nineteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

On motion of Senator Thompson, Assembly Bill No. 971 was passed on file.

Assembly Bill No. 754—An Act to amend Section 14 of an Act entitled "An Act to create a firemen's relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 734 passed by the following vote:

AYES—Senators Anderson, Boynton, Burnett, Bryant, Butler, Campbell, Carr, Cartwright, Cassidy, Caminetti, Crler, Finn, Flint, Gerdes, Gerlach, Gerdon, Hewitt, James, Lafferty, Kehoe, Larkins, Leak, Rush, Sanford, Shanahan, Wyllie, Wolfe and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

BILL RE-REFERRED.

On motion of Senator Thompson, Assembly Bill No. 189 was ordered re-referred to Committee on Finance.

Assembly Bill No. 577—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any unnavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or waste water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters, by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe, as a special committee of one, to amend as follows:

On page 4, line 2, of the printed bill, before the word "Assemblyman," insert the words "Lucien H. Gee."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 577, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE—SENATE BILLS ON FILE.

Senate Bill No. 961—An Act to amend Section 617g of the Penal Code, relating to the protection of steelhead trout.

On motion of Senator Finn, Senate Bill No. 961 was passed on file.

Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California by James W. Marshall.

On motion of Senator Caminetti, Senate Bill No. 746 was passed on file.

Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California, relating to the regulation of loading and unloading of vessels, to be known as and numbered three hundred and sixty-eight *a* of said code.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 133 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cassidy, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Rush, Shanahan, Strobridge, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1035 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Juilliard, Larkins, Lyon, Rush, Shanahan, Strobridge, Thompson, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 322—An Act to repeal an Act entitled "An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies," approved March 23, 1901.

On motion of Senator Bryant, Senate Bill No. 322 was ordered to the file of unfinished business.

Senate Bill No. 672—An Act to amend section one hundred seventy-two *a* of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

On motion of Senator Butler, Senate Bill No. 672 was passed on file, to retain its place.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

On motion of Senator Sanford, Senate Bill No. 804 was passed on file, to retain its place.

REFERENCE TO JUDICIARY.

On motion of Senator Thompson, the Committee on Judiciary was requested to report on the legality of the procedure in amending a bill, its title and the enacting clause in a single amendment.

THIRD READING OF BILLS — (REPORTED)

Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment and define their powers, duties and compensation; to define offenses committed by and duties contrary to the provisions of this Act, and prescribing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1901, amended and approved March 30, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a new section, to be numbered 11 of said Act relating to the collection of fees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1307 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Bennett, Bonnheim, Boynton, Burnett, Butler, Caminetti, Campbell, Carr, Chandler, Chipman, Cogswell, Crow, Curtin, Finn, Flint, Gerdes, Gerdes, Grant, Jones, Kehoe, Larkins, Main, Rush, Saunders, Stanford, Strobridge and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1308—An Act to amend Sections 1, 3, 8, 20 and 21 of an Act approved March 23, 1901, and entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885," to repeal Sections 13 and 24 of said Act, also to amend Sections 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also to amend Section 21½ of said Act as added thereto by said Act approved March 20, 1903, and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907; all relating to the board of dental examiners of California and the regulation of the practice of dentistry in the State of California approved April 6, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1308 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Bennett, Bonnheim, Boynton, Burnett, Butler, Caminetti, Campbell, Carr, Chandler, Chipman, Cogswell, Crow, Curtin, Finn, Flint, Gerdes, Gerdes, Grant, Jones, Larkins, Lyon, Main, Rush, Saunders, Stanford, Strobridge and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1309—An Act to amend section twelve of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate bill No. 1309 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Jones, Larkins, Mott, Regan, Rush, Sanford, Shanahan, and Strobridge—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1310—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

On motion of Senator Strobridge, Senate Bill No. 1310 was re-referred to Committee on Finance.

Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons.

On motion of Senator Boynton, Senate Bill No. 206 was passed on file, to retain its place.

Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

On motion of Senator Boynton, Senate Bill No. 202 was passed on file, to retain its place.

Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

On motion of Senator Boynton, Senate Bill No. 518 was passed on file, to retain its place.

Senate Bill No. 695—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 695 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Larkins, Lyon, Mott, Rush, Sanford, Shanahan, and Strobridge—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employ-

ment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1411 passed by the following vote:

Ayes—Senators Bates, Beban, Boxell, Burnett, Campbell, Chandler, Chan, Cassidy, Cogswell, Curtin, Dunn, Filcher, Gates, Gerdes, Hagan, Hewitt, Jones, Kehoe, Lewis, Lyon, Mott, Rands, Rush, Sanford, Shearer, Stetson, Thompson and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Committee Substitute for Senate Bill No. 619—An Act to amend Sections 2, 3 and 4 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 21, 1911.

In the absence of the author, Senate Bill No. 619 was passed to the

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

In the absence of the author, Senate Bill No. 1724 was passed to the

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Lyon for permission to introduce a bill entitled An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 346½ and Section 346c, relating to labor unions, has had the same under consideration, and begs leave to report:

That the request should be granted.

Also: The request of Senator Rush for permission to introduce a bill entitled an Act to amend Section 1186 of the Penal Code, relating to providing and printing ballots for elections, has had the same under consideration, and begs leave to report:

That the request should be granted.

Also: The request of Senator Rush for permission to introduce a bill entitled an Act to appropriate money for the purpose of constructing a gate and fence around the property of the California State Reformatory in Napa County, for the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home, has had the same under consideration, and begs leave to report:

That the request should be granted.

Also: The request of Senator Rush for permission to introduce a bill entitled an Act to amend Section 5 of an Act approved March 31, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same

a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

Have had the same under consideration, and respectfully report the same back, and recommend that said requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Lyon: Senate Bill No. 1748—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349*b* and Section 349*c*, relating to labor unions.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Butler: Senate Bill No. 1749—An Act to amend Section 1196 of the Political Code, relating to providing and printing ballots for elections.

Bill read first time, and referred to Committee on Elections.

By Senator Rush: Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1751—An Act to amend Section 5 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

Bill read first time, and referred to Committee on Finance.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 21, 22 and 23, all relating to revenue and taxation.

On motion of Senator Thompson, Senate Bill No. 1088 was passed on file.

Senate Bill No. 359—An Act to amend Section 24 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Read third time.

On motion of Senator Thompson, Senate Bill No. 359 was passed to file.

Senate Bill No. 540—An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code to be numbered 3613.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 540 passed by the following vote:

Ayes—Senators Anderson, Boynton, Brown, Chandler, Cloud, Curtis, Finn, Flint, Gerdes, Gerlach, Hewitt, Hurley, Inman, Jones, Kehoe, Lane, Leavitt, Leeds, Lewis, Lukens, Lyon, Mott, Rogers, Rush, Sanford, Saunders, Simpson, Stetson, Strobridge, Thompson and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 382—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 382 passed by the following vote:

Ayes—Senators Beban, Benson, Boynton, Brown, Burnett, Caminetti, Campbell, Carr, Cartwright, Chandler, Cloud, Curtis, Finn, Flint, Gerdes, Gerlach, Hewitt, Hurley, Inman, Jones, Kehoe, Lane, Lewis, Lukens, Lyon, Mott, Rogers, Rush, Sanford, Saunders, Simpson, Stetson, Strobridge, Thompson and Wright—37.

Noes—Senators Anderson and Leavitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senator Cartwright was, on his own motion, granted leave of absence for the balance of the day.

SENATOR JONES IN THE CHAIR

At four o'clock and twenty-five minutes p. m., Senator Jones, of the Twenty-eighth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1172—An Act to amend section two of an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, as amended by an Act approved May 1, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1172 passed by the following vote:

AYES—Senators Anderson, Belan, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Carpenter, Cassidy, Cogswell, Cohn, Finn, Flint, Gerdes, Hewitt, Jones, Larkins, Mott, Regan, Rush, Sanford, Shanahan, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 29—Relative to restoring to the public domain certain lands heretofore reserved for reservoir purposes in Big Valley, in Lassen and Modoc counties, and in Round and Pitt River valleys, in Modoc County, California.

On motion of Senator Shanahan, Senate Joint Resolution No. 29 was passed on file, to retain its place.

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget."

On motion of Senator Caminetti, Senate Constitutional Amendment No. 24 was passed on file.

Senate Bill No. 866—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

In the absence of the author, Senate Bill No. 866 was passed on file.

Senate Bill No. 1282—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1909, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees; and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and

them to perform certain duties relating to drainage, to purchase machinery, tools, devices, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 11, 1891, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled "An Act to provide for the appointment, duties and compensation of a debris commissioner and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled "An Act to create the office of Lake Tahoe wagon road commissioner, providing for the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April 1, 1897, and all Acts and parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 2 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the Chief Engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1482 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Bryant, Burnett, Caminetti, Campbell, Cassidy, Cogswell, Cutler, Curtin, Flint, Finn, Gates, Gerdes, Hans, Juilliard, Larkins, Mott, Rush, Sanford, Stanton, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1554 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Bryant, Burnett, Caminetti, Campbell, Cassidy, Cogswell, Cutler, Curtin, Flint, Finn, Gates, Gerdes, Hans, Juilliard, Larkins, Mott, Sanford, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Juilliard gave notice that he would on next legislative day move to reconsider the vote whereby Senate Bill No. 123 was passed.

SPECIAL ORDER SET.

Senator Boynton moved that the consideration of Senate Bills Nos. 323, 324, 325, 326, 327 and 386 be made a special order for

Wednesday, April 16, 1913, at three o'clock and thirty minutes p.m., or immediately after the consideration of the daily file of Assembly bills.

Motion carried.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 859—An Act to amend Sections 860 and 861 of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 859 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Mott, Regan, Sanford, Shanahan, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

On motion of Senator Flint, Senate Bill No. 1177 was passed on file.

Senate Bill No. 1190—An Act to amend Section 626*a* of the Penal Code of the State of California, relating to the preservation and protection of wild game.

On motion of Senator Breed, Senate Bill No. 1190 was passed on file.

Committee substitute for Senate Bill No. 191—An Act to authorize any county in the State which claims to have sustained a net loss in county revenue by the withdrawal of railroad property from county taxation in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, to commence suit against the State of California, for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

In the absence of the author, Senate Bill No. 191 was passed on file.

Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer or employee of such company.

In the absence of the author, Senate Bill No. 241 was passed on file.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

In the absence of the author, Senate Bill No. 897 was passed on file.

Senate Bill No. 657—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

On motion of Senator Shanahan, Senate Bill No. 657 was passed on file.

Senate Bill No. 658—An Act to amend Section 4278 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

On motion of Senator Shanahan, Senate Bill No. 658 was passed on file.

Senate Bill No. 670—An Act to amend Section 4281 of the Political Code, relating to salaries and fees of officers of counties of the fifth second class.

On motion of Senator Shanahan, Senate Bill No. 670 was passed on file.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to commutation sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution to be numbered Section 1a of Article XIII thereof, relating to exempting certain property of education institutions of collegiate grade from taxation.

On motion of Senator Gates, Senate Constitutional Amendment No. 15 was passed on file.

Senate Bill No. 1284—An Act entitled an Act to repeal an Act entitled "An Act to regulate and governing the operation of the rock crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the proceeds derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

On motion of Senator Flint, Senate Bill No. 1284 was ordered to the file of unfinished business.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to section twenty of article four of the Constitution of said State, relating to eligibility to hold office.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Gates as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 11, strike out the words "after entry into county or municipal jurisdiction", and insert in lieu thereof "state after".

AMENDMENT No. 2.

On page 1, strike out lines 13, 14, 15, 16 and 17.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 9, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Constitutional amendment ordered to print and re-engrossed.

Senate Bill No. 48—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof,

for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Larkins, Mott, Regan, Sanford, Shanahan, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Strobridge, as a special committee of one, to amend as follows:

Add the following new section:
"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 70, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Read third time.

On motion of Senator Sanford, Senate Bill No. 85 was passed on file, to retain its place.

Senate Bill No. 548—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 548 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Juilliard, Lyon, Mott, Sanford, Shanahan, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 964—An Act to amend Section 658 of the Political Code.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 964 passed by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benedict, Black, Boynton, Brown, Bunkers, Burnett, Campbell, Carr, Cassidy, Chipman, Cobb, Curtin, Fink, Flint, Gerdes, Hare, Hayes, Jones, Juilliard, Lockaby, Lyon, Mott, Owens, Savage, Shearer, Stetson and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 965—An Act to amend Section 658 of the Political Code.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 965 passed by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benedict, Black, Boynton, Brown, Bunkers, Burnett, Campbell, Carr, Cassidy, Chipman, Cobb, Curtin, Fink, Flint, Gerdes, Hare, Hayes, Jones, Juilliard, Lockaby, Lyon, Mott, Regan, Savage, Shearer, Stetson and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1257—An Act to amend Section 1664 of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1257 passed by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benedict, Black, Brown, Bunkers, Burnett, Campbell, Carr, Cassidy, Chipman, Cobb, Curtin, Fink, Flint, Gerdes, Hare, Hayes, Jones, Juilliard, Lockaby, Lyon, Mott, Regan, Sanford, Shearer, Stetson and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1399—An Act to grant to boards of health or health officers, in cities and cities and counties, the power to regulate the plumbing and drainage of buildings and to provide for the registration and examination of plumbers.

On motion of Senator Finn, Senate Bill No. 1399 was passed on the

Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto title five a, part three, relating to the support of bastards, and proceedings therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633 passed by the following vote:

AYES—Senators Anderson, Belshe, Benedict, Brown, Bunkers, Campbell, Carr, Cassidy, Cobb, Curtin, Finn, Flint, Gerdes, Hare, Jones, Juilliard, Lyon, Mott, Regan, Sanford, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

On motion of Senator Finn, Senate Bill No. 49 was passed on file.

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

On motion of Senator Thompson, Senate Bill No. 208 was passed on file.

Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909.

Read third time.

On motion of Senator Butler, Senate Bill No. 881 was passed on file.

Senate Bill No. 362—An Act to regulate the use of drinking cups glasses, or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places, and providing for the punishment for violation of this Act.

Read third time.

On motion of Senator Cassidy, Senate Bill No. 362 was passed on file.

Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Read third time.

On motion of Senator Cassidy, Senate Bill No. 1004 was passed on file.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

Read third time.

On motion of Senator Cassidy, Senate Bill No. 1362 was passed on file.

Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

In the absence of the author, Senate Bill No. 1126 was passed on file.

Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

On motion of Senator Brown, Senate Bill No. 735 was passed on file.

Senate Bill No. 812—An Act entitled "An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction."

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 842 passed by the following vote:

AYES: Senators Anderson, Avey, Boban, Bonzon, Chapman, Cogswell, Rogers, Rolfe, Caminetti, Campbell, Carr, Cassidy, Colombet, Cobb, Curtin, Dunn, Flint, Gates, Gerdes, Jones, Juilliard, Leon, Mott, Rominger, and Stetson—25.
NOES: None.

TITLE AMENDED.

Senator Avey moved to amend the title as follows:

On page 1 of bill, next line 2 of title, strike out the words and punctuation "entitled 'An Act'."

Motion carried.

Title as amended read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 30, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 617 passed by the following vote:

AYES: Senators Anderson, Avey, Bonzon, Bourdette, Boyd, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Chapman, Cobb, Curtin, Dunn, Flint, Gates, Gerdes, Hans, Leon, Juilliard, Lyon, Mott, Rolfe, Stetson, Thompson and Wright—28.
NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 737 passed by the following vote:

AYES: Senators Anderson, Avey, Bonzon, Boyd, Brown, Butler, Campbell, Carr, Cassidy, Cobb, Curtin, Dunn, Gerdes, Gates, Hans, Juilliard, Leon, Mott, Rogers, Stetson, Thompson and Wright—21.
NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1109—An Act to amend Section 1800 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Read third time.

On motion of Senator Avey, Senate Bill No. 1109 was passed on file, to retain its place.

Senate Bill No. 1072—An Act to amend Section 1764 of the Political Code of the State of California, relating to the annexation of school districts to high school districts, and to the exclusion of school districts from union or joint union high school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1072 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Sanford, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1214—An Act to repeal an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1214 passed by the following vote:

AYES—Senators Avey, Beban, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Sanford, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of post graduate grammar school course for certain schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1695 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Sanford, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES— (OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell, drugs or herbs, with intent to cure or mitigate disease and providing a penalty for the violation thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Senate Bill No. 861 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 18—Memorializing Congress relative to California Débris Commission;

Also: Senate Joint Resolution No. 19—Memorializing Congress relative to control of floods in the Sacramento Valley.

Have had the same under consideration, and respectfully report the same back and recommend that the same be adopted as amended.

WRIGHT, Chairman.

Senate Joint Resolutions Nos. 18 and 19 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

Mr. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 18—Relating to the government of the California fruit export industry.

Also: Senate Joint Resolution No. 17—Relating to the abolishment of certain offices.

Have had the same under consideration, and respectfully report the same back without recommendation.

WRIGHT, Chairman.

Assembly Joint Resolution No. 18 ordered on file.
Senate Joint Resolution No. 17 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

Mr. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 16—Appointing the widow of Senator Wolfe—have had the same under consideration, and respectfully report the same back to the Senate, with the recommendation that it do not pass.

Also: Senate Joint Resolution No. 18—Urging certain action—have had the same under consideration, and respectfully report the same back, and recommend that the author be given permission to withdraw the paper.

WRIGHT, Chairman.

Senate Joint Resolutions Nos. 23 and 28 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

Mr. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 1—Relating to the printing of Presidents and Vice-President of the United States.

Also: Assembly Joint Resolution No. 16—Relating to pensioning employees of the United States.

Also: Assembly Joint Resolution No. 24—Relating to health and quarantine.

Also: Senate Joint Resolution No. 27—Relating to a state highway from Lake Tahoe to Placerville.

Also: Senate Joint Resolution No. 30—Relating to amending the Constitution of the United States.

Also: Senate Joint Resolution No. 34—Relating to the penal law.

Have had the same under consideration, and respectfully report the same back and recommend that that be adopted.

WRIGHT, Chairman.

Assembly Joint Resolutions Nos. 1, 15 and 24 ordered on file.
Senate Joint Resolutions Nos. 27, 30 and 34 ordered on file.

ON RECESSION.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

Mr. PRESIDENT: Your Committee on Engrossing to whom was referred Senate Bill No. 1730—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all unused waters belonging to the State as to which no valid claim of appropriation or riparian right exists, and as to which no valid claim of appropriation or riparian right will exist after the taking effect of this act; to ascertain the quantity of water flowing from each stream or portion of stream of said State, and belonging the State, Surveyor-General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination, in the manner and to the extent of carrying out the provisions of this Act, repealing all Acts or parts of Acts in conflict herewith—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

MOTT, Chairman.

Senate Bill No. 1730 ordered on file for second reading.

USE OF SENATE CHAMBER GRANTED.

Senator Hewitt moved that the use of the Senate Chamber be granted to the committee appointed to investigate the office of the Secretary of State for evening sessions when not occupied.

Motion carried.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Gates: Permission to introduce a Senate bill—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

By Senator Sanford: Permission to introduce a Senate bill—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

Requests referred to Committee on Introduction of Bills.

ADJOURNMENT.

At five o'clock and fifty-five minutes p.m., on motion of Senator Campbell, the acting President, declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 15, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 14, 1913, the further reading was dispensed with, on motion of Senator Thompson.

PETITIONS

Senator Birdsall presented the following

RESOLUTIONS OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

WHEREAS, A bill, designated as Senate Bill No. 775, has been introduced in the Legislature of the State of California, the ostensible object of which is the regulation of the industry of gold dredging, but which goes far beyond in its attempted control of an opposite source of State, upon the condition that in addition to said the dredging industry shall be taxed and controlled to other; and

WHEREAS, The dredging industry in the State of California is governed under the general laws and has been taxed on a basis provided such by the assessors in which the land has been assessed; and

WHEREAS, Said industry has been ready to aid and promote the general welfare and prosperity of Northern and Central California, and is unfortunately threatened by the present law; be it

Resolved by the Board of Supervisors of the County of Nevada, That the members of the Senate and Assembly representing the county of Nevada in the California State Legislature be, and they are hereby requested to use all lawful means within their power to defeat said Senate Bill No. 775, and be it further

Resolved, That the representatives of Nevada County be and they are hereby requested to vote against said Senate Bill No. 775 and the counterpart in the Assembly, and be it further

Resolved, That the clerk of the board be and he is hereby authorized and directed to send a copy of these resolutions duly certified to the representatives of Nevada County of the California Legislature.

Adopted by the unanimous vote of the Board of Supervisors of Nevada County, California, this 9th day of April, 1913.

A. J. MILLER,
Chairman of Board of Supervisors of Nevada County.

Attested: GEORGE COUGHLAN, County Clerk and ex officio Clerk of the Board of Supervisors.
By R. N. McCORMACK, Deputy.

STATE OF CALIFORNIA, } ss.
COUNTY OF NEVADA. }

I, George Coughlan, county clerk and ex officio clerk of the Supervisors Board in and for said County of Nevada, State of California, do hereby certify that I have compared the foregoing with the original and that the same is a full, true and correct copy of the original resolutions passed by the Board of Supervisors of Nevada County, April 9, 1913, and now on file in my office.

Witness my hand and the seal of said Superior Court, this 10th day of April, 1913.

[SEAL] GEORGE COUGHLAN, County Clerk.
By R. N. McCORMACK, Deputy Clerk.

Also: Urging the passage of Senate Bills Nos. 1356, 1046 and 207, from John Brewton and others, of Lincoln.

Also: Protesting against the passage of Senate Bill No. 804, from C. O. Jepsin and others, of Nevada County.

Also: Urging the passage of the peanut and bridle trail bill, from Watsonville Parlor, N. S. G. W.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 284, An Act to amend Sections 1 and 10 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, misbranded or mislabeled drugs, regulating the trade in drugs and providing penalties for violation thereof," approved March 16, 1907, relating to the misbranding of drugs and the cases and duties of boards of drug control.

Also: Assembly Bill No. 287—An Act to add one new paragraph to the Political Code, to be numbered 4225o, 4225p, 4225q, 4225r, 4225s, 4225t, 4225u, 4225v, 4225w and 4225x, all relating to county boards of health and sanitary commissioners.

Also: Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Also: Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 234 and 235 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1858 read first time, and referred to Committee on Insurance.

Assembly Bill No. 991 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1899, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States,' approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by amending Section 4 thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 413 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Also: Senate Bill No. 392—An Act to amend Section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Also: Senate Bill No. 296—An Act to amend Section 2981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Also: Senate Bill No. 1523—An Act to amend Section 1756 of the Political Code of the State of California, relating to the maintenance of high schools.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 756, 392, 296 and 1523 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District No. 991," and providing for the control and management thereof.

Also: Senate Bill No. 1262—An Act to amend Section 1751 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Also: Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 436, 1262 and 201 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1085—AN ACT to amend Sections 3764, 3771, 3897 and 3898 of the

Political Code of the State of California, and to add to said Political Code two new sections, to be numbered 3773 and 3783b, relating to property sold to the State for delinquent taxes and providing for its disposal by sale and redemption—and report that the same has been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other indebtedness.

Also: Senate Bill No. 1222—An Act to amend Section 4217 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 934—An Act to amend an Act entitled "An Act to provide for the suppression of fires on, and the protection and management of public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this Act, and making an appropriation therefor," approved March 18, 1885—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended, and that it be re-referred to Committee on Finance.

COGSWELL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires, approved May 1, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COGSWELL, Chairman.

Senate Bill No. 934 ordered re-referred to Committee on Finance.

Senate Bill No. 935 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building inter-county bridges.

On motion of Senator Caminetti, Senate Bill No. 967 was passed on file.

Senate Bill No. 52—An Act to create a preservation for fish, shell-fish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

On motion of Senator Cassidy, Senate Bill No. 52 was passed on file.

Senate Bill No. 961—An Act to amend Section 653½ of the Penal Code, relating to the protection of steelhead trout.

In the absence of the author, Senate Bill No. 961 was passed on file.

Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California, by James W. Marshall.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 746 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 672—An Act to amend Section 172*a* of the Penal Code of California, relating to the sale of alcholic liquors near universities.

On motion of Senator Butler, Senate Bill No. 672 was passed on file.

Senate Bill No 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquors.

On motion of Senator Sanford, Senate Bill No. 804 was passed on file, to retain its place.

Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons.

In the absence of the author, Senate Bill No. 206 was passed on file.

Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

In the absence of the author, Senate Bill No. 202 was passed on file.

Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for the feeble-minded.

In the absence of the author, Senate Bill No. 518 was passed on file.

Committee Substitute for Senate Bill No. 619—An Act to amend Sections 2, 3, 4 and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Read third time.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 619 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Metz, Owens, Regan, Sanford, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Sanford to introduce a bill entitled "An Act making it unlaw-

ful to sell or traffic in intoxicating liquors within the State of California without a license or permit limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

Also: The request of Senator Gates to introduce a bill entitled "An Act to provide for the formation, management and dissolution of water districts, for supplying the inhabitants thereof with water, for levying and collecting taxes on property in such districts, and for the issuance of water district bonds and the payment thereof."

Have had the same under consideration, and respectfully report the same back and recommend that such requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Brown, Burnett, Campbell, Carr, Cassidy, Caswell, Cogswell, Cutten, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Sanford: Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

Bill read first time, and referred to Committee on Public Morals.

By Senator Gates: Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts, for supplying the inhabitants thereof with water, for levying and collecting taxes on property in such districts, and for the issuance of water district bonds and the payment thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

RUSH ORDER TO PRINTER.

On motion of Senator Sanford, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 1752 and 1753.

RECONSIDERATION OF VOTE.

Pursuant to his notice given on the previous day, Senator Shanahan moved to reconsider the vote whereby Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 632, relating to the taking of trout by using salmon or trout roe or eggs—was passed.

The question being on reconsideration.

The roll was called, and the vote whereby Senate Bill No. 962 was passed reconsidered by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Burnett, Campbell, Carr, Cassidy, Caswell, Cutten, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, and Thompson—27.

NOES—None.

Senate Bill No. 962 ordered on file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California, an amendment to the Constitution, amending Article VI thereof, by inserting therein a new section to be known as Section 4*a*, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act *pro tempore* as justices of said District Courts of Appeal, to hold such extra sessions thereof.

Also: Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California, an amendment to the Constitution, amending Article VI thereof, by inserting therein a new section to be known as Section 4*a*, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act *pro tempore* as justices of said District Courts of Appeal, to hold such extra sessions thereof.

Have had the same under consideration, and respectfully report that Assembly Constitutional Amendment No. 32 is identical with Senate Constitutional Amendment No. 33.

GRANT, Chairman.

Assembly Constitutional Amendment No. 32 ordered on file.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Cartwright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Z. P. Dyer, of Paskenta, Cal.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Oil Industries, to whom was referred Assembly Bill No. 61—An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein," approved March 20, 1909—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

LARKINS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Oil Industries, to whom was referred Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LARKINS, Chairman.

Assembly Bills Nos. 61 and 52 ordered on file for second reading.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities; for the assessment of the cost

and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer Senate Bill No. 1724 to Senator Gates, as a special committee of one, to amend as follows:

On page 11, line 21, of the printed bill after the figures "1913" insert the following: "and of any Act or Acts amendatory thereof or supplemental thereto."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1724, with instructions to amend, respectfully returns the same back amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS [RESUMED].

Senate Bill No. 1088.—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 21, 22 and 24, all relating to revenue and taxation.

On motion of Senator Thompson, Senate Bill No. 1088 was passed on file.

Senate Bill No. 359.—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds," to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 24, 1893, and all amendments thereto and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

On motion of Senator Thompson, Senate Bill No. 359 was passed on file.

Senate Joint Resolution No. 29—Relative to restoring to the public domain certain lands heretofore reserved for reservoir purposes in Big Valley, in Lassen and Modoc counties, and in Round and Pitt River valleys in Modoc County, California.

On motion of Senator Shanahan, Senate Joint Resolution No. 29 was passed on file.

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget."

On motion of Senator Caminetti, Senate Constitutional Amendment No. 24 was passed on file.

Senate Bill No. 866—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 866 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cassidy, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Lyon, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

In Section 1, page 2, line 4, strike out the word "fifteenth", and insert in lieu thereof the word "first".

AMENDMENT No. 2.

In Section 1, page 2, line 4, strike out the word "September", and insert in lieu thereof the word "August".

AMENDMENT No. 3.

In Section 1, page 2, line 4, strike out the word "fifteen", after the word "the", and insert in lieu thereof the word "first"; and strike out the word "June", and insert in lieu thereof the word "May".

AMENDMENT No. 4.

In Section 1, page 2, line 8, after the word "inches", strike out the words "and use not less than one inch from the shore of any bay", and insert in lieu thereof "and used only in the waters of the Pacific ocean and Monterey bay, outside of one mile from the shore lines thereof, and outside of an imaginary line in Monterey bay, drawn from the outer end of the Moss Landing wharf just south of the mouth of Elkhorn slough northerly and westerly to Point Santa Cruz."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1177, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS [RESUMED]

Senate Bill No. 1190—An Act to amend Section 629a of the Penal Code of the State of California, relating to the preservation and protection of wild game.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Birdsall moved to refer to Senator Strobridge, as a special committee of one, to amend as follows:

By striking out of page 1, line 7, the word "game".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1190, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and refused adoption.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1190 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boyd, Burnett, Chamberlain, Cogswell, Cogswell, Curtin, Dale, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDERS

On motion of Senator Shanahan, the consideration of the election of the Governor to Senate Bill No. 787 was ordered to the 24th of unfinished business.

Senate Bill No. 1299—An Act relating to real estate brokers in the State of California; creating a board to be known as the state advertising board; providing for the appointment of its members, prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Cogswell moved to refer to Senator Carr, as a special committee of one, to amend as follows:

AMENDMENT No. 1

By striking out all of Section 1, and inserting the following: "Any person engaged in the business of buying, selling, leasing or exchanging real property for a com-

mission or other compensation is hereby defined to be a real estate broker within the meaning of this Act."

AMENDMENT No. 2.

On page 2, Section 3, line 20, after the word "salesmen", strike out the remainder of the section and insert a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1299, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read.

The question being on the adoption of the report.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Juilliard, Wright, and Cartwright.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Anderson, Avey, Benson, Brown, Butler, Carr, Cogswell, Gerdes, Grant, Kehoe, Larkins, and Mott—12.

NOES—Senators Beban, Breed, Bryant, Caminetti, Campbell, Cartwright, Cassidy, Cohn, Curtin, Finn, Gates, Hans, Hewitt, Jones, Juilliard, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Wright—23.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Campbell, the time of recess was extended for ten minutes.

CONSIDERATION OF BILL—(RESUMED).

The question being on the passage of Senate Bill No. 1299.

The roll was called, and Senate Bill No. 1299 passed by the following vote:

AYES—Senators Beban, Benson, Breed, Bryant, Caminetti, Campbell, Cartwright, Cassidy, Cohn, Curtin, Gates, Hewitt, Jones, Juilliard, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Wright—22.

NOES—Senators Anderson, Avey, Brown, Butler, Carr, Cogswell, Gerdes, Grant, Kehoe, Larkins, and Mott—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Assembly bills.

Assembly Bill No. 2034—An Act creating a reclamation district to be called and known as "Reclamation District No. 1600," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600 and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, Section 3, [illegible]

Amendment adopted.

AMENDMENT No. 2

Strike out Section 2, and in lieu thereof insert the following:

"Sec. 2. The [illegible] shall hold said office for the date of said unexpired term. The [illegible] shall have [illegible] said district was formed under the provisions of the said Political Code of the State of California. All [illegible] of said county of Yuba and shall be [illegible] ment of the warrants of said district."

Amendment adopted.

AMENDMENT No. 3

Strike out Section 4.

Amendment adopted.

Bill read second time and ordered to print and third reading.

SECOND READING OF SENATE BILLS

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Senate bills.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission, by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be

safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization; define its powers and duties and provide for a review of its orders, decisions and awards and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

On motion of Senator Thompson, Senate Bill No. 905 was passed on file.

Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, lines 6 and 7, strike out the words "are graduates of some high school in such other state", and insert in lieu thereof the following: "have an educational preparation equivalent to graduation from a California high school."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the rate of interest, and sale of school bonds.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 5, strike out the word "eight", and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 5, strike out the figures "1912", and insert in lieu thereof the figures "1914".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the word "eighteen", and insert in lieu thereof the word "fourteen".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 503—An Act to amend Section 1731 of the Political Code of the State of California, relating to the election of members of high school boards.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 457—An Act to amend Sections 1712, 1713, and 1714 of the Political Code, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1603—An Act authorizing boards of supervisors to levy taxes for the purchase of an ambulance for use in hospitals.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1679—An Act providing for the construction by counties of canals or waterways suitable for navigation.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII, of Title II, of Part IV, of Division First, of said Civil Code, relating to mortgage insurance companies.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 1, of the printed bill, after the words "Section 1" strike out the word "of the proposed bill and insert in lieu thereof the following:

A new chapter to hereby entitled as Title II of Part IV of Division First of the Civil Code to read as follows:

CHAPTER VIII.

MORTGAGE INSURANCE.

Sec. 453aa. Mortgage insurance companies subject to insurance laws; may do mortgage insurance business.

Sec. 453bb. Policy of mortgage insurance defined.

Sec. 453c. Capital stock of mortgage insurance companies.

Sec. 453dd. Kind and amount of investments they may be permitted.

Sec. 453ee. Guaranteed mortgages and trust deeds to be legal investments. Premiums may be paid from income.

Sec. 453ff. Must have certificate of authority; revocation.

Sec. 453gg. Loans and investments.

Sec. 453hh. Quarterly reports to insurance commissioner.

453aa. The insurance commissioner shall have the same power and authority regarding any mortgage insurance corporation that he may exercise in relation to other insurance corporations incorporated under the laws of this state, including the right to examine and inspect the business, methods and affairs of such corporation, and to compel compliance with the provisions of law governing the same in every respect.

453bb. A certificate or guaranty issued by a mortgage insurance company organized under the laws of this state, whereby such company guarantees or insures to be paid certain sum or sums of money secured by mortgage or trust deed upon real property, or guarantees or insures as to the validity of title thereto, or as to the payment of principal or interest of a bond or bonds secured by mortgage or trust deed, or as to a group of mortgages, bonds or bonds and in the mortgages and trust deeds securing the same, which certificate or guaranty purports to guarantee the payment of the principal thereof, or other sums agreed to be paid under the terms of any such bond or bonds secured by mortgage or trust deed, or other sums secured under the terms of any such mortgage or trust deed and the guaranteeing or insuring thereby or otherwise agreed upon thereby, shall be deemed a policy or mortgage insurance.

When such certificate or guaranty guarantees or refers to the validity of title or other partial interest as above stated, the policy guaranteeing the same may be endorsed to that and is hereby designated as a "mortgage guarantee policy," and when such certificate or guaranty guarantees or refers to the entire interest in fee simple, the policy guaranteeing the same may be endorsed to be and is hereby designated as a "mortgage guaranty" or as "mortgage insurance" policy.

453cc. No mortgage insurance company shall issue or deliver and policy of mortgage insurance without having a capital stock of at least one hundred thousand dollars fully paid in, in cash.

453dd. No mortgage insurance company shall guarantee the payment of any note or bond secured by any mortgage or trust deed except the same be a first lien upon a marketable title in fee to the property therein described. No mortgage insurance company shall guarantee under any mortgage or trust deed a principal amount exceeding sixty per centum of the market value of the real estate upon its security therefor. No mortgage insurance company shall have at any time outstanding policies of mortgage insurance exceeding in amount of principal guaranteed there-

under twenty times the amount of its paid-up capital and surplus: *and provided, further*, that certificates so issued or guaranteed so made or proposed so issued by mortgage insurance companies organized under the provisions of this Act shall not be deemed to be debts created by the directors in violation of, or contrary to the provisions of section three hundred nine of the Civil Code, nor make the directors or any of them liable thereon. No loan shall be made by any mortgage insurance company directly or indirectly to any of its officers or directors. A violation of any of the terms or provisions of this section shall not make any policy or guarantee of such company void or voidable, but any officer, director, agent or other employee of any such company who knowingly consents to any violation of any of the terms or provisions of this section shall be guilty of a misdemeanor.

4336*e*. Mortgages or trust deeds executed by any such mortgage insurance company, in compliance with the terms of this chapter and the rules and bonds secured thereby and mortgage participation certificates, mortgage guaranties and other mortgages or securities declared by Section 4336*d* shall be legal investments for all trust funds held by any executor, administrator, guardian, trustee or other person holding trust funds for investment and by the funds of insurance companies, banks, banking associations and trust companies, and all premiums paid on such guaranties and certificates may be charged to or paid out of the income from such loans or bonds, or may be paid by any such copayment to be in a mortgage participation certificate or certificates, the mortgage or mortgages and deed or deeds of trust referred to in such certificates, together with the note or notes and bond or bonds secured by the same, shall be assigned to a trust company organized and doing business under the laws of this state, and shall be held by such trust company as security for the payment of said mortgage participation certificates, including all of the mortgages and other securities assigned by such mortgages and deeds of trust so assigned, and for the performance of all of the conditions of said mortgage participation certificates imposed thereby upon the mortgage insurance company issuing the same; and such trust company shall certify on each such mortgage participation certificate that the aggregate amount of the certificates issued evidencing and conferring participation in such mortgages and deeds of trust and to the notes and bonds secured thereby does not exceed the principal of the notes evidenced and secured by such mortgages and deeds of trust; and provided, also, that such investment shall be accompanied by a duplicate copy of the appraisement and of the certificate of the directors required by the provisions of this chapter.

4336*f*. No corporation shall make any insurance contract or issue any policy of mortgage insurance, or engage in the business of a mortgage insurance company until it has obtained from the insurance commissioner his certificate that such company has complied with the provisions of this chapter and is duly authorized to do business as such mortgage insurance company; provided, that any corporation heretofore organized under the laws of this state for the purpose of guaranteeing the payment of mortgages shall have the right to transact business as a mortgage insurance company until the first day of January A. D. 1914; *provided, also*, that the failure of such company to obtain the certificate of the insurance commissioner required by the terms of this Act as to future applications shall terminate such right to transact such business until such certificate shall be obtained.

4336*g*. A mortgage insurance company may invest its capital and accumulations in the following named securities:

1. In the purchase of, or loans upon interest-bearing bonds of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

2. In the purchase of, or loans upon interest-bearing bonds of any of the states of the United States not in default for interest on such bonds, including bonds of this state or those for which the faith and credit of the State of California are pledged for the payment of principal and interest.

3. In the purchase of, or loans upon interest-bearing bonds of any of the counties and incorporated cities and towns and duly organized school districts of any state or territory of the United States not in default for interest on such bonds.

4. In the purchase of, or loans upon interest-bearing bonds of irrigation districts as provided or authorized by Section 8 of an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds may be made legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds and providing for the deposit of such bonds as security for public moneys and providing for a commission for approving certain bonds of irrigation districts for a report thereon for the filing of such report for a certificate of the state controller and for the recording of such bonds in the office of the state controller," approved December 18, 1911.

5. In loans secured by mortgage or deed of trust upon real estate, improved or unimproved, or in the purchase of or loans upon notes or bonds so secured: *provided*, that the principal so loaned or the entire note or bond issue under such mortgage or deed of trust shall not exceed sixty per centum of the market value of such real estate with improvements taken as security: *and provided further*, in case said loan is made or said note or bond issue secured by a building not on real estate, that at no time shall the principal so loaned, or the entire note or bond issue, exceed

sixty per centum of the market value of the real estate and the actual cost of the improvements thereon taken as security. No mortgage insurance company shall invest in, hold or own any of the capital stock of any other corporation, nor make any loan, in whole or in part, on the security of the capital stock of any other corporation.

[illegible] Every mortgage insurance company shall make a report to [illegible] the mortgage commissioner, which report shall be made annually and shall be verified by the oath of its president or vice-president and by the oath of its secretary or any two of its principal officers. Such report shall contain a statement in full and true detail of all such insurance issued by such company since the last preceding report, stating specifically and separately such facts relative to each insurance issued as may be required by the mortgage commissioner, and such other facts relative to the business of such company as may be required by the mortgage commissioner.

[illegible] Before such policy requires the use of such insurance agreement, such report shall specify separately the following facts regarding the land on which the premises are located and regarding the security thereby granted, namely:

1. The assessed valuation of unimproved land;
2. A description of the improvements upon the land;
3. Separately, the assessed value of the said land and the assessed value of the improvements thereon, if any, as shown by the assessment records for the purposes of this section and the assessed value of such land and improvements;
4. The book and page in the records of the [illegible] in which the said deeds of trust securing the loan.

When such policy relates to a mortgage participation certificate or certificates, such report shall identify separately in connection with said said certificates the following facts regarding the loan or loans on which the participation certificate or certificates are issued and regarding the security thereby granted, namely:

1. The aggregate amount of principal thereof outstanding on the date as shown in bond or bonds secured by the mortgage or mortgages or deed or deeds of trust referred to in such certificate or certificates, said outstanding principal amounts to which such participation certificates or certificates are issued and evidencing the amount of principal payable by each such mortgagor on part of loan;
2. A description of the property securing any loan under such mortgage;
3. Separately, the assessed value of the said land and the assessed value of the improvements thereon, if any, securing any loan under such mortgage or deed of trust, the appraisement provided for by the terms of such policy, and the aggregate value of such land and improvements;
4. The book and page of the record of each such mortgage or deed of trust constituting such security.
5. The aggregate amount of such participation certificates issued against the mortgage or mortgages, or deed or deeds of trust forming the security for such participation certificate.

There shall be filed with such report by superintendent of such mortgage insurance of property taken as security as mentioned in such report an official appraisement, which appraisement shall be made by a person or corporation designated or approved by the mortgage commissioner, and approved by him as otherwise fitted for the insurance commissioner to be competent to make such appraisement. In such appraisement the assessed value of land apart from any and all of the improvements thereon, if any, and the aggregate value of such parcel of land and improvements shall be stated, together with a general statement of the appearance of such land and of the kind and condition of such improvements, if any.

Such appraisement shall be signed and verified by such appraiser, or by an officer of the company making such appraisement, and shall be dated by said officer to at least thirty days prior to the date of the issuance of such mortgage insurance company certifying to the effect that the statements therein are substantiated with the said property upon situating the security, and that to the actual of the officers and such of their such appraisement is correct, and that the said property described therein is fairly worth the amount of the appraisement, and the said appraiser may also state and also certify that the principal amount loaned on the security of such property does not exceed sixty per centum of the market value of such property which is security for such loan, and also that the mortgage or deed of trust securing such loan is a first lien upon a marketable title to the property securing [illegible].

In case of the neglect or failure of any such mortgage insurance company to make any such quarterly report as herein provided, such company shall be liable therefor, and shall forfeit to the State of California the sum of one hundred dollars for each day during which such neglect or failure continues, provided, however, that the insurance commissioner shall have the authority to extend the time within which any such report may be filed for not exceeding a period of ten days.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II, of Title II, of Part IV, of Division First, of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code, forming part of said Chapter II, and to add to said Civil Code a new chapter, to be known as Chapter VII, of Title II, of Part IV, of Division First, of said Civil Code, relating to title insurance companies.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 1, of the printed bill, after the words "Section 1," strike out the whole of the printed bill, and insert in lieu thereof the following:

The headings of the title of Chapter II, of Title II, of Part IV, of Division First, of the Civil Code are hereby changed to read as follows:

CHAPTER II.

FIRE AND MARINE INSURANCE CORPORATIONS.

Sec. 424. Payment of subscriptions. Capital to be all paid in twelve months.
Sec. 425. Certificate of capital stock paid up to be filed, and when.
Sec. 426. Property which may be insured.
Sec. 428. Limit of one risk.
Sec. 429. Amounts to be reserved before making dividends.
Sec. 430. Reservations by companies with less than two hundred thousand dollars capital.

SEC. 2. Section 421 of the Civil Code is hereby amended to read as follows:

421. Companies organized under the laws of this state for the transaction of business in any kind of insurance may invest their capital and accumulations in the following named securities:

1. In the purchase of, or loans upon interest-bearing bonds of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

2. In the purchase of, or loans upon interest-bearing bonds of any of the states of the United States not in default for interest on such bonds, including bonds of this state, or those for which the faith and credit of the State of California are pledged for the payment of principal and interest.

3. In the purchase of, or loans upon interest-bearing bonds of any of the counties and incorporated cities and towns and duly organized school districts of any state or territory of the United States not in default for interest on such bonds.

4. In the purchase of, or loans upon interest-bearing bonds of irrigation districts as provided or authorized by Section 8 of an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds may be made legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the deposit of such bonds as security for public moneys, and providing for a commission for approving certain bonds of irrigation districts, for a report thereon, for the filing of such report, for a certificate of the state controller, and for the recording of such bonds in the office of the state controller," approved December 18, 1911.

5. In loans secured by mortgage or deed of trust upon real estate, improved or unimproved, or in the purchase of, or loans upon notes or bonds so secured; *provided*, that the principal so loaned, or the entire note or bond issue under such mortgage or deed of trust shall not exceed sixty per centum of the market value of such real estate with improvements taken as security; *and provided, further*, in case said loan is made, or said note or bond issue created for a building loan on real estate, that at no time shall the principal so loaned or the entire note or bond issue exceed sixty per centum of the market value of the real estate and the actual cost of the improvements thereon taken as security.

6. Companies organized for and engaged in the business of fire, life and marine insurance, may, after the investment of two hundred thousand dollars, and companies duly formed or organized for the transaction of business in any other kind of insurance except mortgage insurance may, after the investment of one hundred thousand dollars, in the manner provided in subdivisions one, two, three, four and five of this section, invest the balance of their capital and any accumulations in the purchase of, or loans upon the stock of any corporation (except mining companies) organized and carrying on business under the laws of the State of California which have at the time of investment a market value of not less than their paid in value, and which are rated as first-class securities, or in interest bearing bonds of any corporation of any state or territory of the United States not in default for interest on such bonds; *provided*, that a two-thirds vote of all the directors of such corporation shall

appears such is necessary. It shall be the duty of the officers of said corporations to report quarterly during the months of January, April, July and October of each year to the insurance commissioner a list of such transfers as may be made by them, and the insurance commissioner may at such times as he may deem necessary require to be made under oath a statement of any or all of the assets and liabilities of the company. But no investments in the securities named in subdivisions one, two, three, four and five of this section shall be made to an amount exceeding the market value of such securities, at the date of such investment.

7. Life insurance companies may loan upon their own policies, provided that the amount so loaned upon such policy shall not exceed the reserve actually held at the time said loan is granted; further that no policy loan hereafter shall ever be paid or secretly agreed upon or negotiated with the intention of circumventing under Section 643 of the Penal Code, and provided further, that whenever any such loan is not repaid or liquidated in full, the amount of such loan, with interest as provided in Section 634 of the Penal Code, may appropriately be charged with the insurance commissioner, and

evidence of title shall consist either of a full abstract of title, a full certificate of title, or a policy of title insurance, and such evidence of title shall be examined and approved by or under the direction of the insurance commissioner. The value of the property covered by each such mortgage or deed of trust, shall be appraised by one or more appraisers selected or approved by the insurance commissioner. The appraisers shall be residents of the county in which the property or some part thereof is situated. The reasonable cost of examining such evidence of title and of making such appraisement, shall be paid by the title insurance company making such deposit, and shall not exceed twenty dollars for examining the title to the property covered by each mortgage or deed of trust, nor five dollars for each appraiser not exceeding two, besides the necessary expenses of such appraisers. Any such corporation organized under the laws of this state and having a capital stock paid in, in cash, of more than one hundred thousand dollars and after depositing said guarantee fund as above provided, may invest an amount not exceeding fifty per cent of its subscribed capital stock in the preparation and purchase of materials or plant necessary to enable it to engage in such title insurance business; and such materials or plant shall be deemed an asset, valued at the actual cost thereof, in all statements and proceedings required by law for the ascertainment and determination of the condition of such corporation, or at such lesser value as may be estimated by such corporation **in any such statement or proceeding, or omitted entirely therefrom.**

453*a*. Every title insurance company shall annually set apart a sum, equal to ten per cent of its premiums collected during the year, which sums shall be allowed to accumulate until a fund shall have been created equal in amount to twenty-five per cent of the subscribed capital stock of such corporation. Such fund shall be maintained as a further security to holders of the guarantees and policies of insurance issued by such corporation, and shall be known as the "Title insurance surplus fund"; and if at any time such fund shall be impaired by reason of a loss, the amount by which it may be impaired shall be restored in the manner hereinabove provided for its accumulation. The reporting of a loss shall be deemed an impairment of such fund for the purposes of this section. Such corporation must not make any dividends except from profits remaining on hand after retaining unimpaired:

1. The entire subscribed capital stock.

2. The amount set apart as a surplus fund under the provisions of this section.

3. A sum sufficient to pay all liabilities for expenses and taxes, and all losses reported or in course of settlement, without impairment of the title insurance surplus **fund required to be set apart as hereinabove provided.**

453*b*. Any written contract or instrument purporting to show the title to real property, or furnish information relative thereto, which shall in express terms purport to insure or guarantee such title or the correctness of such information, shall **be deemed a policy of title insurance.**

453*c*. Every title insurance company organized under the laws of this state shall also have power to guarantee or insure the identity, due execution, and validity of any note or bond secured by mortgage or trust deed, and the identity, due execution and validity and recording of any such mortgage or trust deed, and the identity, due execution and validity of bonds, notes or other evidence of indebtedness issued by this state, or by any county, city and county, city, school district, irrigation district or other municipality or district therein, or by any private or public corporation, and to act as registrar or transfer agent of this state or of any county, city and county, city, school district, irrigation district, or other municipality or district therein, or of any private or public corporation, and to transfer or countersign any such bonds, notes or other evidence of indebtedness and to transfer or countersign certificates of **stock of any private or public corporation.**

453*d*. Any title insurance corporation incorporated under the general incorporation laws of this state, authorized by its articles of incorporation to act as executor, administrator, guardian, assignee, receiver, depositary, agent or trustee, or to do **a general trust business, and having a capital of not less than three hundred** thousand dollars actually paid in, in cash, may also do business as a trust company, and maintain a trust department as well as a title insurance department, or com**pliance with the following conditions:**

1. When such title insurance company desires to do such a department of business, it shall first obtain the consent of both the superintendent of banks and of the insurance commissioner, and in its application for such consent, must file a statement making a segregation of its capital and surplus for each such department. At least two hundred thousand dollars of its capital must be apportioned by such statement to its trust department. The respective portions of such capital and surplus, when such apportionment has been approved by the superintendent of banks and by the insurance commissioner, shall be considered and treated as the separate capital and surplus of each such department respectively, as if each such department was a **separate business.**

2. Such company, as to its title insurance department, shall be subject to and shall comply with all the requirements of the insurance laws and the rules and regulations of the insurance department of this state, and may invest its capital apportioned to its title insurance department, and the accumulations therefrom, in

[illegible]

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 258—An Act to regulate the height of hedges or fences.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out all of the title except the final line, and insert in lieu thereof the following: "in relation to fences and other structures created to annoy, and for the abatement of nuisances".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, after the figure "1", where it first appears, strike out all the remainder of the bill, and insert in lieu thereof the following: "Any fence or other structure in the nature of a fence, unnecessarily exceeding ten feet in height maliciously erected or maintained for the purpose of annoying the owner or occupants of adjoining property, shall be deemed a private nuisance.

Sec. 2. Any such owner or occupant injured thereby in the reasonable use of his property or his comfortable enjoyment of his estate by such nuisance may maintain the remedies against the continuance of the same prescribed in Title III, Part III of the Civil Code of the State of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell drugs or herbs, with intent to cure or mitigate diseases and providing a penalty for the violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 15, after the word "county", first occurring in said line 15, and before the word "treasurer", insert the words "or city".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 15, after the word "county", occurring the second time in said line, insert the words "or city".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1730 -An Act directing the State Water Commission to examine and report to the Legislature on school lands, as to natural resources contained therein, looking to the withdrawal from sale of such lands.

Bill read second time, ordered engrossed and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the third-reading file of Assembly bills.

Assembly Bill No. 1685- -An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors, or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Thompson, Assembly Bill No. 1017 was placed at the foot of the file.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purpose and to provide for the installation of sanitary water systems.

On motion of Senator Thompson, Assembly Bill No. 236 was passed on file, to retain its place.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

On motion of Senator Thompson, Assembly Bill No. 237 was passed on file, to retain its place.

Assembly Bill No. 175—An Act making an appropriation to pay the claim of the town of Sutton City against the State of California.

Read third time.

The question being on the passage of the bill

The roll was called and Assembly Bill No. 175 passed by the following vote:

Ayes—Senators Anderson, Avey, Boggs, Burnett, Burnham, Campbell, Cartwright, Caminetti, Chandler, Cogswell, Curtin, Finn, Flint, Gerdes, Hare, Harris, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rush, Sanford, Savage, Shanahan, Stetson, Strobridge, Thompson and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Read third time.

Section 2 setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boggs, Burnett, Burnham, Campbell, Cartwright, Caminetti, Chandler, Cogswell, Curtin, Finn, Flint, Gerdes, Hare, Harris, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rush, Sanford, Savage, Shanahan, Stetson, Strobridge, Thompson and Wright—31.

Noes—None.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 114 passed by the following vote:

Ayes—Senators Anderson, Avey, Boggs, Burnett, Burnham, Campbell, Caminetti, Cartwright, Chandler, Cogswell, Curtin, Finn, Flint, Gerdes, Hare, Harris, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rush, Sanford, Savage, Shanahan, Stetson, Strobridge, Thompson and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Read third time.

Section 2 setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boggs, Burnett, Burnham, Campbell, Caminetti, Cartwright, Chandler, Cogswell, Curtin, Finn, Flint, Gerdes, Hare, Harris, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rush, Sanford, Savage, Shanahan, Stetson, Strobridge, Thompson and Wright—31.

Noes—None.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 115 passed by the following vote:

Ayes—Senators Anderson, Avey, Boggs, Burnett, Burnham, Campbell, Caminetti, Cartwright, Chandler, Cogswell, Curtin, Finn, Flint, Gerdes, Hare, Harris, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rush, Sanford, Savage, Shanahan, Stetson, Strobridge, Thompson and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal the Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

On motion of Senator Thompson, Assembly Bill No. 537 was passed on file.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

On motion of Senator Thompson, Assembly Bill No. 1578 was passed on file.

Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1735 was passed on file.

Assembly Bill No. 1523—An Act to amend Section 1083 of the Political Code, relating to the qualifications of electors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1523 passed by the following vote:

AYES—Senators Avey, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cohn, Curtin, Finn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR MOTT IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Mott, of the Twenty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose,

and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose.

Read third time.

The question being on the passage of the bill

The roll was called and Assembly Bill No. 1313 passed by the following vote:

AYES—Senators Anderson, Avey, Boden, Bonnheim, Burnett, Byrne, Butler, Caminetti, Campbell, Carr, Cartwright, Chan, Flint, Gerdes, Hans Hansen, Jones, Leeman, Rolfe, Mott, Simpson, Wallace, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess or which may hereafter own or possess the tidal lands or title thereto of any harbor or other navigable waters therein, to establish harbor lines for such waters in addition to harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof; and to authorize and validate the filling in and improving of tidal lands between the meanderd and harbor lines fixed by municipal or other authority.

Read third time.

The question being on the passage of the bill

The vote was called, and Assembly Bill No. 849 passed by the following vote:

AYES—Senators Anderson, Avey, Boden, Burnett, Byrne, Butler, Caminetti, Campbell, Carr, Cartwright, Chan, Flint, Gerdes, Hans Hansen, Jones, Leeman, Rolfe, Mott, Simpson and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 92—An Act appropriating money for the purchase of laundry, kitchen and dining room equipment for Napa State Hospital.

Also: Senate Bill No. 91—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Senate Bill No. 90—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Senate Bill No. 89—An Act appropriating money for general repairing of buildings and conduits at Napa State Hospital.

Also: Senate Bill No. 88—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Also: Senate Bill No. 105—An Act appropriating money for building and equipping a tubercular ward at the Veterans' Home of California.

Also: Senate Bill No. 109—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Also: Senate Bill No. 564—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura State Highway.

Also: Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol Building and making an appropriation therefor.

Also: Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing, and refitting State Normal School buildings at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like or greater sum, for the same purpose.

Also: Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Also: Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Also: Senate Bill No. 208—An Act appropriating $5500 for the construction of septic tanks, and making such repairs, alterations and additions as may be necessary to the present sewer system at the Sonoma State Home, at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Also: Senate Bill No. 260—An Act appropriating $20,000 therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Committee substitute for Senate Bill No. 1410—An Act consolidating Reclamation District No. 742 and Reclamation District No. 900, and providing for their liquidation and payment of all outstanding indebtedness.

Also: Senate Bill No. 93—An Act appropriating money for remodeling north pay cottage at Napa State Hospital.

Also: Senate Bill No. 94—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Also: Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipment of the same at Folsom State Prison.

Also: Senate Bill No. 486—An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison.

Also: Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the State Normal School at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 954—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the State Normal School at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Senate Bill No. 97—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital.

Also: Senate Bill No. 98—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Also: Senate Bill No. 99—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Also: Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

Also: Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home of California.

Also: Senate Bill No. 102—An Act appropriating money for erecting buildings at the Veterans' Home of California.

Also: Senate Bill No. 130—An Act prohibiting grand juries, police commissions and tribunals created by charter of incorporated cities and police and economic power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the Superior Court or a judge thereof the power to punish for contempt of such boards, commissions or tribunals; defining contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

Also: Senate Bill No. 146—An Act to provide for the survey, location and construction of a state bridle trail from Mount a Sherman in El Dorado County, thence to or near the Welch Hardy Valley Station in Yosemite Valley and paying for the proprietary therefor.

Also: Senate Bill No. 148—An Act providing that one half of the amount used for the purpose of maintenance of the satellite of the California and one of the fire boats "David Scannell" and "Dennis Sullivan" shall be borne and paid by the State of California out of the general fund.

Also: Senate Bill No. 150—An Act appropriating money for the reconstruction, equipment and furnishing of the central kitchen building at San Francisco State Normal School.

Also: Senate Bill No. 750—An Act authorizing and directing the Director of the State Architectural Service to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Women's Building and making an appropriation therefor.

Also: Senate Bill No. 1701—An Act to make an appropriation for inspecting, repairing and preserving the mosaic murals in the Panama Room of the Capitol.

Also: Senate Bill No. 546—An Act providing that additional wages to be paid for labor upon all work performed for and in the interest of the State of California by contract and providing a penalty for the violation thereof.

Also: Senate Bill No. 307—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered one hundred eighteen, relating to membership in cemetery corporations and the rights of members in the assets thereof.

And report that the same have been carefully engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1943.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined the following:

Committee Substitute for Senate Bill No. 188—An Act to amend Sections 1, 2, 3, 4, 6, 8 and 9 of an Act entitled "An Act supplying the ascertained wants of [illegible] dividing said lands into lots for the purpose of sale, and prescribing the conditions on which said lands may be granted and conveyed, for fixing the price of [illegible] of said land by subsequent to said [illegible] [illegible] amended, approved March 17, 1907, and repealing conflicting Acts.

Also: Senate Bill No. 189—An Act to amend Section 1470 of the Political Code, relating to surplus or excess officers in counties of the first [illegible] class.

Also: Senate Bill No. 336—An Act to amend Section 4101 of the Political Code, relating to the compensation of officers of counties in the fourth class.

And report that the same have been correctly engrossed.

GRANT, Chairman.

THIRD READING OF BILLS RESUMED.

Assembly Bill No. 434—An Act to amend Section 1540 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

On motion of Senator Ayer, Assembly Bill No. 434 was ordered to the file of unfinished business.

Assembly Concurrent Resolution No. 19—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

On motion of Senator Wright, Assembly Concurrent Resolution No. 19 was passed on file.

Assembly Bill No. 1140—An Act to amend Section 290c of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustees or to engage in the business of banking.

On motion of Senator Thompson, Assembly Bill No. 1140 was passed on file.

Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer and defining its use and the liability therefor.

Read third time.

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of the bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, and Wright—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 776 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the preservation and form of claims against counties.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1401 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Shanahan, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Read third time.

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of the bill, be passed?"

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Thompson moved a call of the Senate.

Motion carried.

Time, three o'clock p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ams, Boltes, Bonnet, Bischoff, Burnett, Burnett, Campbell, Caminetti, Cogswell, Colbe, Curtin, Flint, Gillis, Gleed, Hans, Hewitt, Jones, Kehoe, Leon, Mott, Rogers, Saunders, Thompson, and Wright—28.

The Secretary announced the absentees.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and five minutes p.m., Senators Butler and Cartwright were brought to the bar of the Senate, and on motion of Senator Thompson, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE SUSPENDED.

At three o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Thompson.

The roll of absentees was called, and the absentees answered to the following vote:

AYES—Senators Ams, Boltes, Bonnet, Burnett, Burnett, Black, Butler, Burnett, Campbell, Caminetti, Cogswell, Colbe, Curtin, Flint, Gillis, Gleed, Hans, Hewitt, Jones, Kehoe, Leon, Mott, Rogers, Saunders, Thompson, and Wright—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 785 passed by the following vote:

AYES—Senators Burnett, Burnett, Bonnet, Burnett, Burnett, Black, Campbell, Cartwright, Caminetti, Cogswell, Colbe, Curtin, Flint, Gillis, Gleed, Hans, Jones, Kehoe, Leon, Mott, Owens, Rogers, Saunders, Thompson, Wright, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that he would, on the next legislative day, move to reconsider the vote whereby Assembly Bill No. 1463 was passed.

THIRD READING OF BILLS—(FIRST DAY).

Assembly Bill No. 1371—An Act making an appropriation for maintenance of the Lake Tahoe wagon road.

On motion of Senator Thompson, Assembly Bill No. 1371 was passed on file.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto, to be known as Section 653c, relating to wages of employees.

On motion of Senator Rogers, Assembly Bill No. 1495 was passed on file.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and prescribing penalties for violation of this Act," approved April 21, 1911.

On motion of Senator Thompson, Assembly Bill No. 94 was passed on file.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered 650*a*, relating to exposure or threats of exposure of paroled or discharged prisoners.

On motion of Senator Thompson, Assembly Bill No. 274 was passed on file.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to the care of female prisoners and insane patients.

On motion of Senator Campbell, Assembly Bill No. 653 was passed on file.

Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1384 passed by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 20 and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

On motion of Senator Cogswell, Assembly Bill No. 2016 was passed on file.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

On motion of Senator Thompson, Assembly Bill No. 971 was passed on file.

Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

On motion of Senator Campbell, Assembly Joint Resolution No. 18 was passed on file.

Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the

election of President and Vice President of the United States by a direct vote of the people.

On motion of Senator Tyrrell, Assembly Joint Resolution No. 1 was passed on file.

ASSEMBLY JOINT RESOLUTION NO. 12.

A joint resolution asking the Congress of the United States to amend the Hobart bill (H. R. 9445), known as "one straight passage" bill for the consolidation of rural service employees of the United States Postoffice Department.

WHEREAS, At a convention held in the city of Rochester, state of New York, on September, 1911, 40 state chairmen, elected state committeemen to meet United States Postoffice Department, including representatives of the letter carriers, clerks, railway mail and laborers in conference with representatives, Postmaster-General Hitchcock asking Congress to enact the Hobart "straight passage" bill (H. R. 9445) which provides for a passing to all the rural service employees of the United States Postoffice Department the same consideration as the letter carrier; and

WHEREAS, The Legislature of the State of California, in an earnest sympathy has second with the purpose to promote these faithful servants of the government. Therefore be it

Resolved by the Senate and Assembly of the State of California, That your Honorable memorialize the Congress for further passage of the said Hobart bill (H. R. 9445), and direct the Senators and requests the members of the House of Representatives in Congress from the State of California to give their support to said measure to the said bill, and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to transmit two duly attested copies of these resolutions, one to the President of the Senate of the United States, to the Speaker of the House of Representatives and to the Senators and Representatives in Congress from the State of California.

The question being on the adoption of the resolution,

The roll was called, and Assembly Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Boggs, Bonnet, Breed, Brown, Burnett, Butler, Carpenter, Carr, Caswell, Cogan, Finn, Flint, Gates, Grant, Hewitt, Hubbard, Mott, Rogers, Thompson, Tyrrell, and Wright—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION NO. 24.

Relative to banking and currency reform.

WHEREAS, Banking and currency reform is one of the primary planks in the platforms of all the major political parties; and

WHEREAS, Industrial and commercial interests throughout our entire country, without regard to party affiliations, are demanding such immediate legislation as will relieve business of the uncertainty arising out of existing banking and currency laws; and

WHEREAS, We believe banking and currency reform to be unnecessary to the matter of compromise to the commercial and financial interests of our country with the tariff; be it

Resolved by the Assembly of California and the Senate concurring, That we respectfully urge the President of these United States to appeal to the Congress of the United States at the special session about to convene, which shall have for its purpose the enactment of such immediate remedial banking and currency legislation as will meet the present and future exigencies of commerce and thereby avoid the inevitable panic and periodical stress in business to which this country has been for years subjected.

The question being on the adoption of the resolution,

The roll was called, and Assembly Joint Resolution No. 24 adopted by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boggs, Bonnet, Breed, Brown, Brunson, Burnett, Butler, Campbell, Carpenter, Carr, Caswell, Cogan, Finn, Flint, Gates, Grant, Hewitt, Hubbard, Mott, Rogers, Thompson, Tyrrell, and Wright—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628q, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 165 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Beban: Permission to introduce a Senate bill—An Act appropriating money for the support and maintenance of the state prison at Folsom.

By Senator Flint: Permission to introduce a Senate bill—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

By Senator Carr: Permission to introduce a Senate bill—An Act to authorize municipal corporations to make water rates and charges a lien on property, and to provide for the enforcement of such lien.

Requests referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BIRDSALL, Chairman.

Assembly Bill No. 2025 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1286—An Act to provide for an experiment station to determine proper methods of sewage disposal and water purification, defining the duties of the State Board of Health in relation thereto; and making an appropriation therefor.

Also: Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be re-referred to Committee on Finance.

JONES, Chairman.

Senate Bills Nos. 1286 and 1367 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 627, An Act relating to and regulating the inspection of refrigerating warehouses, the inspection or sale of food kept or possessed therein, and defining the duties of the State Board of Health in relation thereto.

Also, Senate Bill No. 1713, An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings into portions of the State now infected, to control the spread of such diseases when introduced, and authorizing the State Board of Health to make rules and regulations therefor.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

JONES, Chairman.

Senate Bills Nos. 627 and 1713 ordered on file for second reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and fifteen minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILLS—(NOT BY UNANIMOUS CONSENT).

On motion of Senator Finn, the Senate took up the consideration of Senate Bill No. 1284, out of order.

Senate Bill No. 1284, An Act entitled an Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the receipts derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Bryant, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Strike out all of Section 2, omitting the word "Folsom."

AMENDMENT No. 2.

On page 1, line 2, of the title of the proposed bill, strike out the words "entitled an Act", where they first occur.

AMENDMENT No. 3.

On page 1, line 6, of the title of the proposed bill, after the word "therefrom", insert the following: "Approved March 11, 1897."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 1284, with instructions to amend, respectfully reports the same back, amended as per instructions.

BRYANT, Committee.

Report read and adopted.

Bill ordered to print and [illegible]

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Boynton, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 5, of the printed bill, between the word "university" and the comma following it, insert the following: "having an enrollment of more than one thousand students, more than five hundred of whom reside or lodge upon such university grounds or campus, or within one mile of the grounds, as they now exist, on which are the principal administrative buildings of any other university now in existence in this state".

AMENDMENT No. 2.

On page 1, line 8, of the printed bill, strike out the word "nor", and insert in lieu thereof the following: "municipal corporations of the first class, and shall nor".

AMENDMENT No. 3.

On page 1, line 18, of the printed bill, between the word "purposes" and the period following it, insert a comma and the following: "or the manufacture of any such liquors, or the receiving of orders therefor on the premises where manufactured, or the shipping of the same from said premises, when none of the liquor so ordered or shipped is delivered to any person or place within the limits prescribed in this section except to a comon carrier for delivery outside of said limits."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 672, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOYNTON, Committee.

On motion of Senator Gates, the further consideration of the report of the special committee was continued, and the bill passed on file.

THIRD READING OF BILLS—RESUMED.

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget."

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By inserting in Section 29, line 11, page 1, preceding the word "provide", the words "and to".

Also: By striking out the comma at the end of line 10, section and page aforesaid.

Also: By striking out of the same section and page, in line 16, the words "the chairman of".

Motion carried.

REPORT OF SPECIAL COMMITTEE ON [illegible].

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee to which was referred Senate Constitutional Amendment No. 21 [illegible] has had the same under consideration, and has directed me to report it back with the recommendation that it be adopted.

THOMPSON, Committee.

Report read and adopted.

Resolution ordered to print and engrossment.

BILL REMOVED FROM [illegible].

Senator Anderson moved that Senate Bill No. 134 be recalled from the Committee on Finance.

Motion carried.

Senate Bill No. 134 ordered on file for second reading.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Cobb, the Senate took up the consideration of Senate Bill No. 1411, out of order.

Senate Bill No. 1411—An Act to amend section 4352 of the Civil Code of the State of California, concerning the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cobb moved to refer to Senator Larkins, as a special committee of one, to amend as follows:

On page 2, line 13, by striking out the period [illegible] and the words "and the spouse to whom relief is prayed."

"Provided, however, That no decree of divorce shall be granted on the ground of insanity when such insanity was caused by the act of the plaintiff during the marriage state or in the search of such party."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee to [illegible] has had the same under consideration, and has directed me to report it back with the recommendation that it be adopted as per amendments.

LARKINS, Committee.

Report read and adopted.

Bill ordered to print and engrossment.

VOTE RECONSIDERED.

Pursuant to [illegible] Senator Jefford moved to reconsider the vote whereby Senate Bill No. 125—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California, was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 125 was passed reconsidered by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Brown, Burnett, Burnett, Campbell, Cobb, Flint, Finn, Gates, Gerdes, Inman, Jeffords, Kehoe, Mott, Rigdon, Shanahan, Tyrrell, and Wright—21.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Cohn, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

By striking out of Section 1, in lines 6, 7, 8 and 9, the words "*provided*, that this shall not apply to institutes and sanatoria not employing nurses in regular attendance, and where patients are not confined to their rooms."

AMENDMENT No. 2.

In Section 3, page 2, line 8, strike out the words "Such fee shall be as follows:" and insert in lieu thereof the following: "The fees and classification of said hospitals, sanatoria and other places or institutions shall be as follows:".

AMENDMENT No. 3.

In Section 3, page 2, line 9, strike out the words "For a capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 4.

In Section 3, page 2, line 9, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 5.

In Section 3, page 2, line 10, strike out the words "For a capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 6.

In Section 3, page 2, line 10, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 7.

In Section 3, page 2, line 11, strike out the words "For a capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 8.

In Section 3, page 2, line 11, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 9.

In Section 3, page 2, line 12, strike out the words "For capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 10.

In Section 3, page 2, line 12, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 11.

In Section 3, page 2, line 13, strike out the words "For capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 12.

In Section 3, page 2, line 13, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 13.

In Section 3, page 2, line 15, strike out the words "For capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 14.

In Section 3, page 2, line 16, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 15.

In Section 3, page 2, line 17, strike out the words "For a capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT NO 10

In Section 3, page 2, line 17, strike out the comma after the word "code" and insert in lieu thereof the words "for patients" and a comma

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 128, with instructions to amend, respectfully reports the same back, amended as per instructions.

COHN, Committee.

On motion of Senator Juilliard the further consideration of the report of the special committee was continued, and the bill passed on file.

SENATOR WRIGHT IN THE CHAIR.

At three o'clock and forty-five minutes p.m. Senator Wright, of the Fortieth District, in the chair.

MOTION TO RECONSIDER

Pursuant to his notice on a previous day, Senator Anderson moved to reconsider the vote whereby Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 824 was refused passage reconsidered by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bronson, Bryant, Butler, Caminetti, Campbell, Chan, Curtis, Flint, Gates, Gerdes, Hans, Juilliard, Kehoe, Mott, Owens, Regan, Shanahan, Thompson, Purrell, and Wright—25.

NOES—None.

Senate Bill No. 824 ordered on file.

THIRD READING OF BILLS—RESUMED

Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 593 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Bronson, Birdsall, Boynton, Breed, Bronson, Bryant, Butler, Caminetti, Campbell, Chan, Curtis, Flint, Gates, Gerdes, Juilliard, Kehoe, Mott, Regan, Shanahan, Thompson, Purrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer of such company.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 241 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Campbell, Carr, Cogs, Curtin, Finn, Flint, Gates, Gerdes, Jacobsen, Kehoe, Moore, Regan, Shanahan, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

Read third time.

On motion of Senator Kehoe, Senate Bill No. 897 was passed on file.

Senate Bill No. 657—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Read third time.

On motion of Senator Shanahan, Senate Bill No. 657 was passed on file.

Senate Bill No. 658—An Act to amend Section 4278 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

On motion of Senator Shanahan, Senate Bill No. 658 was passed on file.

Senate Bill No. 659—An Act to amend Section 4281 of the Political Code, relating to salaries and fees of officers of counties of the fifty-second class.

On motion of Senator Shanahan, Senate Bill No. 659 was passed on file.

Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution, amending Article VI thereof by inserting therein a new section, to be known as Section 4*a*, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act *pro tempore* as justices of said District Courts of Appeal, to hold such extra sessions thereof.

On motion of Senator Kehoe, Senate Constitutional Amendment No. 33 was ordered to the file of unfinished business.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was passed on file.

Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

On motion of Senator Finn, Senate Bill No. 1009 was passed on file.

Senate Bill No. 42—An Act relating to the sale and carrying of dangerous weapons.

Read third time.

[redacted]

Senator Finn moved to refer to Senator Leyson, as a special committee of one, to amend as follows:

[redacted]

Motion carried.

[redacted]

Mr. President: Your special committee of one, to which was referred Senate Bill No. [redacted] with instructions to report specifically thereon the same back, has had the same under consideration, and

[redacted]

Report read and adopted.

Bill ordered to print and re-engrossment.

[redacted]

Senate Bill No. 208—An Act to amend Section 2000 of the Civil Code of the State of California, relating to Exemption of Rights of Action to levy on mortgaged personal property.

Read third time.

On motion of Senator Lyon, Senate Bill No. 208 was passed on the

Senate Bill No. 881—An Act to provide for the apprehension of inmates of state hospitals for the insane, the Stanford State Home of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit apprehension of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909.

Read third time on a previous day.

[redacted]

Senator Campbell moved to refer to Senator Butler, as a special committee of one, to amend as follows:

[redacted]

Motion carried.

[redacted]

Mr. President: Your special committee of one, to which was referred Senate Bill No. 881, with instructions to amend, respectfully reports the same back, amended as per instructions.

BUTLER, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places, and providing for the punishment for violation of this Act.

In the absence of the author, Senate Bill No. 362 was passed on file.

Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 1004 was passed on file.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

In the absence of the author, Senate Bill No. 1126 was passed on file.

Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

In the absence of the author, Senate Bill No. 735 was passed on file.

Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1109 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cohn, Curtin, Finn, Flint, Grant, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

On motion of Senator Finn, Senate Bill No. 1199 was passed on file.

Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 1723 was passed on file.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

On motion of Senator Boynton, Senate Bill No. 1568 was passed on file.

Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by court or judge, the qualifications of the referees, and

the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

On motion of Senator Boynton, Senate Bill No. 702 was passed to file.

Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee of the trial proceedings under Title VII, Part III of the Code of Civil Procedure.

On motion of Senator Boynton, Senate Bill No. 708 was passed to file.

Senate Bill No. 234—An Act adding a new section to the Civil Code to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Bread, Bryant, Burke, Cannetti, Campbell, Carr, Cohn, Finn, Flint, Gerdes, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1201—An Act to add a new section to the Penal Code, to be known as Section 1202a, relating to "indeterminate sentences."

On motion of Senator Finn, Senate Bill No. 1201 was passed to file.

Senate Bill No. 1202—An Act to repeal Section 669 of the Penal Code of the State of California, entitled "Second term of imprisonment, when to commence."

On motion of Senator Finn, Senate Bill No. 1202 was passed to file.

SENATE CONCURRENT RESOLUTION No. 8.

Relative to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of expanding the public school system of the state to provide for their training and education, and to report thereon to the forty-first session of the Legislature of the State of California.

WHEREAS, The education of youth is a duty of the State, a recognized safeguard of its institutions and liberties, and the basis of a free government; and

WHEREAS, The public school system of this commonwealth, from the primary grades to the specialized courses in the universities, commends itself to the children from the homes of its citizens, and the State has provided liberal institutions for the defective and imbecile young, and special courses, schools and institutions have been established for the wayward juvenile offenders; and

WHEREAS, In all this elaborate system maintained at great cost to the taxpayers no provision of any kind has been made for the training or education of orphan children, physically and mentally sound and potentially capable of becoming useful and able citizens; and

WHEREAS, These little ones, all innocently and hopelessly bereft of the affectionate care of parents and whose only offense against society is their lack of such protecting and aid to secure for them the advantages of the educational system maintained by the state, are left to the well intentioned but inadequate efforts of private, unorganized charities, barely supported by sporadic appeals to a busy public; and

WHEREAS, Such children are at best thereby equipped only for the hardest walks of life and are given no opportunity to develop the latent powers which beyond question are the heritage of many; and

WHEREAS, These conditions and the lack of educational facilities afforded orphan children are opposed to the principles of an enlightened and progressive government; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State Board of Education be and it is hereby directed to investigate

the conditions surrounding and affecting the orphan children of this State, the education and training which they now receive, and to investigate and consider measures and ways and means to provide for their care, education and training by the state, and to make its report thereon, with its recommendations resulting and relating to the enactment of the proper general statutes of this State to provide the education of orphans, and ways and means therefor, to the forty-first session of the Legislature.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

Ayes—Senators Anderson, Ayer, Boynton, Bronson, Brown, Burnett, Campbell, Caminetti, Carr, Cobb, Dunn, Flint, Gerdes, Jones, Leonard, Rigdon, Lewis, Mott, Rogers, Sharkey, Thompson and Wright—24.

Noes—None.

Resolution ordered transmitted to the Assembly.

Senate Joint Resolution No. 25—Relative to approving the course of Senator John D. Works in Congress and memorializing the passage of Senate Joint Resolution extending the presidential term to six years, and limiting the President to one single term.

In the absence of the author, Senate Joint Resolution No. 25 was passed on the

Joint resolution introduced.

Senator Curtin asked and was granted unanimous consent to withdraw Senate Joint Resolution No. 28 relative to banking and currency reform.

Senate Joint Resolution No. 28 ordered withdrawn, and stricken from the file.

Joint resolution introduced.

SENATE JOINT RESOLUTION No. 27

Relative to the purchase by the United States of the Tioga road.

WHEREAS, The State of California has, by legislation and appropriation therefor, established, maintained and completed a system of state highways, among which is a highway from Lake Tahoe in [illegible] a distance of [illegible] miles, and a highway from Bridgeport, in Mono County, to Lone Pine, in Inyo County, a distance of seventy-eight miles, and known as the Sonora and Mono road, and is now constructing a highway from said Lake Tahoe road to a point known as the junction on said Sonora and Mono roads, a distance of eighty-one miles, and has constructed a highway from the said end of the Owens road to a point near Mono Lake, and known as the Mono Lake Road, a distance of nine miles, and there is now pending in this session of the Legislature a bill for the construction of a state highway from Bridgeport to Lake Tahoe, a distance of one hundred and [illegible] miles, which, when completed, will be opened to travel of all kinds thereover; and

WHEREAS, There is now pending in Congress a bill to purchase by the United States, said Tioga road from its owners and to maintain the same by said government as a free public road for travel thereover, and which bill has been favorably acted upon by the committees in Congress to which it had been referred; and

WHEREAS, Said Tioga road connects at Lakeside, with the Big Oak Flat road, and if the purchase of said Tioga road be completed, and said road be maintained as a free public highway for travel, it makes a complete highway system from Sacramento to Lake Tahoe, thence over the Alpine highways to Death Valley, Yosemite Valley and San Francisco, traversing the Sierra Nevada Mountains and passing most beautiful scenery thereon; be it

Resolved by the Senate and Assembly of the State of California, That we request our Senators and Congressmen to use all honorable means to secure the early passage of said bill, providing for the purchase of said Tioga road, and its maintenance as a free public highway for travel, and to provide for free travel over it by all kinds of vehicles thereover; and be it further

Resolved, That the Secretary of the Senate be directed to send a copy of these resolutions to the President of the United States Senate and the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress.

The question being on the adoption of the resolution.

The roll was called and Senate Joint Resolution No. 27 adopted by the following vote:

[illegible]

Resolution ordered transmitted to the Assembly.

Senate Joint Resolution No. 18—Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California for investigation and survey by the California Débris Commission, under the provisions of an act of Congress, approved March 1, 1905, to aid in the preparation and reading of a report on a project for the relief from floods in the San Joaquin Valley and the delta of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

During the reading of the resolution the following amendment was offered to the resolution:

On page 3, line 26, after the words "San Joaquin," insert the following: "and upon application hereby so have acted upon and have made and published"

Amendment adopted.

Resolution ordered to print and engrossment.

Senate Joint Resolution No. 19—Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Débris Commission relating to control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California.

During the reading of the resolution, the following amendments were offered by the committee:

Amendment No. 1

On page 2, line 10, after the word "congress" insert the following: "which will practically be identical as adopted by the legislature, the purpose of this act and which is necessary for the best consideration, the purpose of this act and which is necessary for the best interest of [illegible] and for the [illegible] of said report and said project."

Amendment adopted.

Amendment No. 2

On page 3, after the words "the act" insert the following: "and of engineers."

Amendment adopted.

Resolution ordered to print and engrossment.

Senate Joint Resolution No. 30.

Relative to memorializing the Congress of the United States to submit immediately to the legislatures of the several states for their action the proposed amendment to the Constitution of the United States granting women the right of suffrage, and providing for the submission of the question to the electors of this State.

Whereas, The right to equal participation in the affairs of the country guaranteed by women in four States, and recognized by the people and accorded by the several states of the Australian Union; and

Whereas, The exercise of this privilege therein and the experience of states that should be as complete as that accorded to male citizens; and

Whereas, The people of this State and the legislature of California, Twenty-fifth Session, in the Senate and Assembly, on the [illegible] day of [illegible], 1911, by the requisite vote of both houses thereof, have ratified the proposed amendment to the Constitution of the United States to include proceedings relating to the qualifications of such suffragists in the several States of an amendment to the Constitution of the United States granting

women and men on an equality with respect to citizenship and the exercise of the elective franchise; and be it further

Resolved, That our Senators in Congress be instructed and our Representatives in Congress requested to use all honorable means to secure the object of this memorial; and be it further

Resolved, That the governor of the State of California be, and he is hereby, requested to transmit duly authenticated copies of this memorial to the president of the United States, the presiding officers of the two houses of Congress, and to each of our Senators and Representatives in Congress.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 30 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Flint, Grant, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 953 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Flint, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 954—An Act for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 954 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Bryant, Caminetti, Campbell, Carr, Cohn, Flint, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 955 passed by the following vote:

AYES—Senators Anderson, Avey, Boden, Bonnett, Burnett, Burnham, Chandler, Conkling, Cohn, Curtis, Flint, Gerdt, Hare, Inman, Leavitt, Lewis, Mott, Rogers, Rush, Shanahan, Strobridge, Thompson, Tyrrell and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

BILL RECALLED FROM COMMITTEE.

Senator Tyrrell moved that Senate Bill No. 32 be recalled from the Committee on Finance, and that it be taken up for consideration.

Motion carried.

Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, rates, services and charges of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers and making an appropriation to carry this Act into effect.

During second reading of the bill the following amendments were offered by Senator Tyrrell:

AMENDMENT No. 1.

On page 3, line 11, strike out the comma after the word "counties" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 21, after the word "necessary", strike out the words "or use".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 29, after the word "sale" add the following sentence: "He shall also purchase such apparatus as shall be found necessary in a proper prosecution of the work of the office."

Amendment adopted.

AMENDMENT No. 4.

Strike out all of Section 7 and add the following to be known as Section 7: "The state superintendent of weights and measures may establish, to compare those in use in the State of California similar to the standards established by the National Bureau of Standards."

Amendment adopted.

AMENDMENT No. 5.

On page 5, line 1, strike out the words "in the state and" and insert in lieu thereof the words "offered for sale, sold or".

Amendment adopted.

AMENDMENT No. 6.

On page 5, line 29, strike out the word "sealer", and insert in lieu thereof the word "superintendent".

Amendment adopted.

AMENDMENT No. 7.

On page 6, line 12, after the word "commercial" insert the following words: "It shall be unlawful for the state superintendent, his deputies, or any sealer of weights and measures to keep for sale or offer or expose for sale or to sell to any person, firm, or corporation, or dealer in goods, wares and merchandise, doing or intending to do business in the State of California any weighing or measuring instrument as to be unjustly or unfairly to the sale of any weighing or measuring instrument."

Amendment adopted.

AMENDMENT No. 8.

On page 6, line 24, strike out the words "for their guidance in the performance of their duties" and insert in lieu thereof the words and such instructions and regulations shall govern the procedure of said deputies in the discharge of their duties."

Amendment adopted.

AMENDMENT No. 9.

On page 8, line 17, after the word "class," insert the words "and cities of the first class".

Amendment adopted.

AMENDMENT No. 10.

On page 10, line 34, after the word "state", insert the words "for one year".

Amendment adopted.

AMENDMENT No. 11.

On page 11, line 2, after the word [illegible] insert the following

Amendment adopted.

AMENDMENT No. 12.

On page 12, after the comma at the end of line 2, insert the words "purchased or".

Amendment adopted.

AMENDMENT No. 13.

On page 12, line 32, strike out the period at the end of the line and insert the following: "and such scales shall not be subject to any such guarantees or conditions of purchase as the person which sold to him or them may require them to execute."

Amendment adopted.

AMENDMENT No. 14.

On page 12, line 33, strike out the word "[illegible]", and insert the word "such"

Amendment adopted.

AMENDMENT No. 15.

On page 13, line 20, after the word "which", insert the following: "in his best judgment are not reasonable of result."

Amendment adopted.

AMENDMENT No. 16.

On page 13, line 21, strike out the words "[illegible]"

Amendment adopted.

AMENDMENT No. 17.

On page 13, line 23, strike out all words and [illegible] and insert in lieu thereof the words "in his best judgment [illegible]"

Amendment adopted.

AMENDMENT No. 18

On page 37, line 20, after the word "Commercial" strike out the comma [illegible]

Amendment adopted.

AMENDMENT No. 19

On page 44, after the comma on the end of line 19, insert the following [illegible]

Amendment adopted.

AMENDMENT No. 20

On page 50, line 27, after the word "[illegible]" strike out [illegible]

Amendment adopted.

AMENDMENT No. 21

On page 51, line 27, after the word "only", insert the words "or use"

Amendment adopted.

AMENDMENT No. 22

On page 54, line 20, after the word "[illegible]", insert the words "or sale"

Amendment adopted.

AMENDMENT No. 23

On page 58, line 16, after the word "[illegible]" [illegible]

Amendment adopted.

Bill read second time and ordered to print engrossed and third reading.

BILL ORDERED TO ENGROSS

On motion of Senator Thompson the Secretary was directed to place a rush order for printing Senate Bill No. 34, and the bill was ordered re-referred to the Committee on Finance.

CONSTRUCTION OF CONSTITUTIONAL [illegible] AMENDMENTS

On motion of Senator Caton, the Senate took up the consideration of Senate Constitutional Amendment No. 15, and it reads:

Senate Constitutional Amendment No. 15—A proposition to propose to the people of the State of California the amendment to the Constitution of the State of California by adding a new section to said Constitution, to be numbered Section 14 1/2 Article XIII, thereof, relating to certain property of educational institutions of religious [illegible] from taxation.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Thompson moved to refer to Senator Boynton, as a special committee of one, to amend as follows:

By striking out of line 19 the words "and none"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 15, [illegible] to amend, respectfully report the same back, amended as per memorandum.

BOYNTON, Committee.

Report read and adopted.

Senate constitutional amendment ordered to print and engrossed.

Committee Substitute for Senate Bill No. 191—An Act to authorize any county in the State which claims to have sustained a net loss in county revenue by the withdrawal of railroad property from county taxation in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, to commence suit against the State of California, for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

Read third time.

On motion of Senator Avey, Committee Substitute for Senate Bill No. 191 was ordered referred to Committee on Finance.

SPECIAL FILES ORDERED.

Senator Boynton moved that the Secretary be instructed to prepare special files of appropriation and county government bills, to be considered each morning before the Senate general file.

Motion carried.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 118 passed by the following vote:

AYES—Senators Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Grant, Jones, Juilliard, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 349 passed by the following vote:

AYES—Senators Avey, Bolan, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Grant, Hans, Jones, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 490 passed by the following vote:

AYES—Senators Avey, Bolton, Bunnett, Burnham, Bryant, Chipman, Brown, Cartwright, Campbell, Carr, Cogg, Finn, Flint, Gerdes, Hans, Harrigan, Kehoe, Lane, Moor, Rigdon, Rush, Stanton, Strobridge, Thompson, Wood, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 125—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 120 passed by the following vote:

AYES—Senators Avey, Bolton, Bunnett, Burnham, Bryant, Brown, Carr, Cartwright, Campbell, Chipman, Cogg, Gerdes, Harrigan, Hans, Kehoe, Lane, Lyon, Moor, Rigdon, Rush, Stanton, Strobridge, Thompson, Wood, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. RESUMES THE CHAIR.

At four o'clock and thirty minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Joint Resolution No. 14—Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the State to which it is consigned through the parcel post.

In the absence of the author, Senate Joint Resolution No. 14 was passed on file.

Senate Joint Resolution No. 17—Relative to appointment of a committee to draft bills abolishing all offices not now held by State Officers and providing for a commission of five to perform the duties formerly performed by one person.

In the absence of the author, Senate Joint Resolution No. 17 was passed on file.

Senate Bill No. 961—An Act to amend Section 622½ of the Penal Code, relating to the protection of steelhead trout.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Bryant, as a special committee of one, to amend as follows:

By striking out of Section 1, line 8, the word "January", and inserting in lieu thereof the word "December".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 961, with instructions to amend, respectfully reports the same back, amended as per instructions.

BRYANT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENSON, Chairman.

Senate Bill No. 1287 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1115—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500," and providing for the management and control thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENSON, Chairman.

Senate Bill No. 1115 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street, between Twenty-sixth and Twenty-seventh streets in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Also: Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Also: Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass, as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 819, 820 and 1656 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Also: Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Also: Senate Bill No. 68—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Also: Senate Bill No. 69—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Also: Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along

the northern border of Lake Tahoe to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Senate Bill No. 751—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 752—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 14, 18, 48, 69, 170, 311 and 332 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 180—An Act appropriating money for the establishment of a veterinary farm to be used in connection with a tuberculosis plant on the water gulches of Folsom, [illegible]

Also: Senate Bill No. 1329—An Act to authorize [illegible] to contract for and order the erection of the State Department of Engineering, for the purpose of preserving the State Capitol Building [illegible]

Also: Senate Bill No. 1761—An Act appropriating the sum of $[illegible] for the purpose of [illegible] the board of [illegible] to construct a bridge spanning the same at Marysville northerly, to the bridge spanning the same over the city of Oroville.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 480, 1127 and 1191 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 339—An Act appropriating money for building a shed [illegible] at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 491—An Act relating to businesses and pursuits, creating a commission of immigration and housing, providing for the appointment by said commission of a secretary, agents and other employees, prescribing [illegible] to the duties, proceedings and powers of said commission, providing for the investigation by said commission of all matters affecting immigration and for the same promotion and welfare of immigrants and aliens [illegible] for the purpose of carrying out the provisions hereof.

Also: Senate Bill No. 1761—An Act appropriating money for permanent repairs and improvements at Folsom State Prison.

Also: Senate Bill No. 818—An Act appropriating money for repairing and lowering Sutter's Dam.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 353, 451, 483 and 818 ordered on file for second reading.

ON LANDS AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Lands and Capital, to whom was referred Senate Bill No. 1520—An Act to add a new section to the Penal Code of the State of California, to be numbered as Section 2691, relating to disputes between employers and employes concerning terms and conditions of employment, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LYON, Chairman.

Senate Bill No. 1520 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1745—An Act to amend section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of real

portion of the north boundary of El Dorado County between said county and Placer County.

Also: Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County between said county and El Dorado County.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BREED, Chairman.

Senate Bills Nos. 1745 and 1746 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Finance Committee.

BREED, Chairman.

Senate Bill No. 223 ordered re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies and for their free transportation and support while undergoing treatment in their own homes under the direction and treatment by the State Board of Health—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Assembly Bill No. 1995 ordered on file for second reading.

LEAVE OF ABSENCE.

Senator Gerdes was, on motion of Senator Juilliard, granted leave of absence for the balance of this day.

SENATOR AVEY IN THE CHAIR.

At four o'clock and thirty-five minutes p.m., Senator Avey, of the Thirtieth District, in the chair.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Thompson, the following message was received from the Governor and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 14, 1913.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have to-day made the following appointments, and request your concurrence and consent thereto:

F. R. Burnham, of San Diego, a member of the Board of State Harbor Commissioners for the bay of San Diego, vice F. R. Burnham, resigned.

Robert MacLachlan, of San Diego, a member of the Board of State Harbor Commissioners for the bay of San Diego, vice C. H. Swallow, resigned.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Communication ordered referred to Committee on Rules.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 28—Relative to request of

farmers of Seventeenth Senatorial District to Board of Prison Directors to be removed from contracts for purchase of prison labor.

Also: Assembly Concurrent Resolution No. 27—Relative to investigation of contracts of the farmers of Sacramento Valley, Modesto Colony, with the Board of State Prison Directors for San Quentin farm, and relative to the laws now operative with said contract.

J. B. MALLOEY, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

Assembly Concurrent Resolutions Nos. 28 and 27 referred to Committee on Prisons and Reformatories.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 867, An Act providing that all the lands and submerged lands within the boundaries of the city of Los Angeles are granted, and granting and confirming the same to the city of Los Angeles and fixing and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to said lands, and the granting of the possession of said lands.

Also: Assembly Bill No. 894—An Act to add two new sections to the Political Code of the State of California, to be numbered 2807 and 2808, relating to the abandonment of highways.

And respectfully ask that the amendments be concurred in.

J. B. MALLOEY, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 867.

AMENDMENT No. 1.

In line 4 of the title of the printed bill, strike out the word "granted" and insert in lieu thereof the word "relating".

AMENDMENT No. 2.

In line 5 of the title of the printed bill, immediately after the word "lands", and before the word "and" insert the following: "and for purposes in said charter".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 867?"

The roll was called, and Assembly amendments to Senate Bill No. 867 concurred in by the following vote:

AYES—Senators Anderson, Ayer, Black, Breed, Bunkers, Burnett, Burnham, Caminetti, Campbell, Carr, Cartis, Chrisman, Hare, Harris, Irwin, Kehoe, Leavell, Lyon, Mott, Owens, Reed, Savage, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Senate Bill No. 867 ordered to enrollment.

Consideration of pending Assembly amendments to Senate Bill No. 394 continued.

REPORT OF STANDING COMMITTEES, OUT OF ORDER.

The following report of standing committee was received and read.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Finance to whom was referred Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds of the State Agricultural Park in the city of Sacramento.

Also: Senate Bill No. 405—An Act providing for the construction of sanitary live stock barns and sheds and sundry buildings in the State Fair grounds at Agricultural Park in the city of Sacramento and adjacent to appropriate railroads.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 404 and 405 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Curtin, the Senate took up the consideration of Senate Bill No. 85, out of order.

Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 85 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PETITIONS.

Senator Boynton presented thirty petitions from wage earners directly employed in the gold-dredging industry, from nine hundred and thirty-five residents of Butte and Yuba counties, representing 1761 workmen and dependents, protesting against the passage of Senate Bill No. 713.

Senator Cohn presented a similar petition from 539 residents of Sacramento County, representing 970 workmen and dependents.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Wednesday, April 16, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 15, 1913, the further reading was dispensed with, on motion of Senator Breed.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. H. C. Warmick, of Philadelphia, Penn.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Duncan McDuffie, of Berkeley.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. C. F. Homer, of Oakland.

On request of Senator Owens, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. D. J. Hall, City Attorney of Richmond, Cal.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 171—An Act [illegible] to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 187—An Act appropriating money for repairing and calcimining the training school building at San Francisco State Normal School.

Also: Assembly Bill No. 200—An Act authorizing issuing bonds for the construction of bleachers and for the purpose of procuring equipment for the Los Angeles State Normal School.

Also: Assembly Bill No. 202—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Also: Assembly Bill No. 138—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Also: Assembly Bill No. 139—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

J. R. MALLADY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Assembly Bill No. 171 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 192, 200, 202, 138 and 139 read first time and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties in relation to [illegible] under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property, the levy of taxes for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cases under this Act.

Also: Assembly Bill No. 1082—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the payment of moneys due thereunder, and this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former position, powers and rights, also to provide for saving the effects of any proceedings which by reason of failure to pay any tax imposed by any of said Acts has forfeited either its charter or right to do business in this State.

Also: Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this

Act, and provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections two, three four, five, six, and seven and one half thereof, by adding a new section thereto to be known and numbered as section six and one half, and repealing section seven thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian, and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1875 and 1682 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 573 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1896—An Act to amend Section 3741 of the Penal Code of the State of California, relating to the pollution of streams.

Also: Assembly Bill No. 795—An Act to amend the Civil Code of the State of California by adding a new section thereto to be known as Section 196a, relating to the support and education of an illegitimate child.

Also: Assembly Bill No. 655—An Act to amend Section 157 of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Also: Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States and to provide a punishment therefor.

Also: Assembly Bill No. 2064—An Act defining and limiting the right of aliens to acquire title to and own or lease real property in the State of California and providing a method for divesting title to lands held by such aliens.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1896 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 795, 655, 483 and 2064 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

Also: Assembly Bill No. 1072—An Act granting to the city of Arcata the tidelands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Also: Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto to be numbered 3804a, relating to the approval or rejection of claims for refund of taxes, penalties and costs by boards of supervisors.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1198 and 516 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1072 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 750—An Act appropriating money for protecting and improving the Mokelumne River, provided the same is approved by the Governor of the United States.

Also: Assembly Bill No. 380—An Act providing for the assessment and collection of police and fire charges, revenue stamps and stamping mills.

Also: Assembly Bill No. 591—An Act to amend Section 2 of an Act entitled "An Act to provide for the incorporation of county highways, improved under bond issues in the counties of the State, and empowering the boards of supervisors to levy taxes therefor," approved May 4, 1911.

Also: Assembly Bill No. 514—An Act to amend Section 1776 of the Penal Code, relating to the abatement of gambling under the guise of business games and fixing a penalty therefor.

Also: Assembly Bill No. 700—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield-Maricopa and Ventura state highway.

J. P. MALLAGHY, Chief Clerk of Assembly.
By FRANCIS G. WILCOX, Assistant Clerk.

Assembly Bill No. 702 read first time, and referred to Committee on Finance.

Assembly Bill No. 380 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 701 and 699 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 514 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1018—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 2717, relating to the construction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Also: Assembly Bill No. 1091—An Act appropriating money for completing and calcimining the training school building at San Francisco State Normal School.

J. P. MALLAGHY, Chief Clerk of Assembly.
By FRANCIS G. WILCOX, Assistant Clerk.

Assembly Bill No. 1091 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1018 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 117—An Act appropriating money for repairs and improvements to buildings, structures and equipment at the California Polytechnic School.

Also: Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratory at the California Polytechnic School.

Also: Assembly Bill No. 1548—An Act to amend Sections 2 and 3 of an Act entitled "An Act to provide for the drainage of agricultural [illegible] and for the construction of an adequate and sufficient system of sewers therein, providing a system of district sewer bonds to pay the cost of such improvement or an acquisition and also for the payment of such bonds," approved April 14, 1911.

Also: Assembly Bill No. 1709—An Act to amend Sections 1238 and 1239 of the Code of Civil Procedure of the State of California, relating to partitions for sale of real property, conveyance of the purpose of thereof proceeds and to partitioned.

Also: Assembly Bill No. 1118—An Act to amend the Penal Code of the State

of California by adding thereto a new section to be numbered 653*c*, relating to blacklisting.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 157 and 21 read first time, and referred to Committee on Education.

Assembly Bill No. 1548 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 1709 and 1118 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1112—An Act to authorize repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of $1,916, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the state school land fund.

Also: Assembly Bill No. 914—An Act to amend the Political Code by adding a new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281*a*.

Also: Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1112 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 914, 2, and 112 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Constitutional Amendment No. 60 referred to Committee on County Government.

COMMUNICATION.

The following communication was received:

SAN FRANCISCO, April 14, 1913.

To the Honorable the State Senate, Sacramento, California.

GENTLEMEN: We are in receipt of a letter from your Secretary, Mr. W. N. Parrish, transmitting copy of a resolution of your honorable body, asking this commission's comments with reference to Senate Bill No. 1649, introduced by the Committee on Rules and referred to the Committee on Judiciary.

This is a bill to add a new section to the Penal Code, to be numbered 369*b*, and referring to the trespassing upon railroad tracks, cars or engines. The bill provides in effect that it shall be unlawful for any person to trespass by walking along or going upon any railroad track or tracks, at a place other than a regular crossing, without right or permission from the person, firm or corporation operating cars or

trains thereon. The bill further provides that it shall be unlawful for any person other than a passenger or employee to get on or off of any train, except railroad train cars or engines without right or permission from the person, firm or corporation operating cars or trains thereon. Appropriate penalties are provided.

We desire to make the following comments on this bill:

The bill is objectionable in that it does not specify where a person has a right to walk along a railroad track and the case mentioned a while ago is apropos. To say that a person can not do these things without stating upon the statute books of when the right to do so exists. We would suggest that if this bill is to be passed it be made definite with respect to the circumstances under which the acts named in these acts exists.

We are also in accord with the proposition to prevent the loitering on the railroad tracks, but we have grave doubt as to whether or not the bill in its present form is sufficient to accomplish the purpose. For instance, as it now stands it is unlawful for a person to walk along a railroad track where the railroad company should have fenced the track but has failed to do so.

Again, is it a wise state policy to make anything but a railroad (such a construction in cases in which it is a great convenience to use the tracks and in which the surrounding circumstances are such that there is very little or no danger arising from such use of the tracks)?

Again, would it be wise to apply the foregoing provisions of the bill to a case in which, we will say, only a train or two may use the track and in which such trains are not during the time upon which the train is running, with persons going to or coming from their work or other persons? And is it good policy to be able to use the track during periods of the day when no trains are running?

We are not prepared to say whether or not the foregoing terms of the bill are justified, and we desire that we shall be given further information upon the question of your honorable body to make such investigations as will enable us to advise you with assurance on the matter.

Respectfully,

RAILROAD COMMISSION OF CALIFORNIA.
[illegible]

On motion of Senator Wright, Senate Bill No. 1430 was ordered re-referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 654a.

Also: Senate Bill No. 788—An Act to provide for the inspection of the fat quantity of food stuffs and stuffs intended to be used or consumed for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Also: Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and culverts thereon and in connection therewith," approved April 25, 1911, by adding a new section thereto, to be numbered 33, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Also: Senate Bill No. 1538—An Act to amend Section 1778 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Also: Senate Bill No. 1651—An Act to regulate the use of common towels in the State of California and providing punishment for the violation of this Act.

Also: Senate Bill No. 237—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Also: Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Also: Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article to be designated and numbered Article IX*a* of Chapter III, of Article III of Part III of said code, relating to elementary and secondary schools.

Also: Senate Bill No. 384—An Act to add a new section to the Penal Code of California to be numbered 172*b*, relating to the sale, keeping for sale, exposing for sale, giving away or serving malt, vinous, spirituous or other alcoholic liquors in buildings or upon grounds used for exposition purposes, where such exposition is aided by state funds.

Also: Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of Article XIII of the Constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

Also: Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your committee on Engrossment and Enrollment have examined Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Also: Senate Bill No. 880—An Act to repeal Sections 1932, 1935 and 1936 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½ 1953, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111, and 2112 of the Political Code of the State of California, and to add four new sections to said code to be known as Sections 1928*a*, 1928*b*, 1928*c* and 1928*d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Also: Senate Bill No. 1240—An Act to amend Sections 10*a*, 10*g*, 10*n*, 10*r* of and to add four new sections to be numbered 10*z*, 10*aa*, 10*p* and 10*q* to an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Also: Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this Act.

Also: Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 966—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

Also: Senate Bill No. 968—An Act fixing the compensation to be paid to county clerks and registrar of voters, in the several counties, or cities and counties, of the State of California, for services performed by them for the State, in primary, general and other elections held under the laws thereof.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BREED, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1185—An Act to amend Section 4131 of the Political Code of the State of California, relating to the duties of county recorders.

Also Senate Bill No. 1004—Authorizing issuance of supplemental bonds for the purchase of building, improvement or enlargement of a normal hall.

Also Senate Bill No. 1717—Relating to the purchase of bonds of municipalities and giving such bonds authority to rank as deposit security for the keeping of county funds for advertising, conducting and making known the resources of the counties which may hereby authorized to be issued for the purchase of such bonds which may now or hereafter be authorized to be issued for the purpose of providing a fund for the purpose of collecting, preparing and maintaining statistics or immigrant and foreign capitalists.

Have had the same under consideration and respectfully report the same back and recommend that they do pass.

BREED, Chairman.

Senate Bills Nos. 966, 968, 1185, 1694 and 1717 ordered set for first second reading

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Finance.

BUTLER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 717—An Act to amend Section 3005 of the Penal Code of California—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BUTLER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 676—An Act in relation to prosecutions and to pursuance commenced in the encouragement and prosecution thereof to define and prohibit the same, to provide for punishment therefor, to provide for the punishment of persons offending against the provisions of this Act and for the commencement of criminal actions as the trial therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 675—An Act in relation to prosecutions and to pursuance commenced, housing or residing with prostitutes; to define and prohibit the same; to provide for punishment therefor and for the commencement of criminal actions as the trial therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 677—An Act to amend Section 266 of the Penal Code, relating to inveigling or enticing certain females for the purpose of prostitution or to have illicit carnal connection with any man—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1158—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies, corporate or incorporate, private or public desiring to promote the objects contemplated by this Act, and regulating the disbursements from said fund.

and making an appropriation to carry out the purposes of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary.

BUTLER, Chairman.

Senate Bill No. 1731 ordered re-referrred to Committee on Judiciary.

Senate Bills Nos. 717, 676, 675 and 677 ordered on file for second reading.

Senate Bill No. 1158 ordered re-referred to Committee on Judiciary.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Beban for permission to introduce a bill entitled "An Act appropriating money for the support and maintenance of the state prison at Folsom."

Also: The request of Senator Flint for permission to introduce a bill entitled "An Act appropriating money to complete, equip and furnish the Folsom State Hospital."

Also: The request of Senator Carr for permission to introduce a bill entitled "An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien."

Have had the same under consideration, and respectfully report the same back, and recommend that said requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the resolution.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cartwright, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Geddes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Beban: Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Flint: Senate Bill No. 1755—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Carr: Senate Bill No. 1756—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Bill read first time, and referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station, in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley, and making an appropriation therefor.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Birdsall moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By striking out of Section 1, line 9, the word "five", and inserting in lieu thereof the word "three"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, APRIL 16, 1913

MR. PRESIDENT: Your special committee of one to whom was referred Senate Bill No. 166, with instructions to amend, respectfully reports the same back amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1101—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston School of Industry.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1101 passed by the following vote:

AYES—Senators Anderson, Boynton, Brown, Bunkley, Burnett, Caminetti, Carr, Cogswell, Curtin, Finn, Flint, Gerdes, Gerrard, Jackson, Larkins, Leake, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At ten o'clock and thirty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 126—An Act appropriating money for the construction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 126 passed by the following vote:

AYES—Senators Anderson, Boynton, Brown, Bunkley, Burnett, Read, Brown, Caminetti, Carr, Cogswell, Curtin, Finn, Flint, Gerdes, Gerrard, Jackson, Leake, Larkins, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 128 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 227 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 104—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 104 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 105—An Act appropriating money for building and equipping a tubercular ward at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 105 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 111 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brandt, Breed, Brown, Butler, Cannetti, Campbell, Carr, Cogswell, Cosgrove, Cutler, Flint, Gerdes, Gesford, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 115 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brandt, Breed, Brown, Butler, Cannetti, Campbell, Carr, Cogswell, Cutler, Flint, Gerdes, Gesford, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 73—An Act appropriating money for the purchase of equipment for shops, power plants, and laboratories at the California Polytechnic School.

On motion of Senator Campbell, Senate Bill No. 73 was ordered to the file of unfinished business.

Senate Bill No. 88—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 88 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brandt, Breed, Brown, Butler, Cannetti, Campbell, Carr, Cogswell, Cutler, Flint, Gerdes, Gesford, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 89—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 89 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brandt, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cutler, Flint, Gerdes, Gesford, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 90 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hans, Jones, Juilliard, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 91—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 91 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 92—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 92 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Gerdes, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 93—An Act appropriating money for remodeling north pay cottage at Napa State Hospital

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 93 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 94—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 94 passed by the following vote:

AYES—Senators Anderson, Ayer, Felton, Flaxmer, Gerdes, Gerlach, Hewitt, Hoyt, Inman, Lewis, Lukens, Lyon, Mahan, Miller, Nelson, Owens, Purkitt, Rigdon, Roseberry, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipping of the same at Folsom State Prison.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 485 passed by the following vote:

AYES—Senators Anderson, Ayer, Felton, Flaxmer, Gerdes, Gerlach, Hewitt, Hoyt, Inman, Lewis, Lukens, Lyon, Mahan, Miller, Nelson, Owens, Purkitt, Rigdon, Roseberry, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 486—An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 486 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Breed, Brown, Burnett, Butler, Campbell, Carr, Cogswell, Colton, Flint, Gerdes, Gerlach, Inman, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rigdon, Sanford, Shearer, Stetson, Thompson, Tyrrell and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 186 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Breed, Brown, Burnett, Butler, Campbell, Carr, Cogswell, Colton, Flint, Gerdes, Gerlach, Inman, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rigdon, Sanford, Shearer, Stetson, Thompson, Tyrrell and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 197 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cogswell, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 268—An Act appropriating $5,500 for the construction of septic tanks, and making such repairs, alterations and additions, as may be necessary, to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 268 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 269—An Act appropriating $25,000 therefor, and authorizing and directing the construction of a necessary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 269 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Breed, Bronson, Brown, Burnett, Campbell, Carr, Caminetti, Chan, Finn, Gerdes, Grunsky, Hans, Holland, Inman, Metz, Owens, Regan, Sanford, Shanahan, and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 443—An Act making an appropriation for the investigation of agricultural problems and conditions in Southern California, contingent upon the appropriation by the United States of America of the like or greater sum for the same purpose.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Breed, Bronson, Brown, Burnett, Butler, Caminetti, Campbell, Carr, Caminetti, Chan, Finn, Gerdes, Grunsky, Hans, Holland, Inman, Kehoe, Larkins, Metz, Owens, Regan, Sanford, and Shanahan—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol Building and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1725 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Breed, Bronson, Brown, Burnett, Caminetti, Campbell, Carr, Caminetti, Chan, Finn, Gerdes, Grunsky, Hans, Holland, Inman, Kehoe, Larkins, Metz, Owens, Regan, Sanford, Shanahan, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Breed, Bronson, Brown, Burnett, Caminetti, Campbell, Carr, Caminetti, Chan, Finn, Gerdes, Grunsky, Hans, Holland, Inman, Kehoe, Larkins, Metz, Owens, Regan, Sanford, Shanahan, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 97—An Act appropriating money to reconstruct and add to the steam heating system at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 97 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 98—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 98 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 99 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 100 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 101—An Act appropriating money for building bar racks at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 passed by the following vote:

AYES—Senators Anderson, Avey, Burnett, Bryarly, Boyd, Brown, Bolton, Cosgrove, Campbell, Carr, Caminetti, Cobb, Ellis, Gerdon, Grant, Jones, Juilliard, Kehoe, Larkins, Metz, Owens, Regan, Sanford, Shoemaker and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 102—An Act appropriating money for painting buildings at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 102 passed by the following vote:

AYES—Senators Anderson, Avey, Burnett, Bryarly, Bryarly, Boyd, Brown, Butler, Cosgrove, Campbell, Carr, Caminetti, Cobb, Ellis, Flint, Gerdon, Grant, Jones, Juilliard, Kehoe, Larkins, Metz, Owens, Regan, Sanford, Shoemaker and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 232—An Act to amend Section 2 of an Act entitled "An Act conveying certain tide lands and land lying under inland navigable waters situated in the bay of San Diego to the city of San Diego to facilitate the improvement and commerce and the fisheries and providing for the government, management and control thereof," approved May 1, 1911.

Also, Senate Bill No. 124—An Act to amend Section 731 of the Political Code relating to notaries public.

Also, Senate Bill No. 504—An Act to amend Section 1749 of the Political Code of the State of California, relating to meetings of trust mineral boards.

Also, Senate Bill No. 506—An Act to amend Section 1870 of the Political Code of the State of California, relating to expenses of school trustees and city boards of education.

Also, Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered 1410a, relating to the water of all natural streams passing across from the State of California into any other state, and defining certain rights in the waters of such streams.

Also, Senate Bill No. 525—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles, to prescribe the conditions of such dedication, to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles for public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 17, 1909.

Also, Senate Joint Resolution No. 11—Relative to memorializing the Senate and House of Congress to support a bill (H. R. No. 22871), now pending in the Senate of the United States.

And report that the same have been correctly enrolled and presented the same to the Governor on this seventeenth day of April, 1913, at ten o'clock and fifty minutes a.m.

GRANT, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

On motion of Senator Shanahan, Senate Bill No. 1222 was passed on file.

Senate Bill No. 657—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

On motion of Senator Shanahan, Senate Bill No. 657 was passed on file.

Senate Bill No. 658—An Act to amend Section 4278 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

On motion of Senator Shanahan, Senate Bill No. 658 was passed on file.

Senate Bill No. 659—An Act to amend Section 4281 of the Political Code, relating to salaries and fees of officers of counties of the fifty-second class.

On motion of Senator Shanahan, Senate Bill No. 659 was passed on file.

Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 335 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Owens, Regan, Sanford, Shanahan, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 297 passed by the following vote:

Ayes—Senators Anderson, Inman, Pickett, Rogers, Lloyd, Flaherty, Boyle, Caminetti, Campbell, Cutten, Gaylord, Colton, Curtin, Flint, Grant, Lane, Leviston, Kehoe, Mott, Owens, Regan, Sanford, Shanahan, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Caminetti asked and was granted unanimous consent to withdraw Senate Bill No. 967—An Act providing aid to the several counties and cities and counties of the State of California in building inter-county bridges.

Senate Bill No. 967 ordered withdrawn, and stricken from the file.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 52—An Act to create a conservation fish, abalone, shrimp and crabs within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

In the absence of the author, Senate Bill No. 52 was passed to the

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 804 was passed to the

Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and assurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 21, 22 and 23, all relating to revenue and taxation.

In the absence of the author, Senate Bill No. 1088 was passed to the

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations; prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

On motion of Senator Kehoe, Senate Bill No. 897 was passed to the

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

In the absence of the author, Senate Constitutional Amendment No. 38 was passed on file.

Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the

plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

In the absence of the author, Senate Bill No. 1009 was passed on file.

Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3897 and 3898 of the Political Code of the State of California and to add to said Political Code two new sections, to be designated as Sections 3773 and 3785*b*, all relating to property sold to the State for delinquent taxes, and providing for its disposal by sale and redemption.

In the absence of the author, Senate Bill No. 1085 was passed on file.

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

On motion of Senator Jones, Senate Bill No. 208 was passed on file, to retain its place.

Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses, or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places, and providing for the punishment for violation of this Act.

In the absence of the author, Senate Bill No. 362 was passed on file.

Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 1004 was passed on file.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

On motion of Senator Strobridge, Senate Bill No. 1126 was re-referred to the Committee on Finance.

Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

On motion of Senator Brown, Senate Bill No. 735 was passed on file, to retain its place.

Senate Bill No. 384—An Act to add a new section to the Penal Code of California, to be known as Section 172*b*, relating to the sale, keeping for sale, exposing for sale, giving away or serving malt, vinous, spirituous or other alcoholic liquors in buildings or upon grounds used for exposition purposes, where such exposition is aided by state funds.

Read third time.

SPECIAL ORDER SET.

Senator Kehoe moved that the further consideration of Senate Bill No. 384 be made a special order for Thursday, April 17, 1913, immediately after the conclusion of the special files.

Motion carried.

SENATOR BENSON IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Senator Benson, of the Twenty-seventh District, in the chair.

THIRD READING OF BILLS—(CONTINUED)

Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered [illegible]

On motion of Senator Birdsall, Senate Bill No. 177 was passed on file to retain its place.

Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

In the absence of the author, Senate Bill No. 1723 was passed on file.

Senate Bill No. 750—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same at Agricultural Park in the city of Sacramento, State of California, to be known as the Women's Building, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill,

The roll was called and Senate Bill No. 750 passed by the following vote:

AYES—Senators Anderson, Belshe, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Chipman, Cogswell, Cutler, Curtin, Flint, Gerdes, Gerrity, Hewitt, Jones, Juilliard, Kehoe, Metz, Owens, Regan, Sanford, Set Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and on the interest of the State of California by contract, and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 516 was passed on file.

Committee substitute for Senate Bill No. 1410—An Act consolidating Reclamation District No. 742 and Reclamation District No. 910, and providing for its liquidation and the payment of all outstanding indebtedness.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1410 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cutler, Flint, Gerdes, Gerrity, Hewitt, Jones, Kehoe, Larkins, Regan, Sanford and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1508—An Act to amend Section 7153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

On motion of Senator Boynton, Senate Bill No. 1508 was passed on file.

Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

On motion of Senator Boynton, Senate Bill No. 702 was passed on file.

Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III, of the Code of Civil Procedure.

On motion of Senator Boynton, Senate Bill No. 708 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT NO. 34.

A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 18 of Article XI, thereof, relating to restrictions on the power of counties, cities and other subdivisions of the state to incur indebtedness.

The legislature of the State of California, at its regular session, commencing on the sixth day of January, 1913, two thirds of all of the members elected to each of the houses voting in favor thereof, hereby proposes to the qualified electors of the State of California an amendment to the Constitution of the State of California, by amending section eighteen of article eleven thereof.

SECTION 1. Section eighteen of article eleven is hereby amended to read as follows:

Section 18. No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; *provided, however*, that the city and county of San Francisco may at any time pay the unpaid claims, with interest thereon at the rate of five per cent per annum, for materials furnished to and work done for said city and county during the forty-first, forty-second, forty-third, forty-fourth, and fiftieth fiscal years, and for unpaid teachers' salaries for the fiftieth fiscal year, out of the income and revenue of any succeeding year or years, the amount to be paid in full of said claims not to exceed in the aggregate the sum of five hundred thousand dollars, and that no statute of limitations shall apply in any manner to these claims; *and provided, further*, that the city of Vallejo, of Solano county, may pay its existing indebtedness, incurred in the construction of its waterworks, whenever two thirds of the electors thereof, voting at an election held for that purpose, shall so decide, and that no statute of limitations shall apply in any manner. Any indebtedness or liability incurred contrary to this provision, with the exceptions hereinbefore recited, shall be void. The city and county of San Francisco, the city of San Jose, and the town of Santa Clara may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred by it, to commence at a time after the incurring of such indebtedness of no more than a period of one fourth of the time of maturity of such indebtedness, which shall not exceed seventy-five years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void; *and provided, further*, that the county of Alameda may, upon the assent of two thirds of the qualified electors thereof voting at an election to be held for that purpose, incur a bonded indebtedness of not to exceed one million dollars, and the legislative authority of said county of Alameda shall issue bonds therefor and grant and turn over to the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California, March 22, 1910, the proceeds of said bonds for stock in said company or under such other terms and conditions as said legislative authority may determine, the same to be used and disbursed by said exposition company for the purposes of an exposition to be held in the city and county of San Francisco to celebrate the completion of the Panama canal; said bonds, so issued, to be of such form and to be redeemable, registered and converted in such manner and amounts, and at such times not later than forty years from the date of their issue as the legislative authority of said county of Alameda shall determine; the interest on said bonds not to exceed five per centum per annum, and said bonds to be exempt from all taxes for state, county and municipal purposes, and to be sold for not less than par at such times and places, and in such manner, as shall be determined by said legislative authority; the proceeds of said bonds, when sold, to be payable immediately upon such terms or conditions as said legislative body may determine, to the treasurer of said Panama-Pacific International Exposition Company, upon demands of said treasurer of said exposition company, without the necessity of the approval of such demands by other authority, than said legislative authority of Alameda county, the same to be used and disbursed by said Panama-Pacific International Exposition Company for the purposes of such exposition, under the direction and control of said exposition company; and, the legislative authority of said county of Alameda is hereby empowered and directed to

levy a special tax on all taxable property in said county each year after the issue of said bonds sufficient to pay the interest on said bonds as the same becomes due, and to create a sinking fund to pay the principal thereof when the same shall become due.

The question being on the adoption of the amendment,

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Tyrrell moved a call of the Senate.

Motion carried.

Time, eleven o'clock and thirty minutes a. m.

The acting President directed the Sergeant at Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Boynton, Bunnell, Burnham, Caldecott, Chandler, Cartwright, Cogswell, Colby, Finn, Gerdes, Gerdes, Hewitt, Jones, Lelland, Kehoe, Larkins, Owens, Rogers, Stanford, Strobridge and Tyrrell.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-two minutes a. m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Tyrrell.

The roll of absentees was called, and Senate Constitutional Amendment No. 34 adopted by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bunnell, Burnham, Caldecott, Chandler, Cartwright, Cogswell, Colby, Finn, Gerdes, Gerdes, Hewitt, Jones, Lelland, Kehoe, Larkins, Owens, Rogers, Stanford, Strobridge, and Tyrrell—28.

Noes—None.

Constitutional amendment ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Cassidy was, on motion of Senator Finn, granted leave of absence for this day.

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 1201.—An Act to add a new section to the Penal Code to be known as Section 1202a, relating to "indeterminate sentences."

On motion of Senator Finn, Senate Bill No. 1201 was passed on the

Senate Bill No. 1202.—An Act to repeal Section 669 of the Penal Code of the State of California, entitled "Second term of imprisonment, when to commence."

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1202 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bunnell, Burnham, Caldecott, Chandler, Cartwright, Colby, Finn, Gerdes, Gerdes, Hewitt, Jones, Lelland, Kehoe, Larkins, Mott, Owens, Rogers, Stanford, Strobridge, Thompson, and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 564—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

In the absence of the author, Senate Bill No. 564 was passed on file.

Senate Bill No. 530—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the Superior Court or judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

On motion of Senator Finn, Senate Bill No. 530 was passed on file.

PRESIDENT WALLACE IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF BILLS— RESUMED.

SENATE JOINT RESOLUTION No. 34.

Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

WHEREAS, The present statutes of the United States prohibit any postmaster from delaying the delivery of any package or parcel or to open or inspect the same; and

WHEREAS, The new parcel post law is bringing into the several states nursery stock, shrubbery, ornamental plants, fruits, etc., in great quantities; and

WHEREAS, Our inspection officers are finding on some of these shipments serious insect and fungoid pests not yet in our State, which if introduced would do us incalculable damage; and

WHEREAS, Order 6696 of the United States Postmaster General states that any postmaster "may" if requested inform the horticultural officer of any parcel of plants, trees or fruits received at his office and to whom delivered; and

WHEREAS, It is impossible to search out all of said importations for purpose of inspection; and

WHEREAS, It is imperative for the safety of the great fruit interests that there be thorough and universal inspection of all trees, plants and fruits received through the mails at the points of delivery; and

WHEREAS, This under the present law is entirely impossible; therefore, be it

Resolved by the Senate of the State of California, and the Assembly, jointly, That Congress be and hereby is requested to take immediate and necessary measures permitting and requiring the Postmaster General of the United States to order all nursery stock, shrubbery, ornamental plants, fruits, etc., sent through the mails, to be forwarded to certain conveniently located points where they may be inspected, and if found free from injurious pests or diseases, to be repacked and remailed to the consignee, and if infected, to be treated and remailed, or destroyed; and be it further

Resolved, That our Senators and Representatives in Congress be requested to use all honorable means to secure the action desired in this matter, for the purpose aforesaid; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, the Postmaster General, the Secretary of Agriculture, the Secretary of the Senate, the Speaker of the House of Representatives and to each of our Senators and Representatives in Congress.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 34 adopted by the following vote:

AYES: Senators Anderson, Avey, Boynton, Boyd, Brown, Butler, Campbell, Campbell, Cartwright, Caminetti, Cobb, Finn, Flint, Gaston, Gerdes, Harris, Harris, Juilliard, Kehoe, Larkins, Lyon, Metz, Owens, and Thompson—24.

NOES: None.

Joint resolution ordered engrossed and transmitted to the Assembly.

Senate Joint Resolution No. 33—Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate Joint Resolution, extending the presidential term to six years, and limiting the President to one single term.

In the absence of the author, Senate Joint Resolution No. 33 was passed on file.

NOTICE OF MOTION TO RECONSIDER.

Senator Finn gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1202 was passed.

THIRD READING OF BILLS—(NEW MATTER).

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 640c, relating to the taking of trout by using salmon or trout eggs as bait.

On motion of Senator Finn, Senate Bill No. 962 was passed on file.

Senate Bill No. 854—An Act to amend Section 1671 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

On motion of Senator Anderson, Senate Bill No. 854 was passed on file.

Committee Substitute for Senate Bill No. 588—An Act to amend Sections 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 13, 1907, and repealing conflicting Acts.

On motion of Senator Hewitt, Committee Substitute for Senate Bill No. 588 was passed on file.

Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto and to repeal all Acts and parts of Acts in conflict with this Act,' approved May 5, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

On motion of Senator Thompson, Senate Bill No. 359 was passed on file.

Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 518 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

The question being on the report of the special committee, submitted on the previous day, to amend as follows:

AMENDMENT No. 1.

By striking out of Section 1, in lines 6, 7, 8 and 9, the words "*provided*, that this shall not apply to institutes and sanatoria not employing nurses in regular attendance, and where patients are not confined to their rooms."

AMENDMENT No. 2.

In Section 3, page 2, line 8, strike out the words "Such fee shall be as follows:" and insert in lieu thereof the following: "The fees and classification of said hospitals, sanatoria and other places or institutions shall be as follows:".

AMENDMENT No. 3.

In Section 3, page 2, line 9, strike out the words "For a capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 4.

In Section 3, page 2, line 9, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 5.

In Section 3, page 2, line 10, strike out the words "For a capacity of", and insert in lieu thereof the words "Those having".

AMENDMENT No. 6.

In Section 3, page 2, line 10, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 7.

In Section 3, page 2, line 11, strike out the words "For a capacity of", and insert in lieu thereof the words "Those having".

AMENDMENT No. 8.

In Section 3, page 2, line 11, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 9.

In Section 3, page 2, line 12, strike out the words "For capacity of", and insert in lieu thereof the words "Those having".

AMENDMENT No. 10.

In Section 3, page 2, line 12, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 11.

In Section 3, page 2, line 13, strike out the words "For capacity of", and insert in lieu thereof the words "Those having".

AMENDMENT No. 12

In Section 3, page 2, line 14, strike out the comma after the word "hats", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 13

In Section 3, page 2, line 15, strike out the words "For capacity of", and insert in lieu thereof the words "Those having".

AMENDMENT No. 14

In Section 3, page 2, line 16, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 15

In Section 3, page 2, line 17, strike out the words "For a capacity of", and insert in lieu thereof the words "Those having".

AMENDMENT No. 16

In Section 3, page 2, line 17, strike out the comma after the word "beds", and insert in lieu thereof the words "for patients" and a comma.

POINT OF ORDER.

Senator Butler raised the point of order that Amendment No. 1, as submitted, strikes out an educational appropriation in the bill heretofore adopted by the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and ruled the point of order well taken.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended for fifteen minutes.

SPECIAL ORDER SET.

Senator Juilliard moved that the further consideration of Senate Bill No. 123 and the pending amendments be made a special order for Thursday, April 17, 1913, following the special order already set.

Motion carried.

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By inserting after the word "hospital" in line 8 of the printed bill, the words "or for the state".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 202, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your committee on Roads and Highways, to whom was referred Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BIRDSALL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your committee on Roads and Highways, to whom was referred Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city, when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 1025 ordered on file for second reading.

Assembly Bill No. 956 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 734—An Act to create for the State of California a department of architecture, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to make an appropriation for the salaries and other expenses of said department of architecture, and repealing all Acts or parts of Acts in conflict herewith—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Finance.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof by adding a new section thereto, to be numbered Section 24, relating to sessions of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 538—An Act to amend Sections 204, 205, 206, 209 and 214 of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and referring of jurors for courts of record.

Also: Senate Bill No. 1742—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

Also: Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road,

or other state improvement, if any kind and to repeal an Act entitled An Act to regulate contracts on behalf of the State in relation to conditions and liabilities approved March 28 1850 " approved March 27 1868

Have had the same under consideration and respectfully report the same back with amendments and recommend that they do pass as amended

GATES Chairman

Senate Bill No. 734 ordered re-referred to Committee on Finance
Senate Constitutional Amendment No. 60 ordered on file
Senate Bills Nos. 538 and 1142 ordered on file for second reading
Assembly Bill No. 1042 ordered on file for second reading

Also

SENATE CHAMBER SACRAMENTO April 16 1913

Mr President Your Committee on Judiciary to whom was referred Assembly Bill No. 545 An Act to amend the Civil Code of the State of California by adding a new section thereto to be known and numbered Section 709a relating to homestead liability for seller's value

Also Assembly Bill No. 1290 An Act granting to the City of Berkeley the right to construct, use and maintain tracks of the Southern Pacific Company in the streets of said City of Berkeley and regulating the construction, use and control thereof

Also Assembly Bill No. 1291 An Act granting to the city of Alameda the right to construct, use and maintain tracks of the Southern Pacific Company in the streets of said City of Alameda and regulating the construction, use and control thereof

Also Senate Bill No. 1300 An Act creating the California Housing Conservation Commission, prescribing its powers and duties and providing for the payment of the expenses and charges thereof

Also Senate Bill No. 1301 An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the removal of Homestead and Exemption of estate by executors, administrators and guardians, and providing for the sale of real property of estates of deceased persons and wards and for the execution of deeds and the granting of such powers to them necessary and incidental thereto and to repeal

Also Senate Bill No. 1302 An Act defining and prescribing the duties of and authorizing the use and sale of certain stock or shares of corporations belonging to estates of which such corporations are trustees and providing for the payment of taxes and assessments on such stock or shares and for the payment of the expenses of the proceedings authorized by this act and repealing all acts and parts of acts inconsistent herewith

Also Senate Bill No. 1303 An Act to amend Section 671 of the Civil Code relating to the construction of conveyances by Corporations

Also Senate Bill No. 1304 An Act to amend Section 1208 of the Civil Code and to amend Section 1209 of the Civil Code, both said sections relating to the effect of the surrender of a note on the will

Have had the same under consideration and respectfully report the same back and recommend that they do pass

GATES Chairman

Also

SENATE CHAMBER SACRAMENTO April 16 1913

Mr President Your Committee on Judiciary to whom was referred Senate Bill No. 1153 An Act to amend Section 704 of the Code of Civil Procedure of California relating to notice and time of publication of notices of sales in execution for more than one hundred and fifty thousand and less than one hundred thousand

Also Senate Bill No. 1155 An Act to amend Section 701 of the Code of Civil Procedure of California relating to appointment and duties of sheriffs, sheriffs, assistant sheriffs, clerk and deputy sheriffs, clerks in counties organized in townships having a population between two hundred and fifty thousand and four hundred thousand

Also Senate Bill No. 1156 An Act to amend Section 702 of the Code of Civil Procedure of California relating to notices and duties of sheriffs, sheriffs, assistant and deputy sheriffs, clerks and deputy clerks in counties organized in townships having population between one hundred and fifty thousand and four hundred thousand

Also Senate Bill No. 1157 An Act to amend Section 703 of the Code of Civil Procedure of California relating to notices of sheriffs, sheriffs, assistant sheriffs, deputy sheriffs, clerks and deputy clerks in counties organized in townships having a population between two hundred and fifty thousand and four hundred thousand

Have had the same under consideration and respectfully report the same back and recommend that they do pass

GATES Chairman

Assembly Bills Nos. 545 1290 and 35 ordered on file for second reading
Senate Bills Nos. 1369 1407 1076 436 316 1154 1155 1156 and 1157 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Also: Assembly Bill No. 560—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

Also: Senate Bill No. 252—An Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1304—An Act to amend Section 224 of the Civil Code of the State of California, relating to the adoption of children and the consent necessary thereto.

Also: Senate Bill No. 1732—An Act to amend Section 752 of the Political Code, relating to the fees to be collected by the Clerk of the Supreme Court.

Also: Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Also: Senate Bill No. 1153—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having a population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248*b*, 1248*c* and 1248*d*, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of such referees and exceptions thereto, to the hearing of such reports and exceptions, and to judgments thereon in such proceedings.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1467—An Act to amend Section 850 of the Code of Civil Procedure of the State of California, relating to the requisites for notice of hearing in justices' courts.

Also: Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to a decedent's estate.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 532*a*, relating to secret societies, fraternal societies, orders, or organizations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do not pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the reports of referees.

Also: Senate Bill No. 1019—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code of the State of California, relating to the support and maintenance of orphans, half orphans and abandoned children.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Assembly Bills Nos. 163 and 560 ordered on file for second reading.

Senate Bills Nos. 252, 1304, 1732, 703, 1153, 1665, 1467, 1093, 141, 1589 and 1019 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913

Mr. President: Your Committee on Judiciary, to which was referred Senate Bill No. 952—An Act to amend Section [illegible] of the Civil Code of the State of California, relating to the formation of [illegible] and to repeal [illegible] thereof, have had the same under consideration, and respectfully report that they have carefully examined the same, and recommend that they do pass.

Also: Senate Bill No. 956—An Act to amend Section [illegible] of the Civil Code of the State of California, relating to the conveyance of [illegible] and other valuable papers, and [illegible] thereof, have had the same under consideration, and respectfully report that they have carefully examined the same, and recommend that they do pass.

Also: Assembly Bill No. 1201—An Act to repeal Sections 470 and 471 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for the payment to [illegible] deputies, clerks, stenographers, messenger and assistants for the [illegible] thereof, other and failing [illegible] and salaries, have had the same under consideration, and respectfully report that they have carefully examined the same, and recommend that they do pass.

Also: Senate Bill No. 1091—An Act to amend Section 452 of the Code of Civil Procedure of the State of California, relating to the [illegible] thereof, have had the same under consideration, and respectfully report that they have carefully examined the same, and recommend that they do pass.

Also: Senate Bill No. 1030—An Act to amend Section [illegible] of the Code of Civil Procedure of the State of California, relating to the [illegible] thereof, have had the same under consideration, and respectfully report that they have carefully examined the same, and recommend that they do pass.

Also: Senate Bill No. 1093—An Act to amend Section 1708 of the Code of Civil Procedure of the State of California, relating to the [illegible] thereof, have had the same under consideration, and respectfully report that they have carefully examined the same, and recommend that they do pass.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

GATES, Chairman.

Senate Bills Nos. 952, 956, 1091, 1030 and 1093 ordered on file for second reading.

Assembly Bill No. 1201 ordered on file for second reading.

THIRD READING OF BILLS (SENATE).

Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

The question being on the report of the special committee of one submitted on the previous day, to amend as follows:

AMENDMENT NO. 1.

On page 1, line 5 of the printed bill, between the word "universities" and the comma following it, insert the following: "having an enrollment of more than one thousand students, more than five hundred of whom reside in lodging houses, dormitories, clubs, fraternity or sorority houses or buildings owned, leased, used, occupied or controlled by or for the use of the university, or the trustees or regents of which are the governing authorities of any other university now in existence in this state."

AMENDMENT NO. 2.

On page 1, line 8, of the printed bill, strike out the word "the" and insert in lieu thereof the following: "residential accommodations of the first class and such".

AMENDMENT NO. 3.

On page 1, line 28, of the printed bill, between the words "transported" and the period following it, insert a comma and the following: "or the advertising of any such liquors, or the posting of notices thereof, in the premises where manufactured, or the shipping of the same from such premises where same or any part thereof is stored or shipped to fulfillment of any purpose or object within the meaning prohibited in this section except to a common carrier for delivery outside of said limits."

Report read and adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Butler, the Secretary was directed to issue a rush order for printing Senate Bill No. 672.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 371 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to said Constitution, to be numbered Section 1*a* of Article XIII thereof, relating to exempting from taxation property devoted to orphans' homes or other charitable purposes—have had the same under consideration, and respectfully report back, with recommendation that the author be given permission to withdraw the same.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

THOMPSON, Chairman.

Assembly Constitutional Amendment No. 1 ordered on file.

Senate Constitutional Amendment No. 35 ordered on file.

WITHDRAWAL OF CONSTITUTIONAL AMENDMENT.

Senator Anderson asked and was granted unanimous consent to withdraw Senate Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to said Constitution, to be numbered section one *a* of article thirteen thereof, relating to exempting from taxation property devoted to orphans' homes or other charitable purposes.

Senate Constitutional Amendment No. 51 withdrawn and ordered stricken from the file.

BILL RE-REFERRED.

Senator Strobridge moved that Senate Bill No. 1126 be re-referred to Committee on Finance.

Motion carried.

RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wathen, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Agriculture to whom was referred Senate Bill No. 718, An Act to prevent the pest known as the California ground squirrel, by destruction or its domesticators; to prescribe the rendering of and to license of the dealing [illegible] thereof; to prescribe the rendering of and to license of the dealing [illegible] purposes as ordinary use and declaring the use of poison for dangerous purposes as extraordinary use and providing a state license to manufacture [illegible] poisons and [illegible] a state policy to prevent the said animals [illegible] the State, providing for the assistance of the State Water Commission [illegible] in cases of dredging companies; providing for the issuance of [illegible] by a [illegible] dredger; providing a guarantee by the State Water Commission upon consent of the applicant to dredge; appealing for an injunction of the said contract to be dredged; providing for a [illegible] hearing; providing for a determination by said State Water Commission [illegible] appeal; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict therewith, have had the same under consideration and respectfully report the same back with amendments and recommend that it do not pass as amended.

CONNELL, Chairman.

Senate Bill No. 718 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Boynton, the Senate took up the consideration of the second-reading file of Assembly Bills.

Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 61—An Act to prevent the injury to oil, gas or petroleum-bearing strata of formations by the penetration or infiltration of water therein, providing penalties for the violation thereof and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formation by the penetration of infiltration of water therein," approved March 20, 1909.

During second reading of the bill, the following amendment was offered by the committee:

On page 3 of the amended printed bill, strike out all of line 22, commencing the period in said line; also all of lines 23, 24, 25, 26, page 27, and all of line 28 down to and including the period following the word "regulations," and in lieu thereof insert the following: "In order to carry out the provisions of Sections 1 and 2 of

[illegible] Act, upon petition of [illegible] thereof, to be held at the [illegible] of the board of supervisors of [illegible] petition a statement in detail of the [illegible] of [illegible] of a proposed [illegible] which [illegible] [illegible] [illegible]

Senate Bill No. 627. An Act relating to cold storage, the regulation of refrigerating warehouses, the destruction or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 14, Section 1, page 1, after the word "shall" insert the following: "be construed to".

Amendment adopted

AMENDMENT No. 2.

In line 18, Section 2, page 2, after word "Board" insert the following: "is hereby authorized for the purposes of this Act".

Amendment adopted

AMENDMENT No. 3.

In line 12, Section 3, page 3, after the word "manufactured", strike out the words "in any way".

Amendment adopted

AMENDMENT No. 4.

In line 1, Section 7, page 4, after the word "use", insert the following: "in connection with"

Amendment adopted

AMENDMENT No. 5.

In line 11, Section 8, page 4, after the word "SHALL", strike out the words "may" and insert in lieu thereof the word "shall".

Amendment adopted

Bill read second time, and ordered to pass engrossed and third reading.

Senate Bill No. 1715. An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings into portions of the State not infected; to control the spread of such diseases after introduction, and authorizing the State Board of Health to make rules and regulations therefor.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, of the printed bill, following Section 3, add two new sections to be numbered and read as follows:

SEC. 4. [illegible] and the proceeds thereof shall be paid into the State Treasury to the credit of a special fund to be known as the rabies inspection and quarantine fund, to remain exempt from [illegible] and to be paid out on the warrant of the Auditor of State upon vouchers approved by the [illegible] of the State Board of Health, for the payment of the salaries of such inspectors and quarantine officers and the expenses of the inspection and quarantine provided for in this Act, and for the payment of the salaries and expenses of the veterinarians employed by the State Board of Health, and for the payment of the expenses of the meetings of the State Board of Health and the expenses of the secretary thereof and necessary stenographic assistance

After this dog license tax has been established in a county, city and county, or incorporated city or town, it shall be continued in force until an order has been issued by the state board of health declaring that county, or such portion of that county as may be deemed advisable, to be free from rabies or further danger of its spread.

(5) One half of all fines collected by any court or judge for violations of the provisions of this Act shall be placed to the credit of the rabies treatment and eradication fund of the county, city and county, incorporated city or town in which the violation occurred.

SEC. 7. Whenever it becomes necessary, in the judgment of the state board of health or its secretary, to enforce the provisions of this Act in any county, city and county, or incorporated city or town, the said board or its secretary may institute special measures of control to supplement the efforts of the local authorities in any county, city and county, or incorporated city or town whose duties are specified in this Act. All expenditures incurred in enforcing such special measures shall be proper charges against the special fund created by the provisions of this Act, and shall be paid as they accrue by the proper authorities of each county, city and county, or incorporated city or town in which they have been incurred: *provided*, that all such expenditures which may be incurred after the issuance of the order establishing the said fund and before the first collection of the tax, shall be paid as they accrue from the general fund of the county, city and county, or incorporated city or town; *and provided, further*, that all expenditures in excess of the balance of money in this fund shall likewise be paid as they accrue from said general fund. All moneys thus expended from the general fund shall be repaid from the said special fund when the collections from said tax have been provided the money."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district, to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1115—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

Strike out all commencing with the word "beginning", in line 4, of page 1, and ending with the word "proper", in line 14, of page 3, and in lieu thereof insert the following: "Beginning at a point on the left bank of the Sacramento river one thousand three hundred twenty (1320) feet east of the section line between sections twenty-six (26), and twenty-seven (27), township nine (9) north, range (4) east, Mt. Diablo base and meridian, and running thence in a straight line north 69° 30' (69° 53½') east, a distance of nine thousand eight hundred ninety (9890) feet to the corner common to sections nineteen (19), twenty-four (24), twenty five (25), and thirty (30), township nine (9) north, ranges four (4) and five (5) east, Mt. Diablo base and meridian; thence east a distance of four thousand eight hundred eighty-nine and eighty-eight hundredths (4889.88) feet to the west line of the land now owned and occupied by the Western Pacific Railway Company, a corporation, the same being commonly known as the railway right of way of said company; thence following said westerly right of way line in a southerly direction by a curve to the right of five thousand six hundred twenty-nine and seventy-ths (5629.7) feet radius, a distance of two thousand one hundred eighty-four and fifty-five hundredths (2184.55) feet; thence south 18° 48½' west, a distance of five hundred thirty-one and twenty-two hundredths (531.22) feet to the point of intersection with the westerly line of the Northern Electric Railway Company's right of way; thence south 55° 36¼' west, a distance of four hundred sixty-three and ninety-three hundredths (463.93) feet; thence by a curve to the right of one thousand nine hundred ten and one tenth (1910.1) feet radius, a distance of two thousand fifty-six and sixty-seven hundredths (2056.67) feet; thence north 62° 41½' west, a distance of one thousand six hundred sixty-four and sixty-nine hundredths (1664.69) feet; thence by a curve to the left of one thousand nine hundred ten and one tenth (1910.1) feet radius, a distance of six hundred eighty-one and thirty-two hundredths (681.32) feet; thence north 83° 11½' west, a distance of one thousand nine hundred sixty-nine and one tenth (1969.1) feet; thence on a curve to the left

of one thousand nine hundred six and one tenth (1906.1) feet, a distance of four hundred twenty-one and eighty-nine hundredths (421.89) feet; thence south 73° 27½' west, a distance of one thousand one hundred and forty-nine and eighty-nine hundredths (1149.89) feet; thence on a curve to the left of two thousand eight hundred sixty feet and eighty-three hundredths (2860.83) feet radius, a distance of two thousand one hundred fifty-seven and five tenths (2157.5) feet; thence south 29° 27½' west, a distance of three hundred forty-two and eighty-four hundredths (342.84) feet; thence on a curve to the right of one thousand two hundred fifty and three tenths (1250.3) feet radius, a distance of one thousand one hundred and seventy-three and seventy-one hundredths (1173.71) feet; thence south 83° 27½' west, six hundred (600) feet, more or less, to the point of beginning.

Amendment adopted.

AMENDMENT NO. 2.

Amend Section 2 so as to read as follows:

"SEC. 2. The management and control of said Reclamation District No. 1499 is hereby made subject to the provisions of Article 3 of Chapter 4 of Title VIII of Part III of the Political Code of the State of California relating to swamp and overflowed lands and acts amendatory thereof or supplemental thereto. The management and control of said Reclamation District No. 1499 shall be vested in three trustees. C. E. Johnson, A. M. Paul and George J. Mercer are hereby appointed as trustees of the said reclamation district, to hold office until their successors are elected and qualified. An election of three trustees shall be held in said district on the fourth Tuesday in October, 1913, and on the fourth Tuesday in October every two years thereafter and the term of office shall be two years and until their successors are elected and qualified. In case of vacancy in the office of trustee of said district, the board of supervisors of the county of Sacramento shall appoint a qualified person as trustee who shall hold said office from the date of such appointment term. The office of said district shall be in the city of Sacramento and at such place as the board of trustees thereof may from time to time fix."

Amendment adopted.

AMENDMENT NO. 3.

Strike out "enacted" commencing with the word "the" in line 24 of page 3, and replace with the word "enacted", in line 29 of page 4.

Amendment adopted.

AMENDMENT NO. 4.

Strike out all of Section 3.

Amendment adopted.

AMENDMENT NO. 5.

Strike out all of Section 4.

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K Street between Twenty-sixth and Twenty-seventh streets in the city of Sacramento, and bordering on a portion of the property belonging to the State of California known as Sutter's Fort.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 1, lines 3 and 4, strike out the words "to be used in accordance with law."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, lines 3 and 4, strike out the words "to be used in accordance with law."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

During second reading of the bill, the following amendment was offered by the committee:

Add a new section, to be numbered Section 2, to read as follows:
"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall under the provisions of Section 1 of Article IV of the constitution take effect immediately."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Add a new section, to be numbered Section 2, to read as follows:
"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the constitution, take effect immediately."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 4, strike out the words "to be used in accordance with law."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 3, strike out the words "one hundred", and insert in lieu thereof the word "seventy".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 2, line 13, after the word "way", and before the word "for", strike out the word "sufficient", and insert in lieu thereof the words "not less than two hundred feet in width".

Amendment adopted.

AMENDMENT No. 3

On page 2, lines 2 and 3, strike out the words "and control".

Amendment adopted.

AMENDMENT No. 4

On page 2, after the comma in line 5, strike out all words commencing with the word "subject" and ending with the word "commission", in line 6.

Amendment adopted.

AMENDMENT No. 5

On page 2, line 7, strike out the words "under the direction and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 68—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 1, line 4, after the word "used" and before the word "for", strike out the words "in accordance with law".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 69—An Act appropriating money for repairs and improvements to buildings, structures and equipment at the California Polytechnic School.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 1, line 4, after the word "used", and before the word "for", strike out the words "in accordance with law".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 3, strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 351—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 4, strike out the words "to be used in accordance with law."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 352—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 4, strike out the words "to be used in accordance with law".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1327—An Act to appropriate $12,000 to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol Building at Sacramento.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1191—An Act appropriating the sum of $5,000 for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 3, after the word "appropriated", strike out all the words to and including the word "law" in line 4.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 3, line 11, strike out the word "there" and insert in lieu thereof the word "they".

Amendment adopted.

AMENDMENT No. 2.

On page 6, line 3, after the word "day", and before the word "rest", strike out the word "or" and insert the word "of".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No 485—An Act appropriating money for general repairs and improvements at Folsom State Prison.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 4, strike out the words "to be used in accordance with law".

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No 1379—An Act to add a new section to the Civil Code of the State of California to be known as Section 2783, relating to disputes between employers and employees concerning wages and conditions of employment.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 5, of the printed bill, after the comma, strike out all of the words up to and including the word "thereof" in line 8.

Amendment adopted.

AMENDMENT No. 2

On page 1, line 16, of the printed bill, after the word "duty", strike out the words "arising under this".

Amendment adopted.

AMENDMENT No. 3

On page 1, line 16 of the printed bill, after the words "place of business", insert the following: "that is, neither can an employer do any like violation of law at such places of work or places of business."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No 518—An Act appropriating money for repairing and improving Sutter's Fort.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 4, strike out the words "to be used in accordance with law".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No 1745—An Act to amend Section 4927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County, between said county and Placer County.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County, between said county and El Dorado County.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 10, beginning with the word "person", strike out all up to and including the word "same", and insert in lieu thereof the following: "directors of the State Agricultural Society".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 8, beginning with the word "person", strike out all up to and including the word "same", and insert in lieu thereof the following: "directors of the State Agricultural Society".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 934—An Act to amend an Act entitled "An Act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this Act, and making an appropriation therefor," approved March 18, 1905.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 5, line 23, of the printed bill, replace the period following the word "existed" with a comma, and add the following: "the said expenses to be prorated among the owners of such lands according to the number of acres belonging to said owners on which said nuisance was abated."

Amendment adopted.

AMENDMENT No. 2.

On page 5, line 27, of the printed bill, strike out the word "classification", and insert in lieu thereof the word "satisfaction".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in

the State of New York and prescribing the duties of said [illegible] and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1[illegible] was passed on file.

Assembly Bill No. 220—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

On motion of Senator Thompson, Assembly Bill No. [illegible] was passed on file.

Assembly Bill No. 237—An Act to amend Section [illegible] of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

On motion of Senator Thompson, Assembly Bill No. 237 was passed on file.

Assembly Bill No. 347—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal the Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Read third time.

On motion of Senator Caldwell, Assembly Bill No. 347 was passed on file.

Assembly Concurrent Resolution No. 19—Relative to the adjournment sine die of the Fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

On motion of Senator Thompson, Assembly Concurrent Resolution No. 19 was passed on file.

SPECIAL ORDER, 10:00

On motion of Senator Boynton, the consideration of the special orders heretofore set for consideration following the consideration of the Assembly file on this date was made a special order for Thursday, April 17, 1913, following the special orders already set for that day.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ENGROSSMENT AND ENROLLING

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Engrossing and Enrolling have examined the following:

Senate Bill No. 312—An Act to amend Section 4332 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

Also, Senate Bill No. 1083—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered [illegible], providing for the formation of religious corporations.

Also: Committee substitute for Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered Sections 1625, 1626, 1627, 1628, 1629 and 1630, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

Also: Senate Bill No. 144—An Act to amend Sections 3, 5, 6, 7, 9, 27 and 66 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and adding a new section thereto to be numbered 82a, relating to re-assessment by a court of competent jurisdiction.

Also: Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Also: Senate Bill No. 711—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Also: Senate Bill No. 1730—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; re-appropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Also: Senate Bill No. 1699—An Act providing for the construction by counties of canals or waterways suitable for navigation.

Also: Senate Bill No. 1603—An Act authorizing board of supervisors to levy taxes for the purchase of an ambulance for use in townships.

Also: Senate Bill No. 457—An Act to amend Sections 1712, 1713 and 1714 of the Political Code, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

Also: Senate Bill No. 503—An Act to amend Section 1731 of the Political Code of the State of California, relating to the election of members of high school boards.

Also: Senate Joint Resolution No. 30—Relative to memorializing the Congress of the United States to initiate proceedings therein for the preparation of and submission to the several states of an amendment to the Constitution of the United States placing women and men on an equality with respect to citizenship and the exercise of the elective franchise.

Also: Senate Joint Resolution No. 27—Relative to the purchase by the United States of the Tioga road.

Also: Senate Concurrent Resolution No. 8—Relative to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of extending the public school system of the State to provide for their training and education, and to report thereon to the forty-first session of the Legislature of the State of California.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your committee on Engrossment and Enrollment have examined Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred—and report that the same has been correctly re-engrossed.

GRANT, Chairman.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Kehoe moved to reconsider the vote whereby Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the preservation and form of claims against counties—was passed.

SPECIAL ORDER SET

Senator Kehoe moved that the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1401 was passed be made a special order for Thursday, April 17, 1913, following the special orders already set.

Motion carried.

THIRD READING OF BILLS — PASSED

Assembly Bill No. 1140—An Act to amend Section 2280 of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustees or to engage in the business of banking.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1140 passed by the following vote:

AYES: Senators Anderson, Bolton, Bunkall, Burnett, Bond, Brown, Bryant, Butler, Connolly, Cogswell, Cory, Cottrell, Finn, Flint, Gerdes, Gibson, Hans Heath, Owens, Sanford, Thompson, Wetmore, and Wright—28.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills examined the following:

Senate Bill No. 305—An Act making an appropriation for the pay of officers and clerks of the Senate for the biennial session of the Legislature of the State of California during the forty-fourth fiscal year.

Also, Senate Bill No. 306—An Act to make an appropriation to pay the salaries and mileage of Senators for the biennial session of the Legislature during the forty-fourth fiscal year.

And found that the same have been correctly enrolled, and respectfully report the same to the Governor on this sixteenth day of April, 1913, at two o'clock and three minutes p.m.

GRANT, Chairman.

Senate Bills Nos. 305 and 306 ordered to enrollment.

THIRD READING OF BILLS — PASSED

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as Section 653½, relating to wages of employees.

On motion of Senator Cory, Assembly Bill No. 1495 was passed to the Assembly.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered 653½, relating to exposure or threats of exposure of guarded or discharged prisoners.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 274 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Hans, Owens, Shanahan, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to the care of female prisoners and insane patients.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Hans, Jones, Mott, Owens, Shanahan, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 20 and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

On motion of Senator Thompson, Assembly Bill No. 2016 was referred to Committee on Judiciary.

Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12*a*, 14, 15, 19, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 101, 102, 105, 121, 123, 124, 127, 128, 130, 133, 134, 136, 137, 138 and 145 thereof and by repealing Sections 13, 18, 33, 100, 103 and 104 thereof and by adding new sections thereto, to be numbered Sections 21*a*, 31*a*, 54, 55, 56, 61*a*, 135*a*, 136*a* and 136*b*, and by repealing Section 135 thereof and adding a new section thereto, to be numbered Section 135, all relating to the definition and regulation of the business of banking.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1137 was passed on file.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

On motion of Senator Thompson, Assembly Bill No. 971 was passed on file.

Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

On motion of Senator Tompkins, Assembly Joint Resolution No. 18 was passed on file.

ASSEMBLY JOINT RESOLUTION NO. 1.

Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States making the election of President and Vice President of the United States by a direct vote of the people.

WHEREAS, The qualifications required by the Constitution of the United States provides for the election of the President and Vice President by the electoral college, composed of the electors of the respective states, and such method of procedure is unsatisfactory to the people of the State of California; and

WHEREAS, The present method of election of the President and Vice President is not in accordance with a true representative participation of the vote by the people, therefore, be it

Resolved, That the Legislature of the State of California of the forty-ninth session, by the adoption of an amendment to the Constitution of the United States, shall provide for the election of the President and Vice President by a direct and popular vote of the people.

Resolved, That a copy of this joint resolution and application to Congress of the United States for the calling of a convention for the above purposes be sent to the governor of each state of the United States, and a petition sent by the President of the United States to the President of the United States Senate and the Speaker of the House of Representatives, and to each member of the Senate and House of Representatives from the State of California.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Anderson, Boynton, Brown, Finnigan, Flaherty, Gerdes, Hewitt, Hurley, Leavitt, Lewis, Lyon, Rush, Saylor, Stetson, Strobridge, Tompkins, Wallace, Wolfe, Owens, Shearer, Thompson, and Tyrrell—20.

NOES—Senator Wright—1.

Resolutions ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 12.

A resolution to propose to the people of the State of California an amendment to the constitution amending Article VI thereof, by repealing section 4 thereof, relating to Section 16, providing for the location of certain sessions of the District Courts of Appeal, and the selection, assignment and compensation of members of any Court of Appeal as judges of any Superior Courts, or pro tempore as Justices of said District Courts of Appeal, or both such duties, and providing therefor a new section to be known as Section 16, relating to the same subject.

The Legislature of the State of California, at its forty-fourth session, commencing on the second day of January, 1913, two-thirds of all of the members elected to each of the houses of said Legislature voting on the same, hereby proposes that Article VI of the Constitution of the State of California be amended by adding thereto a new section, to be known as Section 16, which section shall read as follows:

Section 16. The Governor of the State of California may, with the concurrence of the Chief Justice of the Supreme Court of the State of California, direct that an extra session or extra sessions of the District Courts of Appeal of any district be held, and upon the request of the presiding justice of the District Courts of Appeal of any district, shall direct that an extra session of such court be held. Upon such session of such Court of Appeal of any district being held, the Justices of the Supreme Court or judges of the Superior Courts within the state, or all thereof, shall be assigned by the Governor of the State of California, according to the Chief Justice of the Supreme Court of the State of California, and the order of the presiding judge of the District Court of Appeal of the particular district in which the extra session is to be held, as may be necessary to hold such session or sessions and to dispose of the business of said Courts of Appeal for the purpose of holding such extra sessions or sessions of said courts. More than one extra session of the Court of Appeal of any particular district may be held at one time; provided, that such sessions shall be held in separate districts. Justices pro tempore of the District Courts of Appeal of other districts, or judges of the Superior Court, selected as hereinabove set forth. During

any extra session of the District Courts of Appeal, the presiding justice of the District Court of Appeal of such district may sit during such extra session with the said justices *pro tempore* holding such extra session, or he may designate one of the said justices *pro tempore* so holding said session, to act during such extra session as presiding justice thereof: *provided, however*, that whenever the presiding justice of the District Court of Appeal of such district shall so sit during such extra session with said other justices *pro tempore* holding such extra session, the concurrence of the three justices *pro tempore* holding such session, or of two of said justices and such presiding justice of the District Court of Appeal of such district, shall be sufficient to pronounce a judgment of said District Courts of Appeal of said district in any of the appeals, actions, proceedings or matters heard by, or submitted to such extra session of said court or the justices thereof. The presiding justice of the Court of Appeal of the district in which any such extra session is being held or to be held shall have power to assign causes and appeals pending in said court to such extra session, for consideration and decision. Said extra session of said District Court of Appeal and the said justices *pro tempore* holding the same, shall have jurisdiction to determine all causes, appeals, proceedings and matters that shall be so assigned to them for consideration and decision during such extra session, with like force and effect as though such causes, appeals, proceedings and matters had been heard by, submitted to and determined by the duly elected, qualified and acting justices of said District Court of Appeal of the district in which such extra session is, or extra sessions are being held, or by such court. No justices *pro tempore* of the Court of Appeal of any district shall be qualified to participate upon the hearing of any cause in which, or in any proceeding in which he has acted as judge in any other court. No justice *pro tempore* of any Court of Appeal of any district shall receive any compensation for acting as such, other than that attached to the office which he holds at the time of his selection as such justice *pro tempore*, but shall be entitled to his actual expenses. Whenever any justice *pro tempore* of the Supreme Court is for any reason disqualified or unable to act in a cause pending before it, or any extra session thereof, the Governor or justice by whom he has been selected shall forthwith select some other justice of the District Court of Appeal or judge of the Superior Court to act in his place. At any time after the causes and matters which shall have been assigned to such extra session of any District Court of Appeal or the justices *pro tempore* thereof, shall have been finally determined, the Supreme Court of the State of California, by an order entered upon its minutes, may terminate such extra session or extra sessions.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 32 adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Bryant, Butler, Cammetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

On motion of Senator Thompson, Assembly Bill No. 1017 was ordered to the file of unfinished business.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Finn, the Senate took up the consideration of Senate Bill No. 1199, out of order.

Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1199 passed by the following vote:

Ayes—Senators Boyle, Breed, Byrne, Finlay, Gaylord, Gesford, Carr, Caswell, Cole, Curtis, Esola, Filcher, Gibson, Grant, Johnson, Rickard, Thompson, Tyrrell and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Senator Thompson of the Thirty-fifth District, in the chair.

CONSIDERATION OF BILLS OUT OF ORDER.

On motion of Senator Jones, the Senate took up the consideration of Assembly Bill No. 1735, out of order.

Assembly Bill No. 1735—An Act to amend Sections 1220 and 1221 of the Political Code, relating to the challenging of voters.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1735 passed by the following vote:

Ayes—Senators Boyle, Breed, Byrne, Finlay, Gaylord, Gesford, Carr, Caswell, Cole, Curtis, Esola, Filcher, Gibson, Grant, Johnson, Rickard, Thompson, Tyrrell and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

On motion of Senator Tyrrell, the Senate took up the consideration of Assembly Bill No. 1578, out of order.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Read third time.

MOTION TO REFER TO SENATE COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

On page 2, line 15, strike out the words "juvenile court" and insert in lieu thereof the following: "superior court, juvenile court department."

Also, On page 2, line 24, strike out the words "juvenile court" and insert in lieu thereof the following: "superior court, juvenile court department."

Also, On page 2, lines 25 and 26, strike out the words "juvenile court", and insert in lieu thereof the following: "superior court, juvenile court department."

Also, On page 3, line 5, strike out the words "juvenile court", and insert in lieu thereof the following: "superior court, juvenile court department."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1578, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Finn, the Senate took up the consideration of Assembly Bill No. 94 and Senate Bill No. 148, out of order.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers, and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 94 passed by the following vote:

AYES—Senators Benson, Birdsall, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Gates, Grant, Jones, Kehoe, Larkins, Mott, Owens, Regan, Shanahan, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 148—An Act providing that one half of the cost and expenses of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan" shall be borne and paid by the State of California out of the general fund.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 148 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Grant, Jones, Kehoe, Larkins, Mott, Owens, Regan, Shanahan, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the use of such bonds, as security for the performance of any act, and providing for a commission which shall approve such bonds for the foregoing purposes, for a report thereon, for the filing of said report and for the certification of such bonds by the State Controller—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MOTT, Chairman.

Senate Bill No. 1257 ordered on file for second reading.

Also

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

Mr. PRESIDENT: Your Committee on [illegible] to which was referred Senate Bill No. [illegible] An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the formation of the land embraced within such districts, and [illegible] to provide for the disincorporation of such irrigation districts," approved March 31, 1897, [illegible] respectfully reports that it has had the same under consideration, and recommends that the same [illegible] with amendments, and recommend that it do pass as amended.

MOTT, Chairman.

Senate Bill No. 1426 ordered on the 2nd second reading.

Also

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

Mr. PRESIDENT: Your Committee on [illegible] to which was referred Senate Bill No. [illegible] An Act to amend section 58 of an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the formation of contiguous districts for the reclamation of arid lands by the irrigation of the lands included within any such district, to provide for the distribution of water for irrigating purposes," approved March 31, 1897—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

MOTT, Chairman.

Senate Bill No. 1429 ordered on the 2nd second reading.

BY PUBLIC HEALTH.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

Mr. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 718—An Act to amend section 308 of the Penal Code of California.

Also Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872," by adding a new section, thereto, to be numbered 308a.

Also Senate Bill No. 720—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered 308b.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

BUTLER, Chairman.

Senate Bills Nos. 718, 719, and 720 ordered on the 2nd second reading.

ADJOURNMENT.

At three o'clock and forty minutes p.m., on motion of Senator Campbell, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Thursday, April 17, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Alfred J. Wallace, President of the Senate, in the chair.

The roll was called and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Bernard, Birdsall, Boyd, Bronx, Bryant, Burbe, Cartwright, Campbell, Carr, Cartwright, Chappelle, Cobb, Curtin, Finn, Flint, Gates, Gaudin, Gerdes, Hans Jones, Juilliard, Kehoe, Lanagan, Lee, Mott, Owens, Regan, Rush, Sanford, Shoemaker, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 16, 1913, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Grant, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. A. Einsfeld, of San Francisco.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Also: Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Also: Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to form of judgments and notice thereof to be given to litigants.

Also: Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804*b*, relating to the cancellation of erroneous assessments.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 511, 2056, and 1765 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1394 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking authentication, and filing of transcript of testimony and recognizances in coroners' inquests, and providing for the appointment of a shorthand reporter for such purpose and for fees in payment therefor.

Also: Assembly Bill No. 6—An Act to add a new section to the Penal Code of the State of California to be numbered 631*d*, providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bob white quail, California valley and mountain quail, and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

Also: Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control subject to the provisions of the Political Code of the State

of California and to other laws of said State relative to corporations thereto; and repealing all Acts and parts of Acts inconsistent herewith.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARREN, Assistant Clerk.

Assembly Bill No. 315 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 6 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1705 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1846, An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the formation or consolidation thereof, or of lands lying partly within and partly without such districts, and also for the determination of the lands embraced within such districts, and also for the assessment and collection of water for irrigation purposes," approved March 31, 1897, by amending sections 47 and 171 thereof, relating to the duties of the secretary, the former proceedings, the change from equal distribution among small holders to that of high versus low conditions exists, which action may be reversed by any higher court.

Also: Assembly Bill No. 1740—An Act to amend Section 4478 of the Political Code of the State of California, relating to the duties of county clerks.

Also: Assembly Bill No. 64—An Act to authorize the substitution of personal sureties.

Also: Assembly Bill No. 1903—An Act to amend Section 697 of the Penal Code, relating to the impaneling and empaneling of talesmen summoned to the court to defend persons unable to employ counsel.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARREN, Assistant Clerk.

Assembly Bill No. 633 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1729 read first time, and referred to Committee on County Government.

Assembly Bill No. 94 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1964 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 647—An Act to provide for the use of steam, gasoline or other motive power in operating or for the purpose of operating mines or other boilers subject to regulation by the State of California.

Also: Assembly Bill No. 433—An Act to amend Section 2060a of the Civil Code, relating to the manner of appointing successors by foreign executors, administrators and guardians.

Also: Assembly Bill No. 100—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1014, relating to service of such process on all corporations not formed under laws of this State, whether domestic or foreign corporations doing business or have their home offices in this State.

Also: Assembly Bill No. 1846—An Act supplemental thereto and amendatory of an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the formation or consolidation thereof, or of lands lying partly within and partly without such districts, and also for the determination of the lands embraced within such districts, and also for the assessment and collection of water for irrigation purposes," approved March 31, 1897, by amending sections 47 and 171 thereof, relating to the duties of the secretary, the former proceedings, the change from equal distribution among small holders to that of high versus low conditions exists, which action may be reversed by any higher court.

Also: Assembly Bill No. 1740—An Act to amend Section 4478 of the Political Code of the State of California, relating to the duties of county clerks.

Also: Assembly Bill No. 64—An Act to authorize the substitution of personal sureties.

Also: Assembly Bill No. 1903—An Act to amend Section 697 of the Penal Code, relating to the impaneling and empaneling of talesmen summoned to the court to defend persons unable to employ counsel.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARREN, Assistant Clerk.

Assembly Bills Nos. 647, 433, 100 and 1846 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1298 read first time, and referred to Committee on Agriculture.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estuaries, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estuaries," approved March 23, 1901.

Also: Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Also: Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power.

Also: Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the Department of Agriculture of the University of California, including the station at Berkeley, and the various substations throughout the State, and making an appropriation therefor.

Also: Assembly Bill No. 73—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1698 and 81 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1297 read first time, and referred to Committee on Irrigation.

Assembly Bills Nos. 198 and 73 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and prescribing their powers and duties.

Also: Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Also: Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Also: Assembly Bill No. 882—An Act to add a new section to the Penal Code to be designated as Section 378a, relating to the transportation of offal, swill, garbage, the carcasses of dead animals and other refuse from one county or city and county into another county, and providing regulations governing the same.

Also: Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1456, 1442 and 101 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 882 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1074 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 694—An Act to amend Section 1597 of the Political Code relating to the time that polls shall be open at elections in school districts.

Also: Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered 327, relating to lotteries, and providing a penalty for the violation thereof.

Also: Senate Bill No. 902—An Act to amend Section [illegible] of the Penal Code of California, relating to [illegible].

Also: Senate Bill No. 901—An Act to amend Section [illegible] of the Penal Code of California, relating to [illegible].

Also: Senate Bill No. 1019—An Act to amend Section [illegible] of an Act entitled "An Act providing for the letting and superintending of [illegible] and repair of state capitol [illegible] and the employment of [illegible] and the purchase of [illegible] and materials, providing for a biennial appropriation to defray charges of such work and improvements, and authorizing other and future appropriations for the purchase of [illegible] days within which [illegible] may be issued and paid, and [illegible]," approved March 19, 1907, and amended March 6, 1909.

J. P. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Bills Nos. 694, 754, 902, 901 and 1019 ordered to [illegible].

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 855—An Act to provide for [illegible] between the University of California, the California State Library, and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Also: Senate Bill No. 787—An Act to add a new section to the Penal Code of the State of California, to be numbered Section [illegible], relating to [illegible].

J. P. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Bills Nos. 877 and 284 entered in [illegible].

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and each [illegible] as follows:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide for the establishment and operation of [illegible] by the state, and to make an appropriation of public moneys," approved June 10, 1909, by [illegible] that actions prosecuted thereby may be commenced on or before the 30th day of December, 1917, and not thereafter.

Also: Committee Substitute for Senate Bill No. 1010—An Act to amend Section 3491 of the Political Code of the State of California, relating to [illegible].

Also: Senate Bill No. 197—An Act appropriating money for [illegible] and constructing the [illegible] building at San Francisco State Normal School.

Also: Senate Bill No. 1048—An Act relating to the [illegible] of [illegible] corporations and for giving of [illegible] by corporations [illegible] in case of fire [illegible].

Also: Senate Bill No. 1200—An Act appropriating money for [illegible] and [illegible] and providing for the [illegible] at the Los Angeles State Normal School.

Also: Senate Bill No. 750—An Act to amend Section 1204 of the Code of Civil Procedure of the State of California, relating to [illegible] which [illegible] may be taken under Title VII of Part III of the Code of Civil Procedure.

Also: Senate Bill No. 707—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the [illegible] which may be taken under Title VII of Part III of the Code of Civil Procedure.

Also: Senate Bill No. 856—An Act relating to the Legislature, [illegible] providing for the time of taking effect, the [illegible] of public moneys [illegible] defining their powers and methods of conducting their business, providing for the [illegible] of the Legislative Counsel and [illegible] thereof and [illegible] prohibiting [illegible] from [illegible] and providing a penalty therefor.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 525—An Act to promote the better education of nurses and the

better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof"—and report that the same has been correctly re-engrossed.

GRANT, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1734—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROWN, Chairman.

Senate Bill No. 1734 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Also: Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CARR, Chairman.

Senate Bills Nos. 1735 and 1407 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARR, Chairman.

Senate Bill No. 1736 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom—

Also: Assembly Bill No. 556—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as Section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CARR, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: The undersigned members of your Committee on Municipal Corporations submit a minority report on Assembly Bill No. 556, and recommend that it do not pass.

This bill represents another attempt to legislate for the relief of John J. Conlin, who many years ago lost a considerable sum of money under a street contract in San Francisco by reason of defects in proceedings. All previous attempts of the Legislature along this line have been set aside in the courts: *Conlin* vs. *Board of Supervisors*, 99 Cal. 17; *Conlin* vs. *Board of Supervisors*, 114 Cal. 404.

The Act, in our opinion, violates Section 13 of Article IV of the Constitution.

Furthermore, it does not accomplish the published purpose. The subject of contest or action against the only qualified voter of San Francisco is fully provided by the election. That is a complete affair and is in part accomplished by the Legislature by the wipe out such special legislation which might attempt to be done.

Should this Act be considered on its merits solely, that is, without regard to its unconstitutionality, it is manifest on the most cursory examination. In considering the subject of the latter basis, which imposes burdens on the personal immunities and rights of the people. In general terms, the effect of imposing such duties will cost the State extensive liabilities, the amount of which can not be estimated.

Respectfully submitted

CARR
GRUNSKY
SCANNELL

Assembly Bills Nos. 1078 and 250 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 954, An Act prescribing certain districts in municipalities and to provide for the payment of any such claims and providing for the payment thereof.

Also: Assembly Bill No. 955—An Act prescribing certain districts in municipalities and to provide for the payment of any such claims and providing for the payment thereof.

Also: Senate Bill No. 145—An Act to provide for the payment of bonds by municipal corporations for the purpose of facilitating the performance of work of other public work.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass as amended.

CARR, Chairman.

Assembly Bills Nos. 954 and 955 ordered on file for second reading.
Senate Bill No. 145 ordered on file for second reading.

LEAVE OF ABSENCE.

Senator Cassidy was, on motion of Senator Gerdes, granted leave of absence for this day.

BILL RECALLED FROM PRINT.

Senator Benson moved that Senate Bill No. 1315 be recalled from print and engrossment.

Motion carried.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Shanahan: Permission to introduce a Senate bill: An Act to amend Section 1682 and Section 1683 of the Political Code of the State of California, and to add four new sections thereto, to be numbered 1334, 1335, 1336, and 1337, relating to the election of Senators in Congress.

Also: Permission to introduce a Senate bill: An Act to amend Section 2349 of the Political Code, relating to navigable streams and public ways.

By Senator Lyon: Permission to introduce a Senate bill: An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts,

to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Requests referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer to Senator Kehoe, as a special committee of one, to amend Senate Bill No. 1222 as follows:

On page 1, line 4, before the figure "1", insert the figures "4257."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1222, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 657—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

On motion of Senator Shanahan, Senate Bill No. 657 was passed on file, to retain its place.

Senate Bill No. 658—An Act to amend Section 4278 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

On motion of Senator Shanahan, Senate Bill No. 658 was passed on file, to retain its place.

Senate Bill No. 659—An Act to amend Section 4281 of the Political Code, relating to salaries and fees of officers of counties of the fifty-second class.

On motion of Senator Shanahan, Senate Bill No. 659 was passed on file, to retain its place.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

In the absence of the author, Senate Bill No. 312 was passed on file.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Beban, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Col. J. C. Currier, of San Francisco.

SPECIAL ORDERS POSTPONED

On motion of Senator Kehoe, the consideration of the special orders heretofore set for this day was postponed temporarily.

THIRD READING OF BILLS—(CONTINUED)

Senate Bill No. 68—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

On motion of Senator Campbell, Senate Bill No. 68 was ordered to the file of unfinished business.

Senate Bill No. 69—An Act appropriating money for repairs and improvements to buildings, structures and equipment at the California Polytechnic School.

On motion of Senator Campbell, Senate Bill No. 69 was ordered to the file of unfinished business.

Senate Bill No. 701—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Boynton moved to refer to Senator Carr, as a special committee of one, to amend Senate Bill No. 701 as follows:

AMENDMENT NO. 1

On page 2, line 12, of the printed bill as amended, strike out the final "s" in the word "subdivisions".

AMENDMENT NO. 2

On page 2, line 12, of the printed bill as amended, strike out the words "the country", and insert in lieu thereof the words "a county."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 701, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF SPECIAL ORDERS

Senate Bill No. 384—An Act to add a new section to the Penal Code of California, to be known as Section 172k, relating to the sale, keeping for sale, exposing for sale, giving away or serving malt, vinous, spirituous or other alcoholic liquors in buildings or upon grounds used for exposition purposes, where such exposition is aided by state funds.

Read third time on a previous day.

TIME OF RECESS EXTENDED

At twelve o'clock and thirty minutes p.m., on motion of Senator Campbell, the hour of recess was extended for fifteen minutes.

BILL REFUSED PASSAGE.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 384 refused passage by the following vote:

AYES—Senators Anderson, Avey, Benson, Brown, Butler, Caminetti, Cogswell, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, and Thompson—14.

NOES—Senators Behan, Birdsall, Boynton, Breed, Bryant, Campbell, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Juilliard, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Tyrrell, and Wright—23.

EXPLANATION OF VOTE.

MR. PRESIDENT: I voted aye on Senate Bill No. 384 for the reason that I do not believe that an exposition such as is proposed to be held in 1915 should be permitted to allow saloons as such on the exposition site.

A. CAMINETTI.

RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Kehoe, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies in their own homes and for their free transportation and support while undergoing treatment under the direction and treatment by the State Board of Health.

On motion of Senator Thompson, Assembly Bill No. 1995 was passed on file.

Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will not exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

During second reading of the bill, the following amendments were offered by the committee:

On page 1, line 3, of the printed bill, after the word "city", insert the words "of the sixth class".

Amendment adopted.

Senator Shanahan moved to amend as follows:

On page 1, line 4, of the printed bill, after the word "in" and before the word "any", insert the words "whole or in part in".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any

kind and to repeal an Act entitled "An Act to regulate contracts on behalf of the State in relation to erections and buildings approved March 28, 1876," approved March 22, 1909.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, lines 3, 4, 5, 6 and 7, of the printed bill, strike out the following: "in a paper having a general circulation in the county where the work is to be done and shall likewise be published in two trade papers one published in Los Angeles and one in San Francisco having the largest trade circulation" and insert in lieu thereof the following: "at least twenty days before the time fixed for the opening of bids, a notice inviting proposals for such contract shall be published in Los Angeles and one in San Francisco."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 345.—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1090.—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California including the right to wharf out therefrom to the city of Berkeley and regulating the management, use and control thereof.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 84.—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda and regulating the management, use and control thereof.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 103.—An Act to amend an Act entitled "An Act to provide for the payment by the state, or counties or cities or cities and counties of the premiums or charge on official bonds where given by surety companies," approved March 23, 1911.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 5, of the printed bill, before the word "the", insert "Sec. 1."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 14, after the word "shall", insert the word "also".

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 560.—An Act to amend Section 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing and time of service of jurors.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 4, of the printed bill, strike out the word "or", and insert in lieu thereof the word "and".

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 1291.—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved

March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks phonographic reporter and stenographers in the Attorney General's office, and fixing their salaries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, strike out all of Section 1, and insert in lieu thereof two new sections, to be numbered respectively 1 and 2, and to read as follows:

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars for the purpose of aiding in the construction of a wagon bridge across the Colorado river from School Hill on the Yuma Indian reservation in the State of California to Penitentiary Hill in the city of Yuma, State of Arizona.

SEC. 2. The sum hereby appropriated shall be available only when the federal government and the State of Arizona have made appropriations aggregating the sum of fifty thousand dollars for the construction of said bridge.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 16, strike out all of Section 2, and insert in lieu thereof a new section to be numbered Section 3 and to read as follows:

SEC. 3. The State of California hereby assumes responsibility for the payment of one half the cost of the maintenance and repair of said bridge and the cost of the approach on the California side of said river.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 6, strike out all of Section 3, and insert in lieu thereof two sections to be numbered 4 and 5, respectively, and to read as follows:

SEC. 4. The state controller is hereby authorized and directed to draw his warrant or warrants on the general fund from time to time for such portions of said sum of twenty-five thousand dollars, and in favor of such persons, as the state engineer shall direct, and the state treasurer is hereby authorized and directed to pay the same.

SEC. 5. This Act is exempt from the provisions of Section 672 of the Political Code.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission; by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial

Accident Board to Industrial Accident Commission, to provide for its organization, define its powers and duties and provide for a review of its orders, decisions and awards and appropriating money to carry out the provisions of this Act, and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

On motion of Senator Boynton, Senate Bill No. 905 was passed on file.

Senate Bill No. 906—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 908—An Act fixing the compensation to be paid to county clerks and registrar of voters, in the several counties or cities and counties of the State of California, for services performed by them for the State, in primary, general and other elections held under the laws thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1185—An Act to amend Section 4181 of the Political Code of the State of California, relating to the duties of county recorders.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1004—An Act authorizing boards of supervisors to levy taxes for the purchase or building, improvement or enlargement of a township hall.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1717—An Act relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for advertising, publishing and making known the resources of the counties, which tax hereby authorized to be levied shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collating, preparing and maintaining exhibits at domestic and foreign expositions.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 717—An Act to amend Section 2978 of the Penal Code of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 676—An Act in relation to prostitution and to persons connected in the encouragement and promotion thereof, to define and prohibit the same, to provide for punishment therefor, to provide for the jurisdiction of persons offending against the provisions of this Act and for the competency of certain evidence at the trial therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 675—An Act in relation to prostitution and to persons cohabiting, dwelling or residing with prostitutes, to define and prohibit the same, to provide for punishment therefor and for the competency of certain evidence at the trial therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 677—An Act to amend the Penal Code by amending Section 266 thereof, relating to inveigling or enticing certain females for the purpose of prostitution or to have illicit sexual connection with any man.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 1, of the printed bill, strike out the word "agricultural", and insert in lieu thereof the words "valley or level".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 2, line 7, strike out the word "ten", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 2, line 10, after the word "county", insert the following: "and there being no existing road less than one mile from said proposed road running parallel or in the same general direction".

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 2, line 1, after the comma following the word "proceedings," strike out the remainder of line 1, all of line 2, all of line 3, all of line 4, all of line 5, all of line 6, all of line 7, and up to and including the word "charge" in line 8.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 538—An Act to amend Sections 204, 205, 206, 209 and 211 of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and referring of jurors for courts of record.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, in lines 1 and 2 of the title, strike out the following: ", two hundred five, two hundred six, two hundred nine, two hundred eleven".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, of the printed bill, strike out the word "immediately".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 2 of the title, strike out the word "sections", and insert in lieu thereof the word "section".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1742—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 6, of the printed bill, between the word "lot" and the comma, insert the words "or plat".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 15, after the word "structure", insert the words "in whole or in part".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 15, strike out the period and insert the words "to wit:"

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 19, change the comma to a period and change the word "of" to the word "of" to a capital "A".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1369—An Act creating the California historic landmarks commission, providing for its appointment and defining its powers and duties.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1427—An Act to amend Section 1920 of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in certain proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the State, counties and municipal corporations in certain cases.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1076—An Act defining and regulating the entering for sale, endeavoring to sell or sale of awning duck or canvas or articles composed in whole or in part of awning duck or canvas awnings, pennants, wagon covers, tents, grain and hay covers, stable or tent rope, and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

During second reading of the bill, the following amendments were offered by Senator Hans:

AMENDMENT No. 1.

On page 1, line 8, after the word "hemp", insert the word "and" and a comma.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, after the comma strike out all of paragraph 2, and insert in lieu thereof the following: "the ounce shall be one sixteenth part of a pound avoirdupois; the measurement of awnings shall be taken by taking nine inches in width as seven and one fourth square feet of awning duck or canvas shall constitute a yard for single filling awning duck. Piling and army duck, the square yard of thirty six inches in length by thirty six inches in width, or five and one half square feet of awning duck or canvas shall constitute a yard for said 9-10 yard wide duck."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 9, strike out the word "company", and insert in lieu thereof the word "firm".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 14, strike out the word "thereon", and insert in lieu thereof the words "on each bolt thereof".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 4, after the word "person", insert a comma and the word "firm".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 9, strike out the word "thereon", and insert in lieu thereof the words "on each bolt thereof".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 18, after the word "person", insert a comma and the word "firm".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 24, after the word "person", insert a comma and the word "firm".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 25, after the word "any", insert the words "stamp, brand or".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 26, strike out the word "article", and insert in lieu thereof the words "act to be placed upon cotton duck or canvas,".

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 29, strike out the word "company", and insert in lieu thereof the word "firm".

Amendment adopted.

AMENDMENT No. 12.

On page 2, line 31, after the word "demeanor", insert a period and strike out all of the words after such period.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 416—An Act to amend Section 671 of the Civil Code, relating to the ownership of property in this State.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 316—An Act to repeal Section 1298 of the Civil Code, and to amend Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between two hundred fifty thousand and four hundred thousand.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk; assistant justices' clerk and deputy justices' clerks in justices' court in townships having a population between two hundred fifty thousand and four hundred thousand.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1156—An Act to amend Section 102 of the Code of

Civil Procedure of California, relating to powers, fees, bond and duties of justices' clerks, assistant and deputy justices' clerks in justices' courts in townships having a population between two hundred fifty thousand and four hundred thousand.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1137—An Act to amend section 109 of the Code of Civil Procedure of California, relating to salary of justices, justices' clerks, assistant justices' clerks and deputy justices' clerks in townships having a population between two hundred fifty thousand and four hundred thousand.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 252—An Act entitled an Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 17, of the printed bill, between the words "or" and "institution", insert the following: "or to any city, county, or city and county".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 18, between the words "institution and", insert the following: "or to any city, county or city and county".

Amendment adopted.

Bill read second time, and ordered to print, engrossed and to third reading.

Senate Bill No. 1304—An Act to amend Section 224 of the Civil Code of the State of California, relating to the adoption of children and the consent necessary thereto, approved April 11, 1911, as amended.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 3, of the printed bill, after the words "acknowledgment had been", insert the following: "or unless the provisions of the commissioner of parole thereof in the book of parole of dependent or neglected children are known to the state".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 14, strike out all of line 14 after the word "Section", and strike out all of lines 15, 16, 17, 18, 19, 20, 21, 22, and all of page 2, down to the word "unrestricted".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 28, after the word "natural", change the period to a semicolon and insert immediately thereafter the following: "provided, that the judge of the juvenile court may, upon a finding of abandonment by the natural parent or parents of such minor or parents, and also dispense such third be not subject to adoption, and such natural or parents were guilty of cruelty or neglect of such minor, or were deemed unfit to have the custody of such minor, or that the welfare of such minor will be promoted thereby, or when such minor has been, or is about to be, brought into court on the charge of being a dependent or neglected child, or when such minor has been committed to the care of a state institution, or to the care of any person, society or association other than the parent or parents, and the parent or parents have failed for a period of one year to contribute to the support of such minor, or have failed to visit such minor, or have failed to communicate with such minor, or have been unable or unwilling to properly care for such minor, such parent or parents shall not be such."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1732—An Act to amend Section 752 of the Political Code, relating to the fees to be collected by the Clerk of the Supreme Court.

During second reading of the bill the following amendment was offered by the committee:

On page 2, line 10, of the printed bill, after the word "dollar", insert the following: "He shall administer oaths for verification of claims against the state without charge."

Amendment adopted.

Bill read second time, and ordered to print engrossment and third reading.

Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 11, of the printed bill, after the word "state", insert a comma and the following words: "or any state institution,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 3, of the printed bill, after the comma, insert the following: "or any state institution,".

Amendment adopted.

AMENDMENT No. 3.

"On page 2, line 18, of the printed bill, after the third comma, insert the word "warehouses,".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 26, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and lands with all wells and water therein adjacent to the lands of any municipality or of any corporation, or person supplying water to the public or to any neighborhood or community for domestic use or irrigation."

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 11, of the printed bill, strike out the word "Roads", and insert in lieu thereof the words "Railroads, roads".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1153—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having a population between two hundred fifty thousand and four hundred thousand.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 3, of the printed bill, after the figures "99", strike out the rest of the line and all of line 4 and the first three words and the period in line 5.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1067—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248c, 1248c, and 1248d, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of such referees, and exceptions thereto, to the hearing of such reports and exceptions, and to judgments thereon in such proceedings.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

Amend the title of the printed bill as follows: Strike out all of lines 2, 3 and 4 of the title, and insert in lieu thereof the following: "Code of Civil Procedure, relating to the hearing thereof, and to judgments thereon."

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 5, of the printed bill, strike out the words "the assessment and damages", and insert in lieu thereof the following: "the compensation, damages and benefits, as provided in section [illegible] Code of Civil Procedure."

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 4, of the printed bill strike out the word "added" and insert in lieu thereof the word "added".

Amendment adopted.

AMENDMENT NO. 4.

On page 2, line 7, of the printed bill, strike out the word "petition", and insert in lieu thereof the word "petitions".

Amendment adopted.

AMENDMENT NO. 5.

On page 2, line 10, of the printed bill, strike out the word "referee", and insert in lieu thereof the word "referees".

Amendment adopted.

AMENDMENT NO. 6.

On page 2, line 27, of the printed bill, insert a comma (,) immediately after the words "petition" at the end of said line 27, and add the following: "or upon the confirmation of the report as modified,".

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1467—An Act to amend Section 830 of the Code of Civil Procedure of the State of California, relating to the requisites for notices of hearing in justices' courts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petitions for the sale of real property belonging to decedent's estate.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 653c, relating to secret societies, fraternal societies, orders, or organizations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the reports of referees.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 15, of the printed bill, strike out the word "consideration", and insert in lieu thereof the word "condemnation".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1019—An Act to amend Sections 2283, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 12, of the printed bill, after the comma following the word "institution", insert the following: "not in excess of".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 13, of the printed bill, after the comma following the word "child", insert the following: "not in excess of".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 5, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 7, of the printed bill, after the period following the word "children", add the following: "In addition an advisory committee of three persons serving without pay or expense to the state, may be appointed by the board of control to act in any county in conjunction with the children's agents."

Amendment adopted.

AMENDMENT No. 5.

On page 5, line 12, of the printed bill, strike out the word "five", and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 952—An Act to amend Section 345 of the Civil Code, relating to the extension of time of delinquent sale of stock in corporations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 956—An Act to amend Section 321*b* of the Civil Code, relating to meetings of stockholders, who may vote thereat, and proxies.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1072—An Act to amend Section 1765 of the Code of Civil Procedure of the State of California relating to the powers and duties of guardians of insane and incompetent persons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration, to regulate the dredging of soil by means of the dredging process, declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use, declaring a state policy to encourage the cultivation of soil, declaring a state policy to protect the soil within the State, providing for the application to the State Water Commission for permission to carry on dredging operations, providing for the contents of applications for a permit to dredge, providing a procedure for the State Water Commission upon receipt of an application to dredge, providing for an inspection of the soil intended to be dredged, providing for a time and place for hearing said application and a procedure at such hearing, providing for a determination by said State Water Commission of said application, providing for the issuance of a license to dredge, providing the contents of said license, providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1

On page 2, line 22, strike out the period.

Amendment adopted.

AMENDMENT NO. 2

On page 2, line 22, strike out the word "or", and insert in lieu thereof the words "and no".

Amendment adopted.

AMENDMENT NO. 3

On page 2, line 24, after the period, insert the following: "provided, that any person, firm, association or corporation, now mining and within the state, for gold or other precious metal by means of the process known as dredging, may make application for permission to mine and apply the same as provided by this Act at any time within six months from and after the passage of this Act; and provided, further, that any such person, firm, association or corporation, now mining and within the state may continue such operations without any license during said six months and pending a decision on the application for a permit as provided in this Act."

Amendment adopted.

AMENDMENT NO. 4

On page 2, line 24, strike out the period, and insert in lieu thereof a comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the use of such bonds as a security for the performance of any act, and providing for a commission which shall approve

such bonds for the foregoing purposes, for a report thereon, for the filing of said report and for the certification of such bonds by the State Controller.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out all from and including the word "the", in the third line of the title, down to and including the last word in the title, and insert in lieu thereof the following: "funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized".

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out all from and including the word "or", in line 2, down to and including the comma after the word "thereof", in line 8, and insert in lieu thereof the following: "and existing under and pursuant to the laws of the State of California".

Amendment adopted.

AMENDMENT No. 3.

On page 1, lines 9 and 10, strike out the words "or all outstanding issues of", and insert in lieu thereof the following: "contemplated or outstanding".

Amendment adopted.

AMENDMENT No. 4.

On page 2, strike out all of line 20, and insert in lieu thereof the following: "by such district or to be acquired or constructed by it with the proceeds of any of such bonds."

Amendment adopted.

AMENDMENT No. 5.

On page 2, lines 23 and 24, strike out the words "outstanding issue or issues of", and insert in lieu thereof the following: "bonds under consideration and any other outstanding".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 26, strike out the comma after the word "lands", and insert in lieu of said comma the following: "within said district and of the".

Amendment adopted.

AMENDMENT No. 7.

On page 2, after paragraph (*f*), insert a new paragraph, to be numbered (*g*) and to read as follows:

"(*g*) The numbers, date or dates of issue and denominations of the bonds, if any, which the commission shall find are available for the purposes provided for in Section 7 of this Act, and, if the investigation has covered contemplated bonds, the total amount of bonds which the district can issue without exceeding the limitation expressed in paragraph (*f*) of this section."

Amendment adopted.

AMENDMENT No. 8.

On page 3, lines 3 and 4, strike out the words "outstanding issue or issues of", and insert in lieu thereof the following: "bonds under consideration and any other outstanding".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 6, strike out the comma after the word "lands", and insert in lieu of said comma the following: "within said district and of the".

Amendment adopted.

AMENDMENT No. 10

On page 3, line 8, after the word [illegible] insert the following: "and the proceeds of any of said bonds"

Amendment adopted.

AMENDMENT No. 11

On page 3, line 11, after the period in said line insert the following: "If the commission shall be satisfied that the board of directors of any district whose irrigation system has been placed in such district by the Federal land bank has issued bonds and the commission shall find that such bonds are not secured or adequately protected in such respect, and that the purposes of said bonds have not been carried into execution, as stated in such report, the commission shall publish and file with the state auditor a supplementary report setting out the amount, date of issue and denomination of said bonds, which shall then be entitled to participate in the sinking commission as hereinafter provided for."

Amendment adopted.

AMENDMENT No. 12

On page 3, line 20, strike out the period after the word "district" and insert in lieu thereof a comma and the following: "only after any of the provisions of the foregoing shall have been complied with and the commission by the state auditor controller as herein provided for, it shall be unlawful for [illegible] to issue bonds that will not be entitled to such participation."

Amendment adopted.

AMENDMENT No. 13

On page 3, line 33, strike out the word "or" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT No. 14

On page 3, line 34, from the comma following the word "District", insert the following: "issued [illegible] and a comma"

Amendment adopted.

AMENDMENT No. 15

On page 3, line 35, strike out the words "banking associations" and the word "and" following the word "companies".

Amendment adopted.

AMENDMENT No. 16

On page 3, line 36, after the word "and", insert the following: "any funds which may be invested in county warrants or school district bonds, and in".

Amendment adopted.

AMENDMENT No. 17

On page 4, line 22, after the word "said", insert a comma and the following: "as the commission may require", and a comma

Amendment adopted.

AMENDMENT No. 18

On page 4, lines 24 and 25, strike out the words "corporations" and strike out the words "at the time of filing said report"

Amendment adopted.

AMENDMENT No. 19

On page 4, line 35, strike out the words "banking associations" and the [illegible] following said words.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1496—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts

and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 27, strike out the word "unless", and insert in lieu thereof the word "if".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 27, strike out the words "not and will not", and insert in lieu thereof the words "or will".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 28, before the word "benefited", insert the word "substantially".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1326—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by striking out the period at the end thereof, and substituting in lieu of said period a comma and adding the following: "and inserting a new section, relating to joint use of irrigation works."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1 by striking out the period after the last word in said section and inserting in lieu thereof a comma and adding the following: "and a new section is hereby inserted in said Act in lieu of said section sixty-four, to be numbered sixty-four, and to read as follows:

"Section 64. Whenever the canals or any of the diverting or distributing works of any irrigation district or districts now or hereafter organized may, without injury to such district or districts, be used by another district now or hereafter organized, and the board of directors of such districts are unable to agree upon the terms under which such joint use shall be made, the district desiring to be permitted to make such joint use, either in the condition in which such works are at that time or by enlarging or changing the same, may institute proceedings in the superior court of the county in which the office of any of the districts involved is situated, which proceedings shall be substantially as provided in title seven, part three, of the Code of Civil Procedure, and the judgment in such proceedings shall determine the terms and conditions upon which such use may be made. Fair compensation shall be made to the district or districts whose property is used by another district, and in no event shall such additional use be permitted to interfere with or impair any of the rights of the district or districts owning such property."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 718—An Act to amend Section 308 of the Penal Code of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 12, strike out the remainder of the section after the word "law" and insert in lieu thereof the following: "as authorized by it unless upon the written order of the person thereto, for the use of the person."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 308a.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, strike out the title and insert in lieu thereof the following: "An Act to add a new section to the Penal Code, to be numbered three hundred eight a, relating to the posting in every store of a copy of Section 308 of the Penal Code by dealers in tobacco, and providing a penalty for a failure to so post."

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 7 and 8, strike out the words "This Act", and insert in lieu thereof the following: "Section 308 of the Penal Code."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 720—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 308a.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, strike out the title and insert in lieu thereof the following: "An Act to add a new section to the Penal Code, to be numbered three hundred eight a, relating to minors wrongfully procuring their gain for the purpose of purchasing cigars, tobacco, intoxicating liquor, etc., and providing for a penalty therefor."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 709—An Act to amend Section 1248a of the Code of Civil Procedure of the State of California, relating to the removal or widening of railroad street, or interurban railway tracks on property sought to be taken, under Title VII, Part III of the Code of Civil Procedure.

Also, Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185c of the Political Code of the State of California.

Also, Senate Bill No. 704—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

Also, Senate Bill No. 935—An Act to amend Section 384 of the Penal Code relating to forest fires, approved May 1, 1911.

Also: Senate Bill No. 1191—An Act appropriating the sum of five thousand dollars for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Also: Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911.

Also: Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Senate Bill No. 1327—An Act to appropriate twelve thousand dollars to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Also: Senate Bill No. 1745—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County between said county and Placer County.

Also: Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County between said county and El Dorado County.

Also: Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California, relating to the county in which all proceedings under Title VII of Part III of the Code of Civil Procedure may be commenced and tried.

Also: Senate Bill No. 747—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 667, relating to the punishment for crime.

Also: Senate Bill No. 890—An Act adding a new section to the Penal Code of the State of California, to be numbered 508a, relating to embezzlement.

Also: Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

Also: Senate Joint Resolution No. 31—Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the State to which it is consigned through the parcel post.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 812—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction—and report that the same has been correctly re-engrossed.

GRANT, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Finance.

LYON, Chairman.

Senate Bill No. 1416 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 407—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Also: Senate Bill No. 685—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Also: Assembly Bill No. 374—An Act to amend Section 1 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain

illiterate natives, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and incidental provisions for the purpose thereof; approved February 20, 1905, and amended April 14, 1911.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

LYON, Chairman.

Senate Bills Nos. 407 and 685 ordered on file for second reading.

Assembly Bill No. 774 ordered on file for second reading.

SPECIAL ORDER MADE.

On motion of Senator Kehoe, the motion to reconsider the vote whereby Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the presentation and form of claims against counties—was passed, was made a special order for Monday, April 21, 1913, at two o'clock p.m.

PRESIDENT PRO TEM. ADVISED IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES MAY BE MADE.

The following reports of standing committees were received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 1737—An Act to provide for the organization of the cavalry for the National Guard of the State of California, and making an appropriation therefor.

Also, Senate Bill No. 1738—An Act to provide for the furnishing of the uniforms and state arsenal for the National Guard of the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be referred to Committee on Finance.

EBERLE, Chairman.

Senate Bills Nos. 1737 and 1738 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1368—An Act appropriating nine hundred and sixty-eight dollars and ninety-eight cents from the general fund to the credit of the fund created by an Act of the Legislature of the State of California approved [illegible] An Act making an appropriation for the expenses of the National Guard in case of [illegible] riot, or insurrection [illegible] approved April 14, 1911, as now amended, providing for payment of certain claims of officers and men for services rendered at Camp Park Kay in September, 1912—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

EBERLE, Chairman.

Assembly Bill No. 1368 ordered re-referred to Committee on Finance.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 164 of Article XI thereof, relating to the powers of municipalities in the State or to any county, city or municipality or school district in the State to loan credit or subscribe to the capital stock of any corporation, association or bank or banks—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

TYRRELL, Chairman.

Senate Constitutional Amendment No. 31 ordered on file

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Also: Senate Bill No. 1000—An Act to amend Section 4300*a* of the Political Code of the State of California, relating to county clerk's fees.

Also: Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relative to prerequisite to filing articles of incorporation and amounts to be subscribed and to be fixed.

Also: Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations stating further facts in articles of incorporation.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Senate Bills Nos. 401 and 1000 ordered on file for second reading.

Assembly Bills Nos. 1507 and 1509 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 844—An Act to amend Section 1246 of the Code of Civil Procedure of California, relating to eminent domain—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GATES, Chairman.

Senate Bill No. 844 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

GATES, Chairman.

Senate Constitutional Amendment No. 67 ordered on file.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 14, 1913.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have to-day made the following appointments, and request your concurrence and consent thereto:

F. R. Burnham, of San Diego, a member of the Board of State Harbor Commissioners for the bay of San Diego, vice F. R. Burnham, resigned.

Robert MacLachlan, of San Diego, a member of the Board of State Harbor Commissioners for the bay of San Diego, vice C. H. Swallow, resigned.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Have had the same under consideration, and respectfully report the same back, and recommend that the Senate advise and consent to the appointments herein mentioned.

BOYNTON, Chairman.

MOTION.

Senator Thompson moved that the Senate advise and consent to the several appointments of the Governor.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of F. R. Burnham, of San Diego,

a member of the Board of State Harbor Commissioners for the bay of San Diego, vice F. R. Burnham, resigned."

The roll was called, with the following result:

Ayes—Senators Anderson, Atkins, Benson, Birdsall, Bonzon, Bond, Boynton, Butler, Campbell, Carr, Cartwright, Caminetti, Cobb, Finn, Flint, Gerdes, Hans, Juilliard, Kehoe, Lane, Owens, Rogers, Reed, Shoemaker, Strobridge, Thompson, and Wright—27.

Noes—None.

Whereupon the President pro tem. announced that the Senate had advised and consented to the appointment of F. R. Burnham, of San Diego, a member of the Board of State Harbor Commissioners for the bay of San Diego, vice F. R. Burnham, resigned.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of Robert Macfarlane, of San Diego, a member of the Board of State Harbor Commissioners for the bay of San Diego, vice C. H. Swallow, resigned?"

The roll was called, with the following result:

Ayes—Senators Anderson, Atkins, Benson, Birdsall, Bonzon, Bond, Boynton, Butler, Campbell, Carr, Cartwright, Caminetti, Cobb, Finn, Flint, Gerdes, Hans, Juilliard, Kehoe, Larkins, Lane, Rogers, Reed, Shoemaker, Strobridge, Thompson, and Wright—27.

Noes—None.

Whereupon the President pro tem. announced that the Senate had advised and consented to the appointment of Robert Macfarlane, of San Diego, a member of the Board of State Harbor Commissioners for the bay of San Diego, vice C. H. Swallow, resigned.

SENATOR LARKINS IN THE CHAIR

At two o'clock and fifty-five minutes p.m. Senator Larkins, of the Thirty-second District, in the chair.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 226—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

On motion of Senator Thompson, Assembly Bill No. 226 was passed on file.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions and providing penalties for the violations thereof," approved March 23, 1907.

On motion of Senator Thompson, Assembly Bill No. 237 was passed on file.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses or cattle which are affected

with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal the Act entitled "An Act to prevent the importation of neat cattle for dairying or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

On motion of Senator Cogswell, Assembly Bill No. 537 was passed on file.

Assembly Bill No. 377—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash (or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes), for the construction of the necessary works of protection (and conservation of such storm or flood waters) by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 377 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Juilliard, Kehoe, Larkins, Lyon, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 19.

A resolution relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Resolved by the Assembly, the Senate concurring, That the fortieth session of the Legislature of the State of California adjourn *sine die* at ten o'clock p.m. Saturday, May 3, 1913.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Grant, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Thompson, and Tyrrell—27.

NOES—Senators Gerdes and Wright—2.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto, to be known as Section 653*c*, relating to wages of employees.

On motion of Senator Thompson, Assembly Bill No. 1495 was passed on file.

Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and

regulate the business of banking," approved March 3, 1909, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 45, 48, 49, 50, 60, 61, 64, 66, 66a, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 101, 102, 103, 121, 123, 124, 127, 128, 130, 131, 134, 136, 141, 146 and 147, thereof and by repealing Sections 13, 38, 93, 100, 101 and 104 thereof and by adding new sections thereto, to be numbered Sections 21a, 21c, 34, 59, 59, 61a, 135a, 135c and 136b, and by repealing Section 125 thereof and adding a new section thereto, to be numbered Section 125, all relating to the definition and regulation of the business of banking.

On motion of Senator Thompson, Assembly Bill No. 1147 was passed on file.

Assembly Bill No. 971—An Act to permit the consolidation of sections and to provide a procedure therefor.

On motion of Senator Thompson, Assembly Bill No. 971 was passed on file.

Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person, or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

On motion of Senator Thompson, Assembly Bill No. 958 was passed on file.

ASSEMBLY JOINT RESOLUTION NO. 38.

Relative to the protection of the California beet sugar industry by the imposition by the Congress of some effective tariff on sugars from the United States.

WHEREAS, By the passage of tariff laws by Congress the national sentiment is toward the abolition of all duties on imported sugar; and

WHEREAS, Such a policy would be suicidal to the vast and best paying industry of the entire Pacific coast, especially to the beet sugar industry of the State of California, which produces 10% [illegible] tons per annum, or one quarter of the beet sugar output of the United States; and

WHEREAS, The annual consumption of sugar in our country is over 3,000,000 tons per annum supplied, viz.:

From domestic cane grown in Porto Rico, Louisiana and Southern Islands [illegible] tons

From beet sugar manufactured in eastern states [illegible] tons

[illegible] tons

the balance being purchased from foreign countries and subject to a low [illegible] on the Atlantic seaboard who are competing for "free sugar" in order that they may check the further progress of these markets by the substantial growing beet sugar industry; and

WHEREAS, Our nation's beet sugar output has increased from 10,000 tons in 1897 to 650,000 tons in 1912—a rate of increase greater than can be equaled in any country in Europe during an equal period of time, while our cane-producing districts have apparently reached the limit of their possibilities; and

WHEREAS, Free sugar would have a most disastrous effect upon the welfare of the sugar industry, the development of the beet sugar industry now promising the use of only 450,000 acres of land against 274,000,000 acres adapted to the cultivation of the sugar beet; and

WHEREAS, The development of this industry is retarded by the success of a few sugar beet [illegible] which will exhibit this condition in comparison with some good field crops produced under the best agricultural conditions, the [illegible] and [illegible] delivered at our sugar beet factories [illegible] in addition, a good [illegible] of our State for the sugar in the beet, before it is [illegible] and [illegible] of our State for the sugar in the beet, before it is [illegible]; now, therefore, be it

Resolved, That the Legislature of the State of California [illegible] of all members elected to the Senate and Assembly, joining [illegible] and [illegible] and conveying [illegible] memorials the Senate and House of Representatives of Congress at Washington and the President of the United States, that they [illegible] in the consideration of tariff revision for the [illegible] of the beet sugar industry, which is so full of promise to our nation, and that the principle governing the making of

the tariff in this regard be, that the tariff should equalize the difference between the cost of production of sugar at home and abroad.

Resolved, That a copy of these resolutions be forwarded to each of the members of Congress from the State of California, to be presented to the President and Congress.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 18 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Mott, Rush, Thompson, Tyrrell, and Wright—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 52 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Regan, Rush, Shanahan, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 1 was passed on file.

CONSIDERATION OF SPECIAL ORDERS.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

The question being on the report of the special committee of one, submitted on a previous day, to amend as follows:

AMENDMENT No. 1.

By striking out of Section 1, in lines 6, 7, 8 and 9, the words "*provided*, that this shall not apply to institutes and sanatoria not employing nurses in regular attendance, and where patients are not confined to their rooms."

AMENDMENT No. 2.

In Section 3, page 2, line 8, strike out the words "Such fee shall be as follows:", and insert in lieu thereof the following: "The fees and classification of said hospitals, sanatoria and other places or institutions shall be as follows:".

AMENDMENT No. 3.

In Section 3, page 2, line 9, strike out the words "For a capacity of," and insert in lieu thereof the words "Those having".

AMENDMENT No. 4.

In Section 3, page 2, line 9, strike out the comma after the word "Sane", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 5.

In Section 3, page 2, line 10, strike out the words "The insane of" and insert in lieu thereof the words "Those having".

AMENDMENT No. 6.

In Section 3, page 2, line 10, strike out the comma after the word "Sane", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 7.

In Section 3, page 2, line 11, strike out the words "The insane of" and insert in lieu thereof the words "Those having".

AMENDMENT No. 8.

In Section 3, page 2, line 11, strike out the comma after the word "Sane", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 9.

In Section 3, page 2, line 12, strike out the words "The insane of" and insert in lieu thereof the words "Those having".

AMENDMENT No. 10.

In Section 3, page 2, line 12, strike out the comma after the word "Sane", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 11.

In Section 3, page 2, line 13, strike out the words "The insane of" and insert in lieu thereof the words "Those having".

AMENDMENT No. 12.

In Section 3, page 2, line 14, strike out the comma after the word "Sane", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 13.

In Section 3, page 2, line 15, strike out the words "The insane of", and insert in lieu thereof the words "Those having".

AMENDMENT No. 14.

In Section 3, page 2, line 16, strike out the comma after the word "State", and insert in lieu thereof the words "for patients" and a comma.

AMENDMENT No. 15.

In Section 3, page 2, line 17, strike out the words "The insane of" and insert in lieu thereof the words "Those having".

AMENDMENT No. 16.

In Section 3, page 2, line 17, strike out the comma after the word "Sane", and insert in lieu thereof the words "for patients" and a comma.

Report read and adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Jones, as a special committee of one, to amend as follows:

By striking out all of Section 1 after the words "Section 1", and inserting in lieu thereof the following: "No hospital, sanitarium or other place of detention where persons or persons are received for pauper, charge or remunerating pay or compensation, for pay or otherwise, shall be maintained or operated nor shall any patient be received or taken into the same until such hospital, sanitarium, place or institution shall have procured a license as herein required."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 123, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Juilliard the Senate took up the consideration of Assembly Bill No. 2025, out of order.

Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Wright, as a special committee of one, to amend as follows:

By striking out of page 1, line 4, the words "Election notice must contain what." Also: By striking out of page 2, line 6, the words "Rate of Bonds."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 2025, with instructions to amend, respectfully reports the same back, amended as per instructions.

WRIGHT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Boynton, the Senate took up the consideration of Senate Bills Nos. 709 and 704, out of order.

Senate Bill No. 709—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be numbered 1248*b*, and relating to the including of any judgment obtained under Title VII, Part III, of the Code of Civil Procedure.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer Senate Bill No. 709 to Senator Carr, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 12, of the printed bill as amended, strike out the semicolon and insert in lieu thereof a period.

AMENDMENT No. 2.

On page 2, of the printed bill, strike out all the words beginning with the word "provided", in line 12, and ending with the period in line 15 thereof.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 709, with instructions to amend, respectfully reports the same back amended as per instructions.

CARR, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

Senate Bill No. 704—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the condemnation of the estates and rights in lands subject to be taken for public use.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer Senate Bill No. 704 to Senator Carr as a special committee of one, to amend as follows:

By striking out of page 1, line 11, of the amended printed bill, the word "Those" where it occurs the last time and inserting in lieu thereof the word "Therefore".

Also: On page 1, of the amended printed bill, strike out line 14 and insert in lieu thereof the following: "of any character whatsoever from any claimant made, or".

Also: On page 1, line 18, of the amended printed bill, after the word "and," insert the following: "unless within sixty days".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 709, with instructions to amend, respectfully reports the same back amended as per instructions.

CARR, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

PETITIONS

Senator Juilliard presented protests and objections from 21,792 persons residing in California against the passage of the so-called cemetery bills, Senate Bills Nos. 323, 324, 325, 326, 327 and 328.

CONSIDERATION OF SPECIAL ORDER—THIRD READING OF BILLS.

Senate Bill No. 324—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 323 passed by the following vote:

AYES—Senators Anderson, Avey, Beasly, Bennett, Boynton, Breed, Brown, Caminetti, Carr, Cartwright, Cogswell, Cole, Flint, Gerdes, Gerdine, Hans, Kehoe, Lukens, Mott, Rush, Stephens, Thompson, Tyrrell, and Wolfe—24.

NOES—Senators Belshe, Butler, Chandler, Finn, Grant, Jones, Juilliard, Rominger, Sanford, and Shanahan—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Campbell gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 323 was passed.

SENATOR THOMPSON IN THE CHAIR.

At six o'clock and fifteen minutes p m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 324 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Juilliard, Kehoe, Mott, Rush, Strobridge, Thompson, Tyrrell, and Wright—23.

NOES—Senators Beban, Caminetti, Campbell, Finn, Grant, Jones, Regan, Sanford, and Shanahan—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Juilliard gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 324 was passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 325 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Mott, Rush, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—Senators Beban, Caminetti, Campbell, Finn, Grant, Jones, Regan, Sanford, and Shanahan—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Juilliard gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 325 was passed.

THIRD READING OF BILLS—(RESUMED)

Senate Bill No. 326—An Act to amend Section 614 of the Civil Code of the State of California, relating to the title of members to [illegible]

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 326 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bunkall, Burnett, Busick, Carr, Cartwright, Chipman, Cole, Elliot, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Mott, Rush, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—Senators Baker, Baxter, Caminetti, Campbell, Finn, Grant, Jones, Regan, Sanford, and Shanahan—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER

Senator Juilliard gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 326 was passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 618, relating to membership in cemetery corporations and the rights of members to the assets thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 327 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bunkall, Burnett, Busick, Carr, Cartwright, Chipman, Cole, Elliot, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Mott, Rush, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—Senators Baker, Baxter, Caminetti, Campbell, Finn, Grant, Jones, Regan, Sanford, and Shanahan—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER

Senator Juilliard gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 327 was passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 386 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Mott, Rush, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—Senators Beban, Butler, Caminetti, Campbell, Finn, Grant, Jones, Regan, Sanford, and Shanahan—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Juilliard gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 386 was passed.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect—and report that the same has been correctly engrossed.

GRANT, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROWN, Chairman.

Senate Bill No. 1743 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 5—An Act defining and limiting the right of aliens and of corporations a majority of the capital stock of which is held or owned by aliens, to acquire title to, own, hold or lease real property in the State of California, providing for what period of time any alien or any such corporation may lease real property in the State of California, providing for the escheat of property acquired, owned or held by any such alien or any such corporation to the State of California, and providing for divesting title to real property so acquired, owned or held and for payment of the proceeds thereof into the state treasury for the benefit of the State School Fund, and repealing conflicting Acts—and report that the same has been correctly engrossed.

LYON, Acting Chairman.

ON PUBLIC HEALTH AND QUARANTINE

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 134, An Act to prevent the [illegible] in the manufacture, [illegible] of [illegible] under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

JONES, Chairman.

MINORITY REPORT

SACRAMENTO, April 17, 1913.

MR. PRESIDENT: The undersigned, being [illegible] of the Committee on Public Health and Quarantine, respectfully submit the following minority report to Senate Bill No. 134:

The committee has had several public hearings on this bill, has heard [illegible] testimony and has received reports and statistics. The undersigned minority have made as careful an investigation of the effects of cement [illegible] as has been possible with the time at their disposal; some of the undersigned having visited several of the cement plants in this State.

After such investigation we find that the present manufacturing methods in the present conditions, as a whole, [illegible] and that upon the contrary are in the interests of health of employes very much [illegible]. From the [illegible] and statistics available, however, pertaining to cement workers in the vicinity of the south [illegible] of dust encountered. We believe, however, that the [illegible] that cement dust is [illegible] and that the effect upon workmen is [illegible] mechanical work as that of coal dust.

The necessity of the immediate [illegible] and that like the [illegible] of the bill [illegible] sufficiently absorb the deleterious effects of cement dust [illegible] would become extra work [illegible] and the [illegible].

We are not [illegible] but [illegible] that [illegible] and must be [illegible] to some extent but in the regulation of [illegible] and [illegible] and [illegible] and [illegible] and [illegible] of dust encountered.

We therefore recommend that the bill do not pass, and that a [illegible] should be made by the Board of Health on some other [illegible] tional disease among dust workers as a whole, and [illegible] workers, to establish the best [illegible] report to be used by the [illegible].

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Senate Bill No. 134 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 419, An Act to add a new section to the Civil Code of the State of California, to be known as Section [illegible], relating to [illegible] treatment for diseases, have had the same under consideration, and respectfully report the same back and recommend that the same be referred to Committee on Judiciary.

JONES, Chairman.

Senate Bill No. 419 ordered re-referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 69, An Act to amend the [illegible] of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Police Surgeons of the State of California, [illegible], to assist in the carrying out of the provisions of the Act.

Also, Assembly Bill No. 1896, An Act to amend Section 3744 of the Penal Code of the State of California, relating to the [illegible] of cigarettes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

JONES, Chairman.

Assembly Bills Nos. 69 and 1896 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Birdsall, the Senate took up for consideration, Senate Bill No. 5, out of order.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer Senate Bill No. 5, as amended, to Senator Lyon, as a special committee of one, to amend as follows:

AMENDMENT NO. 1.

By striking out all of the title after the words "An Act", in line 1 of the title, and inserting in lieu thereof the following: "defining and limiting the right of aliens and of corporations a majority of the issued and outstanding capital stock of which is held or owned by aliens ineligible to citizenship under the naturalization laws of the United States, to acquire title to, own, hold or lease real property in the State of California, providing for the period of time any alien or any such corporation may lease real property in the State of California, providing for the escheat of property acquired, owned or held by any alien or any such corporation to the State of California, and providing for divesting title to real property so acquired, owned or held and for the disposition of the proceeds, and repealing conflicting Acts."

AMENDMENT NO. 2.

By striking out all that portion of the Act after the word "provided", at the end of Section 1, page 1, line 4, and inserting in lieu thereof the following:

SEC. 2. Title to real property situated in this state may be acquired and held by aliens, whether resident or non-resident, under the restrictions, terms and conditions set forth in this Act, but not otherwise:

(*a*) Any alien may hereafter acquire by purchase, or otherwise (excepting by devise or descent which are hereinafter provided for) any right, title or interest in or to any real property situated in this state, and may hold the same for the period of one year after the date of so acquiring such right, title or interest, but no longer; *provided, however*, that if any such alien be a minor or an insane or incompetent person at the date of so acquiring title, he may hold such title for the period of one year after a guardian of his estate is appointed by a court having jurisdiction thereof, or, in case of a minor, if no such guardian be appointed prior to the time said minor shall have attained his majority, then he may hold such title for the period of one year after attaining his majority. At the expiration of said period of one year in any of the cases above stated, all real property so held by such alien, and all right, title and interest therein so held by such alien, shall be subject to escheat to the State of California, and proceedings for such purpose shall be taken as hereinafter provided:

(*b*) Any alien may hereafter acquire by devise or descent any right, title or interest in or to any real property situated in this state and may hold the same for the period of one year after the date of final distribution thereof to such alien: *provided, however*, that if any such alien be a minor or an insane or incompetent person at the date of such final distribution, and no guardian of his estate has been previously appointed by a court having jurisdiction thereof, he may hold such title for the period of one year after a guardian of his estate is appointed by such court, or in case of a minor, if no such guardian be appointed prior to the time such minor shall have attained his majority, then he may hold such title for the period of one year after attaining his majority. At the expiration of said period of one year, in any of the cases above stated, all real property so held by such alien, and all right, title and interest therein so held by such alien shall be subject to escheat to the State of California, and proceedings for such purpose shall be taken as hereinafter provided.

SEC. 3. Any corporation, whether formed under the provisions of the laws of this state or of any other state or country, a majority of the issued and outstanding capital stock of which shall be owned or held by any alien or aliens, ineligible to citizenship under the naturalization laws of the United States, may hereafter acquire by purchase or devise, any right, title or interest in or to any real property situated in this state, and may hold the same for the period of one year after the date of so acquiring such right, title or interest, but no longer; *provided, however*,

that if such right title or interest be conveyed by such corporation by virtue of the same may be held by the escheat to take effect upon the sale of land aforesaid thereof to such corporation. At the expiration of such period of time prior to any of the times above mentioned as fixed by such corporation, and all right, title or interest therein or held by such corporation shall be escheat to the State of California, and proceedings for such purpose shall be thereafter had as provided.

SEC. 4. No mutual agreement or bona fide mortgage or trust conveyance thereof is hereafter to remain in force for a longer period than five years from the time of the execution of the same, unless a copy of such agreement or mortgage or trust conveyance, duly certified by the recorder of the county in which the land is situated, shall be made accessible and posted up in some public and conspicuous position, and such certified agreement or mortgage or trust conveyance shall be kept posted up during the whole of the time such agreement or mortgage or trust conveyance may remain in force, and any failure to comply with the provisions of this section shall render such agreement or mortgage or trust conveyance void as against the State.

SEC. 5. Any alien or any corporation not qualified to acquire, hold or convey real property under the provisions of this Act hereafter acquiring, owning or holding real property or any right, title or interest therein, in the State of California, in contravention of the provisions of this Act, or subject to escheat to the State of California under the provisions of this Act, shall nevertheless convey, assign or sell, mortgage or otherwise encumber or dispose of the same, and all instruments executed by such alien or corporation purporting to convey, assign or sell, mortgage or otherwise encumber or dispose of such real property or any part thereof, shall be valid to all intents and purposes whatsoever as against all persons except the State of California in any action or proceeding commenced by the State of California for the escheat of such real property to the State of California, or to enforce the forfeiture thereof, or to recover the same by reason of the alien or corporation holding the same contrary to the provisions of this Act, and prior to the commencement of such action or proceeding by the State of California for the escheat of such real property to the State of California, or to enforce the forfeiture thereof, or to recover the same by reason of the alien or corporation holding the same contrary to the provisions of this Act, and prior to the filing of a notice of pendency of such action or proceeding as in this Act provided, and no such conveyance or mortgage or encumbrance or disposition of such real property or any part thereof by such alien or corporation shall be impeached or questioned by the prosecution

SEC. 8. The provisions of this Act shall not impair or destroy any right secured to any alien under the provisions of any treaty between the United States and the country of which such alien shall be a citizen or subject.

SEC. 9. It shall be the duty of the district attorney of any county in this state wherein any real property, or any portion thereof, acquired, owned or held contrary to the provisions of this Act, is situated, when he shall be informed, or shall have reason to believe, that any property in said county is being held contrary to the provisions of this Act, to file a complaint on behalf of and in the name of the people of the State of California, as plaintiff, in the superior court of the county in which such property, or some portion thereof, is situated, setting forth a description of the property, the names of all persons or corporations owning or holding, or claiming to own or hold the same, or any interest therein on any lien thereon as shown by the records of the county where the land is situated, who shall be named as parties defendant; that the same is owned or held contrary to the provisions of this Act, and the facts and circumstances in consequence of which the property is claimed to be subject to escheat to the state, with an allegation that by reason thereof, the State of California has right by law to such property. Upon such complaint being filed, a summons must issue directed to the defendants requiring defendants to appear and answer the complaint within ten days, if the summons is served in the county in which the action is brought or within thirty days if served elsewhere, which said summons shall contain all the matters required by section four hundred seven of the Code of Civil Procedure. Summons shall be issued and served in accordance with the provisions of title five of part two of the Code of Civil Procedure. At the time the complaint is filed, a notice of the pendency of such escheat proceedings must be filed in the office of the recorder of the county where the land or any part thereof is situated, containing the names of the parties and the object of the action, and a description of the property in that county affected thereby.

SEC. 10. The court upon the complaint being filed and upon application of the district attorney, either before or after answer is filed, upon such notice as the court shall direct to the person or corporation claiming to own said property, or any right, title or interest therein, may upon sufficient cause therefor being shown, appoint a receiver to take charge of such property, or any part thereof, and to receive rents, income and profits of the same until the title thereof is finally settled.

SEC. 11. In any action brought to foreclose a mortgage or lien upon any land which has theretofore been the subject of escheat proceedings hereunder or in any suit to quiet title or to determine adverse claims to such real property or any portion thereof, the State of California may be made a defendant and process directed against the state shall be served upon the governor or acting governor and the attorney general.

SEC. 12. All persons or corporations named in the complaint may appear and answer and traverse or deny the facts stated therein at any time before the time for answering or appearing expires, and any other person claiming any interest in such property may appear and intervene in said action, or be made a defendant therein, by motion for such purpose, in open court, within the time allowed for answering. If any person appears, and denies the facts set up in such complaint or traverses any material fact set forth therein, the issue of fact must be tried as issues of fact are tried in civil actions. In all such proceedings the state shall be deemed to have established prima facie that any defendant is an alien or that any stockholder of a corporation defendant therein is an alien ineligible to citizenship under the naturalization laws of the United States by proof that such defendant owner or stockholder is not registered as an elector of the county where said action is commenced and that no copy of any declaration by such defendant owner or stockholder, of intention to become a citizen of the United States, can be found among the existing and available public records of said county. If, after the issues are tried it appears from the facts found, or admitted, that the property described in the complaint or any part thereof has escheated to the state judgment must be rendered declaring the same escheated to the state, and that the state is the owner and entitled to the possession thereof, and that it recover costs of suit against the defendants who have appeared and answered. In any such judgment rendered by the court declaring property escheated to the state on motion of the district attorney, the court must make an order that such property be sold by the sheriff of the county wherein it is situated at public sale to the highest bidder for gold coin after giving such notice of the time and place of sale as may be prescribed by the court in such order, and must in its judgment determine the validity and rank of all liens on said real property or any portion thereof, and must also determine who is entitled to the proceeds of such sale. The sheriff within five days after such sale must make a report thereof to the court, and upon the hearing of such report the court may examine the same and witnesses in relation thereto, and if the proceedings were unfair, or if the sum bid is disproportionate to the value, or if it appears that a sum exceeding said bid at least ten per cent exclusive of the expense of a new sale, may be obtained the court may vacate the sale and direct another to be held, of which notice must be given, and such sale in all respects conducted as if no previous sale had taken place. If an offer greater in amount than that named in the report is made to the court in writing by a responsible person, the court may in its discretion accept such offer

and confirm the sale to such person, or other a new sale. If it appears to the court that the sale was legally made, and fairly conducted and that no loss has been or disproportionate to the value of the property sold, and that a new appraisal will be at least ten per cent greater than the appraisal of a new sale, one has been ordered, or if the appraisal and notice required to make and ascertain the value shall have been made in order concerning the sale, and directing the sheriff, in the name of the state, to execute to the purchaser or purchasers a conveyance of said property, and upon such conveyance being made to the purchaser in accordance with the right and title of the state thereto, and the sheriff shall, out of the proceeds of such sale, pay the cost of such proceedings, including the costs of advertising, and the expenses of keeping said property, as provided in section [illegible] of this act, and the balance thereof shall be paid to said county or the clerk of said court, who shall forthwith account for the same with the county treasurer together with a certificate under oath of his judgment, and he shall retain the same as a special deposit for one period of one year from the date of application, at the end of which time the claimant, [illegible] under the provisions of this act, shall be entitled to have repaid the amount of one year thereafter, the same shall be paid over to the state treasurer.

Sec. 13. The prohibitions in this Act contained shall not extend to [illegible] or any natural liquids, where the [illegible] shall be [illegible] or shall not be [illegible] or [illegible] which are being used for the [illegible] or [illegible] or shall be sold for [illegible] purposes, [illegible] or [illegible] the [illegible] or [illegible] of any of the [illegible] or [illegible] or [illegible] or

fornia by adding a new section thereto, to be numbered 2648, relating to county government.

Also: Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BREED, Chairman.

Senate Bills Nos. 308 and 697 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 589—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

Also: Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

Also: Senate Bill No. 590—An Act to amend Section 228 of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BREED, Chairman.

Senate Bills Nos. 589, 787 and 590 ordered on file for second reading.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

REGAN, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 1607—An Act providing for the establishment and maintenance of a telephone system in mines—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

REGAN, Chairman.

Senate Bills Nos. 1608 and 1607 ordered on file for second reading.

WITHDRAWAL OF BILL.

Senator Caminetti asked and was granted permission to withdraw Senate Bill No. 1607.

Senate Bill No. 1607 withdrawn, and ordered stricken from the file.

ADJOURNMENT.

At six o'clock and thirty-five minutes p.m., on motion of Senator Jones, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Friday, April 18, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Boynton, Flaherty, Rominger, Boyd, Brown, Bryant, Butler, Campbell, Chandler, Cogswell, Cornwall, Cutler, Crump, Dean, Elliott, Gates, Gerdes, Gould, Hans, Hewitt, Inman, Juilliard, Kehoe, Leahy, Lyon, Main, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dean Sayler.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 17, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible] An Act providing for the first year of all public schools and providing and to establish a state system of rural and union public schools in the State of California, and to provide for the maintenance, conduct and management of the same.

J. P. MALLOTT, Chief Clerk of Assembly.
By THOMAS G. WARING, Assistant Clerk.

Assembly Bill No. [illegible] was read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible] An Act appropriating money for the purchase and acquisition of five cottages at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. [illegible] An Act appropriating money for the maintenance and management of a gymnasium building at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. [illegible] An Act appropriating money for the expenses of school supervision for the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. [illegible] An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. [illegible] An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. [illegible] An Act appropriating money for building a horse barn at the California Institution for the Deaf and the Blind.

J. P. MALLOTT, Chief Clerk of Assembly.
By THOMAS G. WARING, Assistant Clerk.

Assembly Bills Nos. 517, 518, 519, 520, 521 and 522 read first time and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Also: Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Also: Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

Also: Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Also: Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1813, 1755 and 1922 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 131 and 132 read first time, and referred to Committee on Hospitals and Asylums.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

Also: Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Also: Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1879 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 182, 180, 178, 174 and 172 read first time, and referred to Committee on Hospitals and Asylums.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 225—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Also: Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Also: Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Also: Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 225, 188, 145, 144, 143 and 141 read first time, and referred to Committee on Hospitals and Asylums.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 146—An Act appropriating money for the construction of an isolation building and equipping same for the said Napa State Hospital.

Also: Assembly Bill No. 148—An Act to add a new section to the Penal Code of the State of California to be known as Section 614b, relating to the punishment for gasoline and kerosene.

Also: Assembly Bill No. 149—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WILSON, Assistant Clerk.

Assembly Bills Nos. 146 and 149 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 998 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 139—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Also: Assembly Bill No. 200—An Act appropriating money for the construction of a sickness building and equipping same at Sonoma State Home.

Also: Assembly Bill No. 201—An Act appropriating money for building equipping and furnishing a cottage for epileptics at Sonoma State Home.

Also: Assembly Bill No. 202—An Act appropriating money for building garages for farm tools at Sonoma State Home.

Also: Assembly Bill No. 203—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Assembly Bill No. 204—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WILSON, Assistant Clerk.

Assembly Bills Nos. 139, 200, 201, 202, 203 and 204 read first time and referred to Committee on Hospitals and Asylums.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 140—An Act appropriating money for the establishment of a receiving home to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Assembly Bill No. 91—An Act appropriating money for constructing, furnishing and furnishing four cottages' cottages at Southern California State Hospital.

Also: Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Also: Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WILSON, Assistant Clerk.

Assembly Bills Nos. 523 and 527 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bills Nos. 24, 91, 116 and 179 read first time and referred to Committee on Hospitals and Asylums.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 20—Relative to the

payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 26 read, and referred to Committee on Contingent Expenses.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, copyists and employees of the county officers of counties of the thirty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties.

Also: Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis and making an appropriation therefor.

Also: Senate Bill No. 311—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Also: Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1128, 250, 311 and 1114 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the acceptance and maintenance thereof.

Also: Senate Bill No. 939—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District, to provide drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom, to provide for the election and appointment of officers of said drainage district, defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 957 and 939 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Also: Concurred in Senate amendment to Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess, or which may hereafter own or possess, tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Also, Concurred in Senate amendments to Assembly Bill No. 1436, An Act to amend Section 1083 of the Political Code, relating to the establishment of precincts.

J. P. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1445, An Act appropriating money for the purchase and installation of a pipe organ for Modesto State Hospital.

Also, Concurred in Senate amendments to Assembly Bill No. 115, An Act appropriating money for the completion of a fire and exposure at Modesto State Hospital.

J. P. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1014, An Act authorizing and empowering the city and county of San Francisco and city executive and freeholders' charter of consolidation, by and through its duly constituted authorities, to grant, convey or lease to the State of California, to handle and power to the State of California any real property owned by it, or which is now occupied or used, within the boundaries thereof, for a site upon which the State of California may erect public buildings or necessary grounds in connection therewith, and also authorizing and empowering any of the same to pay such part of the income as demand necessary to defray the expenditure of such a site, upon authorizing the exercising of condemnation for any of the purposes aforesaid, and declaring and providing any further legislation which may be essential to facilitate all and each purposes, and all and every proceedings leading up to the accomplishment of such purposes.

J. P. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1731, An Act appropriating money to provide a room containing floor for the use of the State Engineer, and defining its use, and the keeping thereof.

Also, Concurred in Senate amendments to Assembly Bill No. 1430, An Act to amend Section 700a of the Civil Code of the State of California, relating to corporations prohibited by law and the interest, administrators, guardians, executors, depositors or trustees of to engage in the business of banking.

Also, Concurred in Senate amendments to Assembly Bill No. 1435, An Act to amend Sections 1220 and 1221 of the Political Code, relating to the canvassing of votes.

J. P. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1054, An Act relating to incorporation for the purposes thereof, Of the Legislature of California.

Also, Concurred in Senate amendments to Assembly Bill No. 1384, An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 639a, relating to obtaining or maintaining defendant out of the State, and prescribing a penalty for disposition or concealment or shipping or transporting any animals, beyond the confines of the State.

Also, Concurred in Senate amendments to Assembly Bill No. 1381, An Act to provide for the maintaining and preservation of public works, declaring conforming such duties to [illegible] for the [illegible] of the maintenance of works and the [illegible] and [illegible] to [illegible] and [illegible] to [illegible] and [illegible] and [illegible] and

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as cases of urgency, Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

Also: Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Also: Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1009, 1010 and 1011 read first time.

MOTION.

Senator Thompson moved that the rules be suspended, and that Assembly Bills Nos. 1009, 1010 and 1011 be taken up for immediate consideration.

Motion carried unaminously.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Thompson:

Resolved, That Assembly Bills Nos. 1009, 1010 and 1011 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that each of said bills be read the first, second and third times, and placed upon final passage.

The question being on the adoption of the resolution.

The roll was called, and Section 15 of Article IV of the Constitution suspended by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

Bill read second time.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1009 passed by the following vote:

AYES—Senators Avey, Beban, Bledsoe, Brown, Burnett, Caldecott, Carr, Cogswell, Cohn, Curtin, Flint, Hare, Gerdes, Gould, Hans, Hatch, Inman, Jacobsen, Jones, Larkins, Leon, Metz, Rigdon, Sanford, Shanahan, Stetson, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Bill read second time.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Brand, Brown, Bunnett, Burke, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gerdes, Gould, Hans, Hatch, Hewitt, Inman, Jacobsen, Larkins, Leon, Metz, Rigdon, Sanford, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1010 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Brand, Brown, Bunnett, Burke, Carr, Cogswell, Cohn, Curtin, Flint, Gerdes, Gould, Hans, Hewitt, Inman, Jacobsen, Larkins, Leon, Metz, Rigdon, Sanford, Shanahan, Strobridge, Thompson, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the State of California during the sixty-fourth fiscal year.

Bill read second time.

Read third time.

Section 2, setting forth the urgency clause of the bill, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Brand, Brown, Bunnett, Burke, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gerdes, Gould, Hans, Hewitt, Jones, Jacobsen, Larkins, Leon, Metz, Rigdon, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1011 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

COMMUNICATION.

The following communication was received:

TOKIO, April 17, 1913.

Governor Wallace, Sacramento, Cal.:

Methodist missionaries urge defeat anti-Japanese legislation. Situation serious.

HARRIS.

MOTION.

Senator Sanford moved that the communication be not printed in the Journal.

Motion lost.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 502—An Act to amend Section 1674 of the Political Code of the State of California, relating to union school districts.

Also: Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption.

Also: Senate Bill No. 1029—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

Also: Senate Bill No. 165—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Also: Senate Bill No. 174—An Act to amend Section 1622 of the Political Code of the State of California, relating to expenditure of state and county school money.

Also: Senate Bill No. 1030—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Also: Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Also: Senate Concurrent Resolution No. 23—Committee substitute for Senate Concurrent Resolution No. 23, relative to the appointment of a committee to investigate certain charges against the Secretary of State.

And report that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of April, 1913, at three o'clock and thirty minutes p.m.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor

Statistics and providing penalties for the violation thereof, approved February 16, 1911, and repealing Act of April 14, 1911.

Also: Senate Bill No. 76—An Act appropriating money for the purchase of equipment for shops, power plants and laboratories in the California Polytechnic School.

Also: Senate Bill No. 103—An Act appropriating money for printing bills, resolutions of the Assembly and Senate of California.

Also: Senate Bill No. 104—An Act appropriating money for general betterments, improvements and maintenance at Whittier State School.

Also: Senate Bill No. 105—An Act appropriating money for the purpose of preventing, preventing and suppression of the Mormon Cricket Pest in Modoc and Lassen counties.

Also: Senate Bill No. 106—An Act appropriating money for the purpose of preservation, protection and improvement of the old historic building and grounds at Monterey.

Also: Senate Bill No. 107—An Act to grant an appropriation for maintenance of the state road from Monterey to Salinas to Watsonville.

Also: Senate Bill No. 108—An Act making an appropriation to pay the claim of the California Highway Commission against the State of California.

Also: Senate Bill No. 109—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 1208a, providing for a jury trial in actions upon undertakings.

Also: Senate Bill No. 110—An Act to amend Section 58 of the Code of Civil Procedure of the State of California, relating to bridges.

Also: Senate Bill No. 111—An Act appropriating money for the assistance and furnishing of buildings at Preston School of Industry.

Also: Senate Bill No. 112—An Act to amend Section 732 of the Penal Code of the State of California.

Also: Senate Bill No. 113—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Senate Bill No. 114—An Act to amend Section 4203 of the Political Code of the State of California, relating to salaries of county officers in counties of the seventy-fourth class.

Also: Senate Bill No. 115—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

Also: Senate Bill No. 116—An Act fixing the compensation to be paid to court clerks and reporters of courts in the several counties or cities and counties of the State of California for services performed by them for the State, in primary, general and other elections held under the laws thereof.

Also: Senate Bill No. 117—An Act to amend Section 4201 of the Political Code of the State of California, relating to the fixing of salary of county auditors.

Also: Senate Bill No. 118—An Act authorizing boards of supervisors to levy taxes for the purchase or building improvement or enlargement of a township hall.

Also: Senate Bill No. 119—An Act relating to the issuance of bonds of municipalities and giving such bonds authority to vote a special tax for the purpose of raising funds for advertising, printing and mailing descriptive literature of the counties, which tax hereafter authorized to be levied shall be in addition to and that which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and distributing exhibits of domestic and foreign exposition.

Also: Senate Bill No. 120—An Act to amend Section 1871 of the Penal Code of California.

Also: Senate Bill No. 121—An Act to add to Section 1871 of the Penal Code of California.

Also: Senate Bill No. 122—An Act relating to the issuance of bonds of municipalities and giving such bonds authority to vote a special tax for the purpose of raising funds for advertising, printing and mailing descriptive literature of the counties, which tax hereafter authorized to be levied shall be in addition to and that which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and distributing exhibits of domestic and foreign exposition.

Also: Senate Bill No. 123—An Act to amend Section 1871 of the Penal Code of California.

Also: Senate Bill No. 124—An Act to amend Section 1871 of the Penal Code of California.

Also: Senate Bill No. 125—An Act to amend Section 1871 of the Penal Code of California.

Also: Senate Bill No.

Also: Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1156—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued, and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1157—An Act to amend Section 1025 of the Code of Civil Procedure of California, relating to salary of justices, justices' clerk, assistant justices' clerks and deputy justices' clerks in townships having population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1467—An Act to amend Section 850 of the Code of Civil Procedure of the State of California, relating to the requisites for notice of hearing in justices' courts.

Also: Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California relating to petition for the sale of real property belonging to a decedent's estate.

Also: Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 532a, relating to secret societies, fraternal societies, orders, or organizations.

Also: Senate Joint Resolution No. 25—Relative to memorializing Congress regarding the citrus fruit industry of the State of California and requesting our Senators and Representatives in Congress to use all honorable means to secure a reduction in duties on citrus fruits below the point where the difference in the cost of production of the same would be equalized.

Also: Senate Bill No. 1092—An Act to amend Section 1765 of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

Also: Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Also: Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California relating to the requisites for the publication of summons.

Also: Senate Bill No. 956—An Act to amend Section 321b, of the Civil Code of the State of California, relating to the meetings of stockholders, who may vote thereat, and proxies.

Also: Senate Bill No. 952—An Act to amend Section 345, of the Civil Code of the State of California, relating to the extension of time of delinquent sale of stock in corporations.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools.

Also: Senate Bill No. 907—An Act to require physical culture and health development supervision in the public schools, and to amend Section 1668 of the Political Code.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

AVEY, Chairman.

Senate Bills Nos. 1489 and 907 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 665—An Act making an appropriation for university extension work for the University of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Finance.

AVEY, Chairman.

Assembly Bill No. 665 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repeal-

ing an Act entitled "An Act to provide county clerks' salaries, approved April 6, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the salaries of assessors, county clerks, county treasurers, county auditors, district attorneys, boards of supervisors and other officers, and continuing in force certain provisions.

Also, Assembly Bill No. 155—An Act ratified and confirming the proceedings heretofore taken by the board of trustees of the county school district of Los Angeles and the National City Company of Connecticut, with reference to the sale to said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

AYER, Chairman.

Assembly Bills Nos. 101 and 105 ordered to the second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 106—An Act providing for the construction and equipment of a chemical and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back and recommend that they do pass, and be referred to Committee on Finance.

AYER, Chairman.

Assembly Bill No. 106 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 7—An Act appropriating money for the maintenance of the State Normal School at Santa Barbara, State Normal School at Marysville, Yuba and Humboldt Counties—

Also Assembly Bill No. 11—An Act providing for the construction and equipment of a gymnasium, library and dormitory and boiler house for the use of the department of architecture of the University of California, to pay for all of the services of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura or Santa Barbara, and making an appropriation therefor—

Also Assembly Bill No. 14—An Act providing for the construction and equipment of a lab oratory building for the use of the department of agriculture of the University of California, to pay for all of the services of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura or Santa Barbara, and making an appropriation therefor—

Also Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant and laboratories at the California Polytechnic School—

Also Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics—

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be referred to Committee on Finance.

AYER, Chairman.

Assembly Bills Nos. 7, 11, 14, 21 and 112 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School—

Also Assembly Bill No. 156—An Act appropriating money for the improvement of the grounds at San Diego State Normal School—

Also Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Also Assembly Bill No. 158—An Act appropriating money for purchase and improvement of the heating system at the California Polytechnic School—

Also Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School—

Also Assembly Bill No. 162—An Act appropriating money for remodeling and calcimining the training school building at San Francisco State Normal School—

Also: Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

AVEY, Chairman.

Assembly Bills Nos. 152, 153, 157, 158, 159, 192 and 193 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Also: Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Also: Assembly Bill No. 271—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

AVEY, Chairman.

Assembly Bills Nos. 228, 229, 266, 270 and 271 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Also: Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Also: Assembly Bill No. 385—An Act providing for the purchase, for the use of the department of agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Also: Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

AVEY, Chairman.

Assembly Bills Nos. 289, 292, 385, 531 and 532 ordered re-referred to Committee on Finance.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1008—An Act to regulate repayment of employers' advances; and providing penalties for the violation of its provisions.

Also: Senate Bill No. 1748—An Act to amend the Penal Code of the State of California, by adding thereto two new sections, to be known and numbered as Section 349b and Section 349c, relating to labor unions.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LYON, Chairman.

Senate Bills Nos. 1008 and 1748 ordered on file for second reading.

Also:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 4700, relating to the handling of moneys by corporations organized under the laws of the State of California by its officers, directors or stockholders, have had the same under consideration, and respectfully report the same back with amendments, and without recommendation.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 1718—An Act to create a State Harbor Commission, defining its powers and duties, providing certain charges and fixing penalties—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

Mr. President: Your Committee on Judiciary, to whom was referred Assembly Bill No. 416—An Act to amend Section 708 of the Code of Civil Procedure of the State of California, relating to continuances of actions—have had the same under consideration, and respectfully report the same back, with the recommendation that it do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 1739—An Act to amend Sections 1054, 1055 and 1056 of the Code of Civil Procedure of the State of California, relating to the duty of the trial court upon and to the granting of appeals to be taken on appeal from inferior courts to proceedings of the Superior Courts to the Supreme Court or the District Courts of Appeal—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

GATES, Chairman.

Senate Bills Nos. 1741, 1718, 416 and 1739 ordered on the first general reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

Mr. President: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 70—An Act appropriating money for the development and improvement of the water system of the California Polytechnic School.

Also: Senate Bill No. 277—An Act to add a new section to the Penal Code of the State of California, to be known as Section 594a, relating to the making and use of false statements for the purpose of procuring property or credit, and prescribing the punishment therefor.

And report that the same have been correctly engrossed.

GRANT, Chairman.

PETITIONS.

Petitions were presented by Senator Juilliard, from the Sebastopol Chamber of Commerce, favoring the passage of Assembly Bill No. 478.

Also, From the Sonoma County Teachers' Institute, favoring the passage of the "Boynton-Morgenstern" bill for the reorganization of the State Board of Education.

BILL RE-REFERRED.

Senator Thompson moved that Senate Bill No. 141 be re-referred to Committee on Judiciary.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT—Your Committee on Introduction of Bills, to whom was referred the request of Senator Shanahan for permission to introduce a bill entitled an Act to amend Section 2349 of the Political Code, relating to navigable streams and public ways.

Also: The request of Senator Shanahan, for permission to introduce a bill entitled an Act to amend Sections 1332 and 1333 of the Political Code of the State of California, and to add four new sections thereto, to be numbered Sections 1334, 1335, 1336 and 1337, relating to the election of Senators in Congress.

Also: The request of Senator Lyon, for permission to introduce a bill entitled an Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Have had the same under consideration, and respectfully report the same back, and recommend that said requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced.

By Senator Shanahan: Senate Bill No. 1757—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California, and to add four new sections thereto, to be numbered Sections 1334, 1335, 1336 and 1337, relating to the election of Senators in Congress.

Bill read first time, and referred to Committee on Elections.

By Senator Shanahan: Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code, relating to navigable streams and public ways

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Lyon: Senate Bill No. 1759—An Act to establish courts of special claims in cities of the first class and cities of the first and one half class; to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Bill read first time, and referred to Committee on Judiciary.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Brown: Permission to introduce a Senate bill—An Act to amend Section 2978 of the Political Code, relating to appointment of members of the State Board of Health.

By Senator Cogswell: Permission to introduce a Senate bill—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

By Senator Gerdes: Permission to introduce a Senate bill—An Act to amend the Penal Code of California by adding thereto a new section to be known as Section 266 of the Penal Code.

Requests referred to Committee on Introduction of Bills.

CONSIDERATION OF BILLS FOR THIRD READING AND PASSAGE OF SAME.

Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Read third time on a previous day.

Section 2 setting forth the urgency clause, read.

The question being, "Shall this section setting forth the urgency feature of this bill be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Boyce, Bronson, Bulkley, Chapman, Cogswell, Cutten, Curtin, Curtis, Cutten, Dennett, Finn, Flint, Gates, Gerdes, Grant, Hayes, Hewitt, Holland, Lane, Leavitt, Lewis, Mott, Owens, Rigdon, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, and Wright—41.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 passed by the following vote:

AYES—Senators Anderson, Avey, Bulkley, Bronson, Bulkley, Chapman, Cogswell, Cutten, Curtin, Curtis, Cutten, Dennett, Finn, Flint, Gates, Gerdes, Grant, Hayes, Hewitt, Holland, Lane, Leavitt, Lewis, Mott, Owens, Rigdon, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, and Wright—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 127—An Act appropriating money for repairing and enlarging the training school building at San Francisco State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 127 passed by the following vote:

AYES—Senators Anderson, Avey, Bulkley, Bronson, Bulkley, Chapman, Bulkley, Bronson, Bryant, Butler, Cogswell, Cogswell, Cutten, Curtin, Curtis, Cutten, Dennett, Finn, Flint, Gates, Gerdes, Grant, Hayes, Hewitt, Holland, Lane, Leavitt, Lewis, Mott, Owens, Rigdon, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, and Wright—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 103—An Act appropriating money for general repairs to buildings at Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 103 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—32.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 225 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Lyon, Owens, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 478—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 478 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 660—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Boynton, Bunkers, Burnett, Chamberlain, Chandler, Curtis, Dennett, Dennison, Dickinson, Dillon, Dunn, Edwards, Finn, Flint, Gates, Gerdes, Gesford, Gray, Hans, Hewitt, Holbrook, Jones, Judkins, Kehoe, Lyon, Mott, Owens, Rigdon, Rush, Sanford, Shumaker, Stockton, Thompson, Tyrrell, and Wright—36.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 650 passed by the following vote:

AYES—Senators Anderson, Boynton, Bunkers, Burnett, Chamberlain, Chandler, Curtis, Dennett, Dennison, Dickinson, Dillon, Dunn, Edwards, Finn, Flint, Gates, Gerdes, Gesford, Gray, Hans, Hewitt, Holbrook, Jones, Judkins, Kehoe, Lyon, Mott, Owens, Rigdon, Rush, Sanford, Shumaker, Stockton, Thompson, Tyrrell, and Wright—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 668—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Read third time.

Section 2, setting forth the urgency section of the bill, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Boynton, Bunkers, Burnett, Chamberlain, Chandler, Curtis, Dennett, Dennison, Dickinson, Dillon, Dunn, Edwards, Finn, Flint, Gates, Gerdes, Gesford, Gray, Hans, Hewitt, Holbrook, Jones, Judkins, Kehoe, Lyon, Mott, Owens, Rigdon, Rush, Sanford, Shumaker, Stockton, Thompson, Tyrrell, and Wright—36.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 668 passed by the following vote:

AYES—Senators Anderson, Boynton, Bunkers, Burnett, Chamberlain, Chandler, Curtis, Dennett, Dennison, Dickinson, Dillon, Dunn, Edwards, Finn, Flint, Gates, Gerdes, Gesford, Gray, Hans, Hewitt, Holbrook, Jones, Judkins, Kehoe, Lyon, Mott, Owens, Rigdon, Rush, Sanford, Shumaker, Stockton, Thompson, Tyrrell, and Wright—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 865—An Act making an appropriation to pay the claim of the California Highway Construction Company against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 865 passed by the following vote:

AYES—Senators Anderson, Boynton, Bunkers, Burnett, Chamberlain, Chandler, Curtis, Dennett, Dennison, Dickinson, Dillon, Dunn, Edwards, Finn, Flint, Gates, Gerdes, Gesford, Gray, Hans, Hewitt, Holbrook, Jones, Judkins, Kehoe, Lyon, Mott, Owens, Rigdon, Rush, Sanford, Shumaker, Stockton, Thompson, Tyrrell, and Wright—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theatre building and grounds, at Monterey.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1206 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Brown, Bryant, Butler, Campbell, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1249—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Rush, Sanford, Shanahan, and Wright—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1249 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Curtin, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 480 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Hewitt, Jones, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1327—An Act to appropriate $12,000 to be expended by and under the direction of the State Department of Engineering,

for the purpose of painting the State Capitol building at Sacramento.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1327 passed by the following vote:

Ayes—Senators Anderson, Beban, Boynton, Bunkers, Burnett, Bryant, Butler, Cogswell, Campbell, Carr, Cartwright, Caminetti, Cobb, Curtin, Finn, Flint, Gates, Gerdes, Gerlach, Hans, Hewitt, Jones, Juilliard, Larkins, Leale, Mott, Rigdon, Sanford, Saunders, Thompson, Tyrrell, and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1191—An Act appropriating the sum of $3,000 for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1191 passed by the following vote:

Ayes—Senators Anderson, Beban, Boynton, Bunkers, Burnett, Butler, Cogswell, Campbell, Carr, Cartwright, Caminetti, Cobb, Curtin, Finn, Flint, Gates, Gerdes, Gerlach, Hans, Hewitt, Juilliard, Mott, Owens, Rigdon, Rush, Sanford, Saunders, Thompson, Tyrrell, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 637—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Read third time on a previous day.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 637 passed by the following vote:

Ayes—Senators Anderson, Beban, Boynton, Bunkers, Bryant, Butler, Campbell, Cartwright, Caminetti, Cobb, Curtin, Finn, Flint, Gates, Gerdes, Gerlach, Hans, Hewitt, Juilliard, Mott, Owens, Rigdon, Rush, Sanford, Saunders, Thompson, and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 688—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 688 passed by the following vote:

Ayes—Senators Beban, Boynton, Bunkers, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cobb, Curtin, Finn, Flint, Gates, Gerdes, Gerlach, Hans, Juilliard, Mott, Owens, Rigdon, Rush, Sanford, Saunders, Thompson, and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 659—An Act to amend Section 4281 of the Political Code, relating to salaries and fees of officers of counties of the fifty-second class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 659 passed by the following vote:

AYES—Senators Beban, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

On motion of Senator Tyrrell, Senate Bill No. 312 was passed on file.

Senate Bill No. 880—An Act to repeal sections one thousand nine hundred and twenty-three, one thousand nine hundred and thirty-five, and one thousand nine hundred and sixty-six of the Political Code of the State of California, and to amend sections one thousand nine hundred and six, one thousand nine hundred and twenty-five, one thousand nine hundred and twenty-six, one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-two and one half, one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-four and one half, one thousand nine hundred and fifty-three, one thousand nine hundred and fifty-seven, one thousand nine hundred and sixty-three, two thousand and seventy-six, two thousand and seventy-seven, two thousand and seventy-nine, two thousand and eighty, two thousand one hundred and six, two thousand one hundred and eleven and two thousand one hundred and twelve, of the Political Code of the State of California, and to add four new sections to said code to be known as sections one thousand nine hundred and twenty-eight *a*, one thousand nine hundred and twenty-eight *b*, one thousand nine hundred and twenty-eight *c* and one thousand nine hundred and twenty-eight *d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 880 passed by the following vote:

AYES—Senators Beban, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Committee Substitute for Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 588 passed by the following vote:

AYES—Senators Baker, Bonner, Bryan, Burke, Carraway, Caswell, Cato, Cowan, Cox, Cranfill, Culbreth, Daniel, Ellis, Gerdes, Gudger, Hall, Hancock, Hanford, Hasty, Hewitt, Holding, Jones, Lawrence, Long, Owens, Rand, Rush, Sanderlin, Shackleford, Thompson, Tyndall, and Wright—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. ASSUMES THE CHAIR.

At twelve o'clock and five minutes p.m., Hon. A. E. Horton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—RECORD.

Senate Bill No. 1240—An Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911, by amending the title and Sections 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, 10m, 10n, 10o, 10p, 10q, and 10r.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1240 passed by the following vote:

AYES—Senators Anderson, Bonner, Bryan, Burke, Bynum, Carraway, Caswell, Cato, Cowan, Cox, Cranfill, Culbreth, Cutlright, Daniel, Ellis, Gerdes, Gudger, Hall, Hancock, Hanford, Hasty, Hewitt, Holding, Jones, Lawrence, Long, Mott, Owens, Rand, Rush, Thompson, Tyndall, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide

penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

In the absence of the author, Senate Bill No. 389 was passed on file.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

In the absence of the author, Senate Bill No. 52 was passed on file.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 804 was passed on file.

SENATOR THOMPSON IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled, "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer Senate Bill No. 526 to Senator Anderson, as a special committee of one, to amend as follows:

On page 3, line 25, of the printed bill, immediately after the word "state" and before the word "having", insert the following: "or foreign country".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 526, with instructions to amend, respectfully reports the same back, amended as per instructions.

ANDERSON, Committee.

Report read and adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Brown moved to refer to Senator Butler, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

In line 7 of the title, strike out the word "health", and insert in lieu thereof the following: "medical examiners."

AMENDMENT No. 2.

On page 1, lines 2 and 3, strike out the words "health chief executive and secretary a department of", and insert in lieu thereof the following: "medical examiners shall arrange for the".

AMENDMENT No. 3.

On page 1, strike out that portion of line 4 beginning with the word "law" down all of lines 5, 6, and 7.

AMENDMENT No. 4.

On page 2, strike out all of lines 1 and 2, and that portion of line 3 up to and including the word "health."

AMENDMENT No. 5.

On page 2, line 6, strike out the word "department" and insert in lieu thereof the word "board."

AMENDMENT No. 6.

On page 2, lines 8 and 9, strike out the word "regularly" and insert in lieu thereof the following: "at least."

AMENDMENT No. 7.

On page 2, line 10, after the word "of", change the period to a semicolon, and insert thereafter the following: "provided, however, that examinations of applicants for certificates may, in the discretion of the board, be conducted in any part of the state designated by the board."

AMENDMENT No. 8.

On page 3, line 10, strike out the word "health", and insert in lieu thereof the following: "medical examiners."

AMENDMENT No. 9.

On page 3, line 34, strike out the word "health", and insert in lieu thereof the following: "medical examiners."

AMENDMENT No. 10.

On page 4, line 4, strike out the word "health", and insert in lieu thereof the following: "medical examiners."

AMENDMENT No. 11.

On page 4, line 7, strike out the word "health", and insert in lieu thereof the following: "medical examiners."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 526, with instructions to amend, respectfully reports the same back amended as per instructions.

BUTLER, Chairman.

Report read and refused adoption.

Bill ordered to print and re-engrossment.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Kehoe, the hour of recess was extended for fifteen minutes.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Assembly Concurrent Resolution No. 28—Relative to request of farmers of Seventeenth Senatorial District to Board of Prison Directors to be released from contracts for purchase of grain bags—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FINN, Chairman.

Assembly Concurrent Resolution No. 28 ordered on file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all properties necessary therefor, and also to provide for the distribution and sale of water by said districts.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Boynton, as a special committee of one, to amend as follows:

By inserting in Section 2, line 8, page 1, preceding the word "may", the words "having a population of not less than one thousand inhabitants.".

Also: By inserting in Section 3, line 2, on page 2, following the word "cost", the words "in said proposed county water district".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 265, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOYNTON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Caminetti, the Secretary was directed to issue a rush order for printing Senate Bill No. 265.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Mott moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

By striking out of Section 1, line 11, the words "San Luis Obispo", and striking out of Section 1, line 12, the words "Santa Barbara" and "Kern", and out of Sec-

tion 1, line 13, the words "Ventura" and "Tulare", and inserting in lieu [illegible] after the comma after the words "San Diego" the following: "San Luis Obispo, Ventura, Santa Barbara, Kern, Tulare."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON [illegible]

SENATE CHAMBER, SACRAMENTO, April [illegible], 1913.

MR. PRESIDENT: Your special committee to which was referred Senate Bill No. 809, with instructions to amend, respectfully reports the same back amended as per instructions.

CAMPBELL, [illegible].

Report read and adopted.

Bill ordered to print and to engrossment.

RUSH ORDER TO PRINTER

On motion of Senator Wright, the Secretary was directed to send a rush order for printing Senate Bills Nos. 809 and 995.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 987—An Act to amend Section 684 of the Civil Code, relating to building and loan associations—and respectfully ask that the amendments be concurred in.

J. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 987

AMENDMENT No. 1.

On page 3, line 15, strike out the words "or other evidence of indebtedness."

AMENDMENT No. 2.

On page 3, line 21, after the word "certificates," insert the word "and"

AMENDMENT No. 3.

On page 3, lines 22, 23, 24, 25, strike out the words "and other evidences of indebtedness other than its liability on its shares of stock and members on its installment and full paid stock and on its membership certificates."

AMENDMENT No. 4.

On page 3, lines 27, 28, 29, 30, strike out the words "and other evidences of indebtedness other than its liability on its shares of stock and members on its installment and full paid stock on its installment and full paid membership certificates."

AMENDMENT No. 5.

On page 3, line 35, insert the following:

"e. Every such corporation shall also have power, by its by-laws or charter, to charge an entrance or withdrawal fee, for each share of stock it may issue, not exceeding one dollar on each share, and also to charge a reasonable fee not exceeding one cent on each share, all of which fees shall be considered part of the compensation for the use of funds of the association. No other fee, charge or deduction shall ever be made or permitted to be made against any shareholder or against any of his shares hereby issued, or the dues paid in thereon for the purpose of creating a fund to be used in the payment of current or running expenses."

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 987?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 987 by the following vote:

AYES—Senators Anderson, Ayer, Benson, Birdsall, Boynton, Bunkl, Bussey, Butler, Caminetti, Campbell, Cartwright, Chipman, Flint, Gates, Gaylen, Green,

Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Strobridge, Thompson, and Wright—28.
NOES—None.

Bill ordered to enrollment.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Boynton, the Senate took up the consideration of Senate Bill No. 706, out of order.

Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California, relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer to Senator Carr, as a special committee of one, to amend Senate Bill No. 706 as follows:

By striking out the word "private" from line 11, page 3, of the printed bill as amended.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 706, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

TIME OF RECESS EXTENDED.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Kehoe, the time of recess was extended until one o'clock p.m.

BILL RE-REFERRED.

Senator Boynton moved that Senate Bill No. 905, and all amendments submitted thereto, be re-referred to Committee on Labor and Capital.

Motion carried.

BILL RECALLED FROM PRINT.

Senator Kehoe moved that Senate Bill No. 451 be recalled from print and engrossment.

Motion carried.

RECESS.

At one o'clock p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Cohn, the privilege of the floor of the Senate Chamber for this day, was unanimously extended to Mrs. Eisenlohr and daughter, of Chicago.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading file of Assembly Bills.

Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies in their own homes and for their free transportation and support while undergoing treatment under the direction and treatment by the State Board of Health.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

Strike out all of the bill after the words "An Act" and insert in lieu thereof the following:

"To provide for the free home treatment of persons exposed to rabies who may desire that it and not be necessary for them to go to institutions, and providing the duties of the state board of health in connection therewith, and providing for the payment of physicians employed in pursuance [illegible]

Amendment adopted

AMENDMENT No. 2

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

"Section 1. For the purpose of providing free treatment of any person or persons exposed to the rabies who may desire not to go to a hospital for them to get the anti-rabic treatment, it is the duty of the state board of health to make provision for the purchase and administration of the anti-rabic virus, by a qualified physician, said virus to be purchased on a definitive prescription under United States government control and license, and to be administered to such persons either at their homes or at a convenient place in the community in which they reside, free of any and all expense to said persons for such treatment; provided, however, that if said persons reside in a community where a laboratory of the state board of health exists, such persons shall, on application to the physician in charge of said laboratory, be supplied with the anti-rabic virus furnished by the state board of health; and provided, further, that if there shall be six or more of such persons in a community where the said laboratory exists, in need of treatment at or about the same time, the board of supervisors of the county in which said persons were exposed to rabies may direct the state board of health to send a qualified physician to such community to administer to said persons, and the state board of health shall send such physician, if one is available to said board of health shall certify requisitions from said county to the state auditor for the payment of such physician's services, which shall not exceed in the case of any one physician more than one hundred and fifty dollars per month for not more than a month, to be paid by the county in which said persons reside.

Sec. 2. The written declaration of such persons, or their guardians, if said persons are minors or imbeciles, made to the board of supervisors of the county in which said persons were exposed to said disease, or such declaration made to the local health officer of the community in which they reside, shall be sufficient to entitle said persons to said free anti-rabic treatment in the community in which they reside, and if said free home treatment is not practicable within said community, day or which said persons entitled thereto may apply for treatment at such institution of the community in which they reside and the reasonable cost of the said anti-rabic virus used in such treatment and the reasonable cost of the physician administering same shall be paid by the county in which said persons were exposed to said disease.

Sec. 3. The reasonable charges of any laboratory other than the state laboratory supplying said virus and the reasonable charges of any physician administering same under the provisions of this Act shall be allowed by the board of supervisors of the county in which said persons were exposed to said disease, and it shall be the duty of the auditor of said county to draw his warrant for the said amounts allowed in

the claims set forth, respectively, and it shall be the duty of the treasurer of said county to pay the same: *provided, however*, that said county shall not be liable for any charge for anti-rabic treatment administered at any laboratory of the state board of health, or for any virus furnished by said board, nor shall it be liable beyond the necessary traveling expenses and remuneration at the rate of one hundred and fifty dollars per month for the services of any physician sent by said board to administer anti-rabic treatment in communities where no laboratory of said board exists.

SEC. 4. This Act is not to be interpreted as in any way restricting the powers of either the state board of health or those of any local board of health, but is enacted to assure the speedy and effective treatment, at public expense of such persons as come within its scope.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations and to exclude uninhabited territory therefrom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter, any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district and providing for the payment thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the words "and the costs", and insert in lieu thereof the following: "and to enter into a contract for doing such work (the same to be done subject to the supervision and under the control of the city or town) or to agree to reimburse the city or town therefor. The cost of such work or the amount of such reimbursement, as the case may be,".

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out lines 11 and 12.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SENATOR BENSON IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Senator Benson, of the Twenty-seventh District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter, any street in any incorporated city or town, lying adjacent to or upon the property of such county and providing for the payment thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the words "and the costs thereof", and insert in lieu thereof the following: "and to enter into a contract for doing such work (the same

to be done subject to the supervision and under the control of the city or town thereof, or to agree to reimburse the city or town thereof. The cost of such work or the amount of such reimbursement, as the case may be,

Amendment adopted

AMENDMENT No. 2.

On page 1, strike out lines 8 and 9.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 374—An Act to amend Section 1 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of women under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation thereof," approved February 20, 1905, and April 14, 1911.

During second reading of the bill, the following amendments were offered by Senator Lyon:

AMENDMENT No. 1.

On page 1, line 1, at the close of the paragraph, after the words "section one of".

Amendment adopted

AMENDMENT No. 2.

On page 2, line 6, of the printed bill, after the period, insert the following:

SEC. 2. No minor under the age of eighteen years shall be employed or permitted to work between the hours of ten o'clock in the evening and five o'clock in the morning.

SEC. 3. No minor between the ages of twelve and fifteen years shall be employed in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the transmission of messages or merchandise, except during the hours when the public schools are in session, and unless such minor has been regularly attending some day school for a period of not less than six months during the preceding twelve months, or has been granted a permit to work as hereinafter provided.

SEC. 4. The commissioner of labor statistics, or any deputy commissioner of labor statistics, or any truant officer of any county, city or city and county, or any police officer, may issue to any minor between the ages of twelve and fifteen years, a permit to work in any place mentioned in section 3 hereof, upon the following conditions and not otherwise:

(1) When such minor has completed the seventh grade, provided such minor is physically fitted for the labor contemplated; and

(2) When such child's dependent father, mother, or both the parents, or legal guardian of such minor, shall make application in writing to the commissioner of labor statistics, or deputy commissioner of labor statistics, or truant officer, or police officer, for such permit, stating the name, age and residence of such minor, the name and address of the employer by whom such minor is to be employed, the nature of the business or employment in which such minor is to be employed, the hours of labor required of such minor, and the compensation to be paid such minor; and

(3) When such application is approved by the commissioner of labor statistics, or deputy commissioner of labor statistics, or truant officer, or police officer, and such permit issued thereon; provided, however, that no permit shall be issued to any minor under the age of fifteen years, except upon the written request of the parent, guardian or other person having the custody of such minor, stating that such minor has been employed by the person making such request for a period of not less than one month next preceding the application for such permit, and that such employment is necessary for the support of such parent, guardian or other person having the custody of such minor

authority issuing such permit, whenever such commissioner, or the authority issuing such permit shall find that the conditions for the legal issuance of such permit do not exist. Such permit shall be always open to the inspection of the attendance and probation officers, or of the officers of the state bureau of labor statistics. A duplicate copy of each permit to work granted under the provisions of this Act shall be kept by the person issuing such permit, such copy to be filed with the superintendent of schools of the city, or city and county, or county, as the case may be: *provided*, that all copies of permits issued between June 25th and December 25th of any year shall be filed not later than December 31st of each year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. Corresponding semi-annual reports of all such permits issued shall be made by such superintendents in such form as may be required by the commissioner of the bureau of labor statistics of the State of California.

SEC. 6. The attendance officer of any county, city and county, or school district in which any place of employment, in this Act named, is situated, or the probation officer of such county, shall have the right and authority, at all times to enter into any such place of employment for the purpose of investigating violations of the provisions of this Act, or violations of the provisions of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of the Act," approved March 24, 1903, and any Act amending or superseding the same: *provided, however*, that if such attendance or probation officer is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by such attendance or probation officer setting forth the fact that he has a good cause to believe that the provisions of this Act, or the Act hereinbefore referred to, are being violated in such place of employment, issue an order directing such attendance or probation officer to enter said place of employment for the purpose of making such investigations: *and provided* that any such minor over the age of twelve years may be employed at any of the occupations mentioned in this Act on the regular weekly school holidays, or during the regular vacation of the public schools of the city, county, or city and county, in which the place of employment is situated, upon the production of a permit signed by the principal, vice-principal of the school, or secretary of the board of school trustees or board of education of the school which such minor is attending, or has attended during the term next preceding any such vacation. Such permit shall contain the name and age of the minor to whom it is issued, and when issued for the regular vacation, the date of the termination of the vacation for which it is issued, and in any case shall be kept on file by the employer during the period of employment, and at the termination of such employment shall be returned to the minor to whom it was issued.

SEC. 7. No minor who is under sixteen years of age shall be employed or permitted to work at any gainful occupation during the hours that the public schools of the city, town or school district in which his place of employment is situated are in session, unless he or she has completed the prescribed grammar school course, or unless he or she is a regular attendant for the then current term at a regularly conducted night school; *provided, however*, that if the bodily or mental condition of said minor is such as to render inadvisable attendance at school or application to study, a certificate from any licensed physician that said minor should not attend school shall be sufficient excuse for such non-attendance.

SEC. 8. Every person, firm or corporation employing minors under eighteen years of age, in any manufacturing establishment, shall post and keep posted, in a conspicuous place in every room where such minors are employed, a written or printed notice stating the number of hours per day for each day of the week required of such minors.

SEC. 9. Every person, firm, or corporation, agent or officer of a firm or corporation, employing or permitting minors under sixteen and over fifteen years of age to work in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, shall keep a record of the names, ages, and places of residence of such minors, and shall have on file a certificate of age and schooling, as provided in this Act, for every such minor so employed, said record and certificate to be open at all times to the inspection of the school attendance and probation officers of the city and county, city, or county, in which the place of employment is situated, or of the officers of the state bureau of labor statistics.

SEC. 10. An age and schooling certificate shall be approved only by the superintendent of schools of the city or city and county, or by a person authorized by him in writing, or where there is no city or city and county superintendent of schools, by a person authorized by the local school trustees: *provided*, that the superintendent or principal of any school of recognized standing shall have the right to approve an age and schooling certificate, and shall have the same rights and powers as the superintendent of public schools to issue the certificates herein provided for the children attending such schools. The person authorized to issue age and schooling certificates shall have the authority to administer the oaths necessary for

carrying out the provisions of this Act, but no fees shall be charged for issuing such certificates.

Age and schooling certificate shall be issued only upon the written request of the prospective employer of such minor child, which request shall be filed by the person issuing the certificate.

Age and schooling certificate shall not be approved unless the child applying therefor is examined by the said school nurse. The examination shall be made at the time of such issuing, the parent, guardian or person in the loco parentis of such child to be present, that such child may be assured to avoid embarrassment. A physician shall be employed by the county superintendent of schools of each county to assist the school nurse in the examination of children applying for age and schooling certificates provided under the provisions of this Act and shall be the person making such examination only shall be filed with the county superintendent of schools in the county where the employment is intended to be had and no copies of certificates issued thereon. Upon filing such examination blank of the said school nurse and physician, the county superintendent of schools shall issue to the said child the age and schooling certificate provided for in this Act. Such certificate shall be good for thirty days from the date of issuance. Provided, that said school nurse and physician shall not be entitled to receive any fees for such examination.

The county superintendent of schools of each county shall deal with the various duties of the office of county superintendent of schools of such county under the provisions of this Act. The county superintendent of schools shall keep a record of all age and schooling certificates issued to male and female minors, and such other detailed information as the commissioner may require. Such report to be filed during the months of January and July of each year and the preceding six months during which said certificates were issued. Such record shall be open to the inspection of the commissioner and his assistants. Said

thereof, is guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, for each and every offense. A failure to produce any age and schooling certificate or permit to work or to post any notice required by this Act, shall be prima facie evidence of the illegal employment of any minor whose age and schooling certificate or permit to work is not produced, or whose name is not so posted. Any fine collected under the provisions of this Act shall be paid into the school funds of the county, or city, or city and county in which the offense occurred; except such fines imposed and collected as the result of prosecutions by the officers of the bureau of labor statistics. In such cases one half of the resultant fine or fines shall be paid into the state treasury and credited to the contingent fund of the bureau of labor statistics, and one half paid into the school funds of the county, or city, or city and county in which the offense occurred.

SEC. 14. Nothing in this Act shall be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours. For the purpose of this Act, horticultural shall be understood to include the curing and drying, but not the canning, of all varieties of fruit. Nor shall anything in this Act be construed to prohibit any minor between the ages of fifteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theater, or other place of amusement, previous to the hour of ten o'clock p.m., in the presentation of a performance, play or drama, continuing from an earlier hour till after the hour of ten o'clock p.m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p.m.: *provided*, the written consent of the commissioner of the bureau of labor statistics is first obtained. Nor shall anything in this Act prevent, or be construed to prohibit, the employment of any minor, whether resident or nonresident, in the presentation of a drama or dramatic play with the written consent of the commissioner of the bureau of labor statistics, but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama or dramatic play is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama or dramatic play, and every such written consent shall specify the name and age of the minor, together with such other facts as may be necessary for the proper identification of such minor, and the dates when, and the theaters or other places of amusement in which, such dramas or dramatic plays are to be produced, and shall specify the dramas or dramatic plays in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it.

SEC. 15. The bureau of labor statistics shall enforce the provisions of this Act. The commissioner, his deputies and agents, shall have all the powers and authority of sheriffs or other peace officers to make arrests for the violations of the provisions of this Act, and to serve any process or notice throughout the state.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations to state further facts in articles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relative to prerequisite to filing articles and amounts to be subscribed and to be fixed.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Pedic Society of the State of California, a corporation, to assist in the carrying out of the purposes of the Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1896—An Act to amend Section 374 of the Penal Code of the State of California, relating to the pollution of streams.

Bill read second time, and ordered on file for third reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At two o'clock and fifty minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF SENATE BILLS

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Senate bills.

Senate Bill No. 1734—An Act to amend Section 2875 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

Bill read second time.

On motion of Senator Wright, Senate Bill No. 1734 was re-referred to Committee on Judiciary, to report on Monday, April 21, 1913.

Senate Bill No. 1775—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 19, 1883, and all amendments thereto.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 3, line 17, strike out the words "certain under such franchises" and insert in lieu thereof the following: "franchises for the construction of public utilities."

Amendment adopted.

AMENDMENT No. 2

On page 4, line 7, strike out the word "by" and insert in lieu thereof the word "by".

Amendment adopted.

AMENDMENT No. 3.

On page 4, strike out line 20.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, line 6, after the colon, strike out down to and including the period in line 16, and insert in lieu thereof the following: "A 'hotel' is a building or part thereof, intended, designed or used for supplying food and shelter to customers or guests not having a general public dining room or cafe or both, and containing more than fifteen guests' rooms.

A 'lodging house' is a building containing more than fifteen rooms in which persons not of one family may be accommodated with sleeping apartments for hire, by the day, week, or month."

Amendment adopted.

AMENDMENT No. 2

On page 2, line 16, after the word "house", insert the following: "on the same lot".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 18, after the word "hotel", insert the words "on the same lot".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 24, strike out the word "fifty", and insert in lieu thereof the words "seventy-five".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 33, after the word "house", strike out the word "to", and insert in lieu thereof the word "toward".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 6, strike out the word "twelve", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 8, strike out the word "nine", and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 12, strike out the word "ten", and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 15, strike out the words "one hundred", and insert in lieu thereof the word "seventy".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 19, strike out the word "fifty", and insert in lieu thereof the words "seventy-five".

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 21, strike out the word "fifty", and insert in lieu thereof the words "seventy-five".

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 28, strike out the period and insert in lieu thereof the following: "or upon a yard or court. When a room is located at the corner of a hotel or lodging house formed by the intersection of a lot line and a street or public alley or other public thoroughfare or public park and said room has a window or windows opening on such street or public alley or other public thoroughfare or public park said room may also have a window or windows opening upon the lot line."

Amendment adopted.

AMENDMENT No. 13.

On page 6, at end of line 36, strike out the word "one", and at the beginning of line 37 strike out the word "year", and insert in lieu thereof the words "six months".

Amendment adopted.

AMENDMENT No. 14.

On page 8, line 13, strike out the word "punishment", and insert in lieu thereof the word "punished".

Amendment adopted.

AMENDMENT No. 15.

On page 9, line 7, after the word "and", insert the words "department of".

Amendment adopted.

AMENDMENT No. 16.

On page 11, strike out lines and numbering the word "or" in line 14 to and including the comma in line 15.

Amendment adopted.

AMENDMENT No. 17.

On page 11, strike out lines and including the words "or" in line 15 to and including the word "purpose" in line 17.

Amendment adopted.

AMENDMENT No. 18.

On page 11, line 32, after the period add the following: The aforesaid certain as hereinbefore provided, shall be also enforced through with the requirements of this Act.

SEC. 23. All steam boilers heating furnaces or water heating apparatus using any fuel other than coal, gas or natural gas, installed in any hotel or lodging house, shall be enclosed in a room with walls of incombustible materials, unless plates or ceiling from the floor to the second floor above, consist of metal supported on not less than three fourths inch pipeses or metal tees. No wood shall be used in the construction of the floor. All windows shall be of wired glass not less than one quarter of an inch thick in metal frames and sashes. Doors shall be provided with doors to open from the inside and shall not swing over the floor. Openings for air to be used for heating apparatus shall not be shut off in any way.

All doors leading from said room shall be fire doors and shall close by themselves or arranged to swing out and be self-closing. All fire doors shall comply with the wall of less than twelve inches and two. Said wall shall be of metal not less than one quarter inch thick on masonry or of masonry and have horizontal fixed corrugations under fire doors and same edges. Said wall shall be of fire doors. Fire doors sliding doors shall comply in general to the above, and shall be three and one inch to the foot. No door shall be hung on wooden frame or in contact with any wood work.

Fire doors shall be made of three thicknesses of pieces eighths inch by six inches tongued and grooved pattern boards, arranged as hereinafter stated. The outer thickness to be vertical or diagonal and the inner thickness to be horizontal, bolted with clinched nails.

Steel doors shall be entirely covered with good tin plate, .30 gauge. Fifty pounds to the box. And said doors shall be hung on hinges to be bolted to the wall with bolted joints covering nail heads and all joints shall be double locked. No solder shall be used.

Such doors shall have hinges, hangers, latches and fitting strips of wrought iron bolted to the doors and wood sliding doors shall have steel tracks and pressed iron steps and bushes bolted through the wall. Sheathing doors shall have wall ends of wrought iron built into or bolted through the wall.

Every hotel or lodging house hereafter constructed of more than two stories in height shall have at least one standpipe for the fire department and at least one other standpipe for each additional fifty thousand cubic feet of the building. A hotel or lodging house upon a corner lot shall have a standpipe for reasons as apply thereto.

Such fire escapes shall open to balcony at the level of the second floor and to balcony at the level of the floor of each succeeding story above, and shall be placed and from the topmost balcony shall have a permanent safety opening not over one foot wall and on to the roof.

SEC. 24. Hotels and lodging houses shall be constructed of wood of a height not exceeding forty feet and shall contain not more than three stories and basement within the said forty feet. In the case of a wooden building on a lot with the grade sloping downward from the front at which the basement is open, the height of the building at any point of the grade shall not exceed forty feet above the adjoining curb in case of corner lots, or above the natural level of the ground in case of inside lots.

Amendment adopted.

AMENDMENT No. 19.

On page 11, line 33, strike out the figures "23", and insert in lieu thereof the figures "24".

Amendment adopted.

AMENDMENT No. 20.

On page 12, line 4, strike out the figures "24", and insert in lieu thereof the figures "25".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

PRESIDENT WALLACE IN THE CHAIR.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 407—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 685—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1000—An Act to amend Section 4300*a* of the Political Code of the State of California, relating to county clerks' fees.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 844—An Act to amend Section 1246 of the Code of Civil Procedure of California, relating to eminent domain.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public drydocks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same, and to regulate the use therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 308—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2648, relating to county government.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 697—An Act to amend Section 4290 of the Political

Code of the State of California, relating to fees and salaries of county officers.

Bill read second time, ordered engrossed and on the [illegible] third reading.

Senate Bill No. 589.—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897), by amending Section 18 thereof.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 2, Section 1, lines 4 and 5, strike out the words "or road [illegible] thereof and other".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 7, strike out the words "or shall constitute an assessment".

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 4, between the words "fees" and "thereof", insert the word "heretofore".

Amendment adopted.

AMENDMENT NO. 4.

On page 2, line 7, between the words "fixed" and "aggregate", insert the word "heretofore".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 787.—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1893, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 2, line 37, of the printed bill, strike out the period following the word "city", and insert in lieu thereof a comma, and the following: "or any portion of district thereof; and whenever in any municipal corporation or city wishing to avail itself of the provisions of this Act relative to assessment and collection of taxes, there is any district or portion of said municipal corporation or city in which there shall be levied a rate of taxation different from the rate to be levied in any other district or portion of such municipal corporation or city, the board of trustees, common council or other legislative body of such municipal corporation or city shall cause to be filed on or before the first Monday of July of each year with the county auditor of the county in which such municipal corporation or city is situated, a description of the exterior boundaries of each district or portion of such municipal corporation or city in which there must be levied a rate different from the rate to be levied in any other district or portion of such municipal corporation or city, and the said county auditor shall transmit to the said board of trustees common council or other legislative body, at the same time that he shall transmit a statement in writing of the total assessed valuation of all property within said municipal corporation or city, as required by Section 3 hereof, a statement in writing showing separately the total assessed

valuation of all property in each of said districts or portions of such municipal corporation or city."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 6, of the printed bill, after the comma following the word "taxes," insert the following: "or rates of taxes, if different portions or districts require different rates,".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 10, after the word "rate", insert a comma and the words "or rates,".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 18, after the word "rate", insert the words "or rates".

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 14, strike out the word "treasurer", and insert in lieu thereof the word "auditor".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 590—An Act to amend an Act to establish a uniform system of county and township government, approved April 1, 1897, by amending Section 228 thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out all the title and insert in lieu thereof the following:

"An Act to amend section four thousand three hundred and seven of the Political Code, relating to county charges."

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out all of lines 1, 2, 3 and 4, and insert in lieu thereof the following:

"SECTION 1. Section four thousand three hundred and seven of the Political Code is hereby amended to read as follows:

4307. The following are county charges:"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 2, line 8, of the printed bill, preceding the word "guilty", insert the words "shall be deemed".

Amendment adopted.

AMENDMENT No. 2.

On page 1, in title, strike out the period following the word "thereof" and insert in lieu thereof the following: "and prescribing a penalty for the violation thereof."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Page 1, line 4, between the words "opening" and "of", insert the words "or widening".

Amendment adopted.

AMENDMENT No. 2.

Page 1, line 9, between the words "opening" and "and" insert the words "or widening".

Amendment adopted.

AMENDMENT No. 3.

Page 2, line 4, between the words "thereof" and "but" insert the words "the interest to be borne by such indebtedness [illegible] but exceed six per centum per annum) and".

Amendment adopted.

AMENDMENT No. 4.

Page 2, line 4, insert a period after the word "thereof", strike out the word "and" which follows, and capitalize the letter "s" in the word "such" which follows.

Amendment adopted.

AMENDMENT No. 5.

Page 2, line 12, strike out the word "such" and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT No. 6.

Page 2, line 13, strike out the word "for", and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT No. 7.

Page 2, line 16, strike out the word "redeemed" and insert in lieu thereof the word "redeemable".

Amendment adopted.

AMENDMENT No. 8.

Page 2, line 32, strike out the period after the word "thereon", and add the following: "but not for less than their par value."

Amendment adopted.

AMENDMENT No. 9.

Page 2, line 36, between the words "opening" and "of", insert the words "or widening".

Amendment adopted.

AMENDMENT No. 10.

Page 3, line 3, between the words "payable" and "and", insert the word "to".

Amendment adopted.

AMENDMENT No. 11.

Page 3, line 3, strike out the word "collected", and insert in lieu thereof the word "collectible".

Amendment adopted.

AMENDMENT No. 12.

Page 3, line 6, between the words "any" and "bond", insert the words "local improvement".

Amendment adopted.

AMENDMENT No. 13.

Page 3, line 6, strike out the words "to be".

Amendment adopted.

AMENDMENT No. 14.

Page 3, line 7, between the words "of" and "bonds", insert the word "such"

Amendment adopted.

AMENDMENT No. 15.

Page 3, line 8, strike out the comma after the word "opening", and insert the words "or widening,".

Amendment adopted.

AMENDMENT No. 16.

Page 3, line 9, strike out the words "person entitled to receive" and insert in lieu thereof the word "owner".

Amendment adopted.

AMENDMENT No. 17.

Page 3, line 10, strike out the words "the same", and insert in lieu thereof the word "thereof".

Amendment adopted.

AMENDMENT No. 18.

Page 3, line 11, between the words "such" and "bond", insert the words "local improvement"; also change the word "bond" to "bonds".

Amendment adopted.

AMENDMENT No. 19.

Page 3, line 12, replace the period after the word "provided" with a comma, and add the following: "but no bond of the municipality shall be exchanged for less than its par value."

Amendment adopted.

AMENDMENT No. 20.

Page 3, line 12, strike out the words "In such", also strike out lines 13, 14, 15, 16 and the words "had the same been issued.", in line 17.

Amendment adopted.

AMENDMENT No. 21.

Page 3, line 19, after the word "bond", insert the words "of the municipality".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1115—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Bill read second time, ordered engrossed and on file for third reading.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

Mr. President: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Truxtun Hospital for the insane.

Also: Senate Bill No. 1430—An Act to amend Section 629 of the Penal Code of the State of California, relating to the commitment and examination of the insane.

Also: Senate Bill No. 1435—An Act to amend Section 1238 of the Penal Code, relating to the appointment of interpreters.

Also: Senate Bill No. 1436—An Act to amend Section 1239 of the Penal Code, relating to the appointment of interpreters.

Also: Senate Bill No. 1437—An Act to amend Section 1240 of the Penal Code, relating to the appointment of interpreters.

Also: Senate Bill No.

Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Also: Senate Bill No. 672—An Act to amend Section 172*a* of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 1371—An Act making an appropriation for maintenance of the Lake Tahoe wagon road.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Shanahan, and Thompson—27.

NOES—None.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Thompson moved a call of the Senate.

Motion carried.

Time, three o'clock and ten minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Boynton, Brown, Bryant, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Owens, Regan, Rush, Shanahan, and Thompson—24.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and eleven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boynton.

The roll of absentees was called, and Assembly Bill No. 1371 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Owens, Regan, Rush, Shanahan, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senators Tyrrell and Sanford were, on motion of Senator Campbell, granted leave of absence for this day.

THIRD READING OF BILLS—(RESUMED)

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes, and to provide for the installation of sanitary water systems.

On motion of Senator Thompson, Assembly Bill No. 236 was passed on file.

Assembly Bill No. 247—An Act to amend Section 1 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions and providing penalties for the violation thereof," approved March 23, 1907.

On motion of Senator Thompson, Assembly Bill No. 247 was passed on file.

Assembly Bill No. 1495—An Act to amend the Penal Code, by adding a new section thereto to be known as Section 653k, relating to wages of employees.

On motion of Senator Thompson, Assembly Bill No. 1495 was passed on file.

Assembly Bill No. 1147—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 3, 1909, by amending Sections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 101, 102, 105, 121, 122, 124, 127, 128, 130, 133, 134, 136, 137, 138, and 143 thereof, and by repealing Sections 13, 18, 33, 100, 103, and 104 thereof and by adding new sections thereto, to be numbered Sections 21a, 21b, 34, 35, 36, 61a, 135a, 135b and 135k, and by repealing Section 146 thereof and adding a new section thereto, to be numbered Section 146, all relating to the definition and regulation of the business of banking.

On motion of Senator Thompson, Assembly Bill No. 1147 was passed on file.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

On motion of Senator Thompson, Assembly Bill No. 971 was passed on file.

Assembly Bill No. 958—An Act to amend Section 387 of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

On motion of Senator Thompson, Assembly Bill No. 958 was passed on file.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitu-

tion of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 1 was passed on file.

Assembly Bill No. 545—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

Read third time.

On motion of Senator Kehoe, Assembly Bill No. 545 was passed on file.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease, to provide for the inspection of such animals before they are brought into the State, to repeal the Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911, to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Finn, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

After the word "sages", line 34, page 2, insert the following: "except as hereinbefore provided".

AMENDMENT No. 2.

On line 3, page 3, strike out "and also", and insert in lieu thereof the following: "but in every case where said cattle are brought into the State of California for the purpose of slaughter for food, or for the purpose of fattening for such slaughter a certificate, issued by the owner shall be attached to said way-bill accompanying said shipment".

AMENDMENT No. 3.

Strike out the period after the word "certificate", line 8, page 3, and insert in lieu thereof the following: "and if said certificate be attached to said way-bill it shall [illegible] prescribed in this Act if said cattle shall be brought into this State for purposes other than as set forth in said certificate".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your [illegible] Assembly Bill No. 507, with instructions to amend, respectfully reports the same back, amended as per instructions.

FINN, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter

and stenographers in the Attorney General's office and fixing their salaries.

Read third time.

The question being on the passage of the bill

The roll was called and Assembly Bill No. 1201 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burkett, Chamberlain, Bryant, Butler, Campbell, Cary, Cartwright, Caminetti, Colton, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lanktree, Leyo, Mott, Owens, Rogers, Rush, Shoemaker, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 19—An Act to amend Section 3628 of the Political Code of the State of California, relating to maps for assessment purposes.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 19 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burkett, Bryant, Butler, Campbell, Cary, Chamberlain, Caminetti, Flint, Finn, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Mott, Owens, Rogers, Rush, Shoemaker, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2044—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1600," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2044 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burkett, Bryant, Butler, Campbell, Cary, Cartwright, Caminetti, Colton, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Mott, Owens, Rogers, Rush, Shoemaker, Shortridge, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS.

On motion of Senator Thompson, the Senate took up the third reading file of Senate bills.

Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title of the Act by striking out all of said title after the words "An Act", and insert in lieu thereof the following: "To protect the health of persons employed in handling Portland cement in ocean-going vessels; providing for the packing of such cement in paper sack containers or other equally dust-proof containers; defining the powers and duties of the labor commissioner in the enforcement of the provisions of this Act; and imposing penalties for the violation thereof."

Amendment adopted.

AMENDMENT No. 2.

On pages 1 and 2, of the printed bill, strike out all of the bill following the enacting clause and insert in lieu thereof the following:

"SECTION 1. No Portland cement manufactured in this state shall be loaded or transported in any ocean-going vessel, unless packed in paper sack containers or other equally dust-proof containers, and the commissioner of the bureau of labor statistics shall have the power to issue orders to prevent the loading or unloading of any Portland cement in or for any such ocean-going vessel in any port in the State of California, if such cement is not packed in the manner herein provided, and any person, firm or corporation who shall disobey such order shall be guilty of a misdemeanor.

SEC. 2. Any person, firm or corporation who shall violate or fail to comply with the provisions of this Act, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. Except, however, in case of corporations, the imprisonment when imposed, shall be imposed upon the officers or agents thereof committing such offense, or causing or permitting the same to be committed.

SEC. 3. The commissioner of the bureau of labor statistics shall enforce the provisions of this Act.

SEC. 4. This Act shall take effect November 1, 1913."

Amendment adopted.

The following amendment was offered by Senator Bryant:

By striking out of Section 1, line 2, the words "or transported", and inserting after the word "vessel", in line 2, the words "in any port of this state".

On motion of Senator Bryant, the further consideration of the pending amendment was continued, and Senate Bill No. 134 passed on file.

Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer to Senator Kehoe, as a special committee of one, to amend Senate Bill No. 1222 as follows:

By inserting in line 4, after the period and before the figure "1", of page 1, of printed bill, the following: "In counties of the twenty-eighth class the county and township officers shall receive as compensation for the services required of them by law or by virtue of their office the following salaries, to wit:".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1222, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED)

Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter, to be known as Chapter VIII. of Title II. of Part IV. of Division First, of said Civil Code, relating to mortgage insurance companies.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gates moved to refer Senate Bill No. 1419 to Senator Boynton, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 4, line 12, of the printed amended bill, strike out the word "deposit".

AMENDMENT No. 2.

On page 4, line 14, of the printed amended bill, after the word "thereto", insert the following: "filed as to be filed with the insurance commissioner as".

AMENDMENT No. 3.

On page 7, line 16, of the printed amended bill, strike out the words "designated or".

AMENDMENT No. 4.

On page 7, lines 17, 18 and 19, of the printed amended bill, strike out the following: "and authorized by the to otherwise found by the insurance commissioner to be competent to make such appointment", and strike out the comma after the word "commissioner", in line 17, and insert in lieu thereof a period.

AMENDMENT No. 5.

On page 7, line 26, of the printed amended bill, strike out the word "common" and insert in lieu thereof the word "corporation".

AMENDMENT No. 6.

On page 7, line 27, of the printed amended bill, strike out the words "signed by", and insert in lieu thereof the following: "countersigned by a specified agent".

AMENDMENT No. 7.

On page 7, line 28, of the printed amended bill, strike out the word "countersigned".

AMENDMENT No. 8.

On page 7, of the printed amended bill, strike out all except the first three words of line 29 and all of line 30.

AMENDMENT No. 9.

On page 7, lines 32, 33 and 34, of the printed amended bill, strike out the words "The real property described thereby is clear, upon the issuance of the aforesaid instrument, and in such certificate said directors shall also certify", and insert in lieu thereof the following: "In their opinion, the amount loaned does not exceed the market value of the property, and".

AMENDMENT No. 10.

On page 7, line 35, of the printed amended bill, after the word "not", insert the following: "in their opinion".

AMENDMENT No. 11.

On page 7, line 37, of the printed amended bill, strike out the following: "taken as security for such loan.".

AMENDMENT No. 12.

On page 7, line 37, of the printed amended bill, after the word "also", insert the following: "to the effect that said company has in its possession or control evidences of title consisting of either a full abstract of title, a full certificate or guaranty of title, or a policy of title insurance, showing".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1419, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOYNTON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Bill read third time on a previous day.

The following amendments were offered by Senator Kehoe:

AMENDMENT No. 1.

By striking out of line 13, Section 3, page 2, of the printed bill, the word "four".

AMENDMENT No. 2.

By striking out of line 2, Section 7, page 5, of the printed bill, the words "and others".

AMENDMENT No. 3.

By striking out of line 3, Section 7, page 5, of the printed bill, the word "shall", and inserting in lieu thereof the word "may".

AMENDMENT No. 4.

By striking out of line 4, Section 7, page 5, of the printed bill, the word "shall", and inserting in lieu thereof the word "may".

AMENDMENT No. 5.

By striking out of line 6, Section 7, page 5, of the printed bill, the word "shall", and inserting in lieu thereof the word "may".

AMENDMENT No. 6.

By striking out of line 8, Section 7, page 5, of the printed bill, the word "shall", and inserting in lieu thereof the word "may".

AMENDMENT No. 7.

By striking out of line 15, Section 11, page 7, of the printed bill, the words "foreign born person", and inserting in lieu thereof the word "alien".

AMENDMENT No. 8.

By striking out of lines 18 and 19, Section 11, page 7, of the printed bill, the words "foreign born person", and inserting in lieu thereof the word "alien".

AMENDMENT No. 9.

Between lines 22 and 23, page 7, of the printed bill, insert the following: "For the purpose of this Act the word alien shall refer to all persons who are not native born or who have not received their final citizenship papers under the naturalization laws of the United States.

SEC. 12. This Act shall not be construed to authorize or direct the commissioner of immigration and housing to induce or encourage immigration into this state or the United States."

AMENDMENT No. 10.

By striking out of line 23, page 7, of the printed bill, the figures "12", and inserting in lieu thereof the figures "13".

AMENDMENT NO. 13

By striking out of line 26, page 7, of the printed bill the figures "16" and inserting in lieu thereof the figures "14"

On motion of Senator Kehoe, the further consideration of the pending amendments was continued, and Senate Bill No. 461 was passed on file.

THIRD READING OF BILLS (PUBLIC)

Senate Bill No. 206.—An Act to amend Section 2167 of the Political Code of the State of California, relating to human persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 206 passed by the following vote:

AYES—Senators Anderson, Baker, Benson, Bledsoe, Boynton, Brown, Bryant, Bunkers, Campbell, Chandler, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Gray, Hewitt, Holohan, Kehoe, Lawlor, Leale, Owens, Saxton, Shearer, Stetson, Strobridge and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT NO. 17

A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section thereto, to be known as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of veteran's property in addition to that heretofore provided.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its regular session, commencing on the ninth day of December, one thousand nine hundred thirteen, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the electors of the State of California that a new section be added to Article XIII of the Constitution of the State of California, to be known as Section 4 of Article XIII of the Constitution of the State of California, and to read as follows:

Section 4. All moneys (not less than fifty dollars) heretofore contributed or paid to the state and received by the Commissioner of Veterans of such state, shall be exempt from taxation except for state purposes, until and including the first day of January, nineteen hundred thirty-five.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 17 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Bledsoe, Boynton, Brown, Bryant, Bunkers, Campbell, Chandler, Curtin, Cutten, Cogswell, Finn, Flint, Gates, Gerdes, Gray, Hewitt, Holohan, Kehoe, Lawlor, Leale, Owens, Shearer, Stetson, Strobridge and Thompson—28.

NOES—None.

Constitutional amendment ordered engrossed and transmitted to the Assembly.

Senate Bill No. 1088.—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 21, 22 and 23, all relating to revenue and taxation.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Strobridge, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 8, line 33, strike out the period following the word "property", and insert in lieu thereof the following: "owned by such company."

AMENDMENT No. 2.

On page 16, strike out lines 8, 9 and 10, comprising Section 10 of the printed bill.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Committee Substitute for Senate Bill No. 1088, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29, of Article IV thereof, in relation to a "state budget."

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Caminetti moved a call of the Senate.

Motion carried.

Time, four o'clock and ten minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, and Strobridge—33.

The Secretary announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and fourteen minutes p.m., Senators Thompson and Beban were brought to the bar of the Senate, and, on motion of Senator Boynton, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Caminetti.

The roll of absentees was called, and Senate Constitutional Amendment No. 24 refused adoption by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Burnett, Bryson, Campbell, Cartwright, Cobb, Flint, Gates, Gerdes, Gerry, Hewitt, Juilliard, Kehoe, Leeper, Lyon, Metz, Owens, Rush, and Shumway—17.

NOES—Senators Boynton, Breed, Butler, Caminetti, Carr, Caminetti, Finn, Hans Jones, Rush, and Strobridge—17.

NOTICE OF MOTION TO RECONSIDER.

Senator Caminetti gave notice that he would, on next legislative day, move to reconsider the vote whereby Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget"—was refused adoption.

THIRD READING OF BILLS—[RESUMED.]

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting and providing a penalty for a violation thereof.

On motion of Senator Kehoe, Senate Bill No. 897 was passed to the

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X thereof two new sections to be numbered Section 7 and Section 8, relating to indeterminate sentence.

During the reading of the constitutional amendment the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, between the last line of the title thereof and line 1, insert the following: "The legislature of the State of California, at the regular session convening on the sixth day of January, 1913, two-thirds of the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, that the Constitution of the State of California be amended by adding to Article X, two new sections, to be numbered section seven and section eight, to read as follows:"

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the word "that", and insert in lieu thereof the word "may".

Amendment adopted.

Constitutional amendment ordered to print and engrossment.

SENATE CONSTITUTIONAL AMENDMENT No. 45.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section thereto, to be numbered section one and of article thirteen thereof, relating to exempting certain property of educational institutions of secondary grade from taxation.

The Legislature of the State of California at its regular session, convening on the sixth day of January in the year nineteen hundred thirteen, two-thirds of all the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, that the following amendment to the Constitution of the State of California, by adding a new section thereto, to be numbered section one of article thirteen thereof, to read as follows:

Section 1a. Any educational institution of secondary grade within the State of

California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding one hundred acres in area, its securities and income used exclusively for the purposes of education.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 15 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Thompson—31.

NOES—None.

Constitutional amendment ordered engrossed and transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office.

In the absence of the author, Senate Constitutional Amendment No. 9 was passed on file.

Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

Read third time.

On motion of Senator Finn, Senate Bill No. 1009 was passed on file.

Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3897 and 3898 of the Political Code of the State of California, and to add to said Political Code two new sections, to be designated as Sections 3773 and 3785*b*, all relating to property sold to the State for delinquent taxes, and providing for its disposal by sale and redemption.

Read third time.

On motion of Senator Thompson, Senate Bill No. 1085 was passed on file.

SENATOR COGSWELL IN THE CHAIR.

At four o'clock and thirty minutes p.m., Senator Cogswell, of the Thirty-third District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

On motion of Senator Jones, Senate Bill No. 208 was ordered to the file of unfinished business.

Senate Bill No. 277—An Act to add a new section to the Penal Code of the State of California to be known as Section 532*a*, relating to the

making and use of false statements for the purpose of obtaining property or credit, and prescribing the punishment therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277 passed by the following vote:

Ayes—Senators Anderson, Avey, Boyce, Brodrick, Bronson, Bush, Bissey, Bryant, Bates, Chamberlain, Campbell, Clark, Cobb, Cogswell, Cosey, Dunn, Flint, Gates, Gerdes, Gerot, Hans, Inman, Jacobsen, Kehoe, Lachlan, Mott, Owens, Rigdon, Rush, Saunders, Stephens, and Thompson—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 302—An Act to regulate the use of drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places, and providing for the punishment for violation of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 302 passed by the following vote:

Ayes—Senators Ayer, Boyce, Bronson, Bates, Chamberlain, Campbell, Cosey, Cobb, Dunn, Flint, Gates, Gerdes, Gerot, Hans, Inman, Jacobsen, Kehoe, Lachlan, Mott, Owens, Rigdon, Rush, Saunders, and Thompson—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1304—An Act providing for the sanitary regulation in the use of cups, mug and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1304 passed by the following vote:

Ayes—Senators Anderson, Birdsall, Boyce, Bronson, Bates, Chamberlain, Chamberlain, Campbell, Cobb, Dunn, Gerdes, Gerot, Hans, Inman, Jacobsen, Kehoe, Lachlan, Mott, Owens, Rigdon, Rush, Saunders, and Thompson—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1351—An Act to regulate the use of common towels in the State of California, and providing punishment for the violation of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1351 passed by the following vote:

Ayes—Senators Anderson, Avey, Boyce, Bronson, Birdsall, Bush, Bissey, Bryant, Bates, Chamberlain, Chamberlain, Clark, Cogswell, Cobb, Dunn, Flint, Gates, Gerdes, Gerot, Hans, Inman, Jacobsen, Lachlan, Lewis, Mott, Owens, Rigdon, Rush, Saunders, Stephens, and Thompson—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered 36, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1221 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Senate Bill No. 788—An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 788 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Larkins, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Brown to introduce a bill entitled an Act to amend Section 2978 of the Political Code, relating to appointment of members of the State Board of Health.

Also: The request of Senator Cogswell to introduce a bill entitled an Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Also: The request of Senator Gerdes to introduce a bill entitled an Act to amend the Penal Code of California by adding thereto a new section, to be known as Section 266*h* of the Penal Code.

Have had the same under consideration, and respectfully report the same back, and recommend that each of said requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Baker, Beban, Bradley, Burnett, Bryan, Dunn, Cammetti, Campbell, Carr, Cartwright, Caminetti, Cogs, Elsa, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Lawlor, Leon, Mott, Owens, Rader, Rush, Saunders, Strobridge, and Thompson—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Brown: Senate Bill No. 1760—An Act to amend Section 2978 of the Political Code, relating to appointment of members of the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Cogswell: Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Bill read first time, and referred to Committee on Finance.

By Senator Gerdes: Senate Bill No. 1762—An Act to amend the Penal Code of California by adding thereto a new section to be known as Section 269 of the Penal Code.

Bill read first time, and referred to Committee on Public Morals.

RUSH ORDER TO PRINTER.

On motion of Senator Thompson, the Secretary was directed to issue a rush order for printing Senate Bill No. 1761.

THIRD READING OF BILLS—MISCELLANEOUS.

Senate Bill No. 144—An Act to amend Sections 2, 5, 6, 7, 9, 27 and 76 of an Act entitled "An Act to provide for work to be done upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and adding a new section thereto to be numbered 52a, relating to assessments by a court of competent jurisdiction.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 144 passed by the following vote:

AYES—Senators Anderson, Baker, Beban, Bradley, Burnett, Bryan, Burke, Cammetti, Caminetti, Carr, Cartwright, Cogs, Elsa, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lawlor, Leon, Mott, Owens, Rader, Rush, Saunders, Strobridge, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Rush was, on his own motion, granted leave of absence for Saturday, April 19, 1913.

SPECIAL ORDER SET.

On motion of Senator Brown, the consideration of Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof—was made a special order for eleven o'clock a.m., Wednesday, April 23, 1913.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 1596*a*.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 177 passed by the following vote:

AYES—Senators Anderson, Avey, Boban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Cartwright, Cogswell, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—Senator Carr—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 13—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1917, but not thereafter.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 13 passed by the following vote:

AYES—Senators Anderson, Avey, Boban, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1538 passed by the following vote:

AYES—Senators Anderson, Avey, Boban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Finn, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1223—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 1223 was passed on file.

Senate Bill No. 516—An Act prescribing the warrants ought to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 516 was passed on file.

Committee substitute for Senate Bill No. 1311—An Act to add a new section to the Political Code, to be known as Section 1911½ of said code, relating to the sale or lease of school property by boards of trustees of grammar school districts and by boards of education in city school districts.

Read third time.

[illegible]

Senator Hewitt moved the [illegible] committee substitute for Senate Bill No. 1311 to Senator Thompson, as a special committee of one, to amend as follows:

[illegible]

On page 1, line 14, of the printed bill, strike out the word "or" immediately after the word "state".

[illegible]

On page 2, line 8, of the printed bill, strike out the words "of the day set" and insert in lieu thereof the following: "during the day set".

[illegible]

On page 2, line 11, of the printed bill, immediately after the word "below" and before the word "the" insert the following: "fixed by the board".

[illegible]

On page 2, line 19, of the printed bill, immediately after the word "owner" and before the word "for", insert the following: "fixed by the board".

[illegible]

On page 3, line 4, of the printed bill, insert a comma (,) immediately after the word "lease", and add the following: "and another instrument".

Motion carried.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your special committee of one to whom was referred Senate Bill No. 1311, have [illegible] to amend, respectfully report the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

[illegible]

Committee Substitute for Senate Bill No. 270—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 376 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Caminetti, Carr, Cartwright, Cogswell, Cohn, Flint, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Regan, Rush, Shanahan, Strobridge, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer to Senator Hans, as a special committee of one, to amend as follows:

By striking out on page 1, line 12, of the printed bill, the period, and inserting in lieu thereof a comma and the following: "except as to the time during which the property shall be held before sale."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1568, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANS, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervison of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules, and providing a penalty therefor.

On motion of Senator Kehoe, Senate Bill No. 896 was passed on file.

Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185c of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

Read third time.

On motion of Senator Strobridge, Senate Bill No. 629 was passed on file.

Senate Bill No. 705—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Beverton, Boyd, Brown, Butler, Cammetti, Campbell, Cogswell, Cole, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Owens, Rush, Shanahan, Strobridge, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 711—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 711 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Beverton, Boyd, Brown, Butler, Cammetti, Campbell, Carr, Cogswell, Cole, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California, relating to the courts in which all proceedings under Title VII of Part III of the Code of Civil Procedure may be commenced and tried.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1513 passed by the following vote:

AYES—Senators Anderson, Avey, Behan, Benson, Beverton, Boyd, Brown, Butler, Cammetti, Campbell, Carr, Cogswell, Cole, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 702 passed by the following vote:

AYES—Senators Anderson, Avey, Behan, Benson, Beverton, Boyd, Brown, Butler, Cammetti, Campbell, Carr, Cogswell, Cole, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III, of the Code of Civil Procedure.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 708 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

On motion of Senator Thompson, Senate Bill No. 5 was passed on file.

Senate Bill No. 564—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

On motion of Senator Gates, Senate Bill No. 564 was passed on file.

Senate Bill No. 747—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 667.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Bryant, as a special committee of one, to amend as follows:

By striking out all of the title after the word "amend", and inserting in lieu thereof the following: "Section 667 of the Penal Code of the State of California".

Also: By striking out of Section 1, lines 1, 2, 3, the words "a new section is hereby added to the Penal Code of the State of California, to be numbered six hundred sixty-seven and", and inserting in lieu thereof the following: "Section 667 of the Penal Code of the State of California is hereby amended".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 747, with instructions to amend, respectfully reports the same back, amended as per instructions.

BRYANT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 890—An Act adding a new section to the Penal Code of the State of California, to be numbered 508*a*, relating to embezzlement.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 890 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Boynton, Burnett, Byrd, Chamberlain, Campbell, Cary, Caminetti, Cobb, Flint, Gerdes, Gerrity, Hatch, Henning, Hewitt, Inman, Jones, Kehoe, Leavitt, Main, Oliver, Rigdon, Shoemaker, Strobridge, Thompson, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 930—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents, conferring upon the Superior Court or a judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

On motion of Senator Flint, Senate Bill No. 930 was passed on file.

PRESIDENT PRO TEM. RETURNS TO THE CHAIR.

At five o'clock and fifty minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, returned to the chair.

THIRD READING OF BILLS—(CONCLUDED).

SENATE JOINT RESOLUTION No. 18.

Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California, for investigations and surveys by the California Debris Commission under the provisions of an Act of Congress approved March 1, 1907, as well for the preservation and building of a project for a channel for the river from Suisun Bay to the San Joaquin River and the delta of the Sacramento and San Joaquin rivers and the tributaries to aid of drainage and navigation.

WHEREAS, Conditions imperatively affecting vast areas of valuable and advancing land and the business of commerce and navigation in the river systems of the San Joaquin Valley, within the power of the California Debris Commission to correct under the provisions of an Act of Congress approved March 1st, 1907, creating said commission and defining its duties, are identical with those existing in the river systems of the Sacramento Valley and require the remedy contained; and

WHEREAS, The Sacramento and San Joaquin rivers form a delta common to both, and in connecting waterways, deep draft vessels which frequently navigate great distance to proceed to and to navigate; and

WHEREAS, The work [illegible] and plans contemplated in said recent [illegible] under the requirements of said Act, should be coordinated [illegible]

WHEREAS, The report of such engineers made in accordance with the [illegible] people of said Act including some and recommending a project [illegible] with [illegible] of the river thereof, has the relief from floods in the Sacramento Valley, recommended by the Congress of the United States by the Secretary of War, June 25th, 1910, and approved and recommended to the Congress by the President, said documents as House Document No. 81, sixty-second Congress, first session, with such modifications thereto as have since said last named date been made and approved, applies only to the Sacramento River conditions, and said recommended project does not work [illegible] and [illegible] the many complications; and

WHEREAS, As delay in putting these conditions in the river systems of the Sacramento Valley, has greatly added to the injury done as well as to the cost of the proposed project, the same results will follow delay in remedying like conditions in the river systems of the San Joaquin Valley; and

WHEREAS, As [illegible] and surveys are necessary preliminary to the making of a report by said commission on said river systems in the San Joaquin Valley, it is of the utmost importance that such investigations and surveys be completed without unnecessary delay; and

WHEREAS, As said preceding work necessary in said river systems and said [illegible] make the problem a vital one pressing for an early solution the Legislature of the

State of California has by appropriate legislation adopted the project contained in said report, has appropriated funds therefor and has in other ways indicated its willingness to co-operate with the United States, in furtherance of this great work; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California, in regular session assembled, memorializes the Congress of the United States, for such legislation and direction, as will provide for such investigations and surveys by the California Débris Commission under the provisions of said Act, thereby hastening the preparation and making of the report on a project for the relief from floods in the San Joaquin Valley and said delta and for improvements in aid of commerce and navigation; be it further

Resolved, That our Senators and Representatives in Congress, be and they are hereby requested to use all honorable means to secure favorable consideration of this memorial; and be it further

Resolved, That duly authenticated copies of this memorial be transmitted by the Governor of the State of California, to the Senate and House of Representatives of the United States, the Secretary of War, the Chief of Engineers, United States Army, the California Débris Commission, and to each of our Senators and Representatives in Congress.

The question being on the adoption of the resolution,

The roll was called, and Senate Joint Resolution No. 18 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Geddes, Grant, Hans, Jones, Juilliard, Kehoe, Mott, Owens, Shanahan, Thompson, and Wright—27.

NOES—None.

Resolution ordered engrossed and transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 19.

Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Débris Commission, relating to "control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California".

WHEREAS, The Secretary of War, on the 29th day of June, 1911, submitted to the House of Representatives of the United States, duly approved and recommended for adoption, the report of the California Débris Commission, relating to "control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California", now known and designated as House Document No. 81, sixty-second Congress, first session; and

WHEREAS, The approval of said report contains the suggestion "that work begin at once, and provision be made for its early completion"; and

WHEREAS, The construction and completion of the project proposed in said report is of vital importance to the people of this State and of the whole country; and

WHEREAS, The Legislature of the State of California, in extraordinary session assembled, did by an Act of said Legislature adopt the project and recommendations set forth in said report of the California Débris Commission, and appropriate funds therefor, and has also in said Act provided for co-operation between the State of California and the government of the United States in putting into effect the proposed project and recommendations; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the said Legislature memorializes the Congress of the United States for favorable consideration of the report of said California Débris Commission transmitted as aforesaid by the Secretary of War to Congress, together with all modifications thereof as approved by the said commission, the Secretary of War and Chief Engineers, and also for early action on appropriations to carry out the recommendations of said report and said project; be it further

Resolved, That duly authenticated copies of these resolutions be transmitted to the Senate and House of Representatives of the United States, the Secretary of War, Chief of Engineers, and to each of our Senators and Representatives in Congress; be it further

Resolved, That our Senators in Congress be instructed, and our Representatives in Congress requested, to use all honorable means to secure favorable action on said report and said project.

The question being on the adoption of the resolution,

The roll was called, and Senate Joint Resolution No. 19 adopted by the following vote:

Ayes—Senators Avey, Boden, Bonnet, Burkett, Burnett, Bush, Campbell, Carr, Caminetti, Cogswell, Cutten, Finn, Flint, Gerdes, Gerlach, Grant, Hans Jensen, Juilliard, Kehoe, Mott, Owens, Stanford, Thompson, and Wright—27.

Noes—None.

Resolution ordered engrossed and transmitted to the Assembly.

Senate Joint Resolution No. 33—Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate Joint Resolution extending the presidential term to six years and limiting the President to one single term.

In the absence of the author, Senate Joint Resolution No. 33 was passed on file.

Senate Joint Resolution No. 47—Relative to appointment of a committee to draft bills abolishing all offices not now held by Civil Measure and providing for a reassessment of five to perform the duties formerly performed by one person.

In the absence of the author, Senate Joint Resolution No. 47 was passed on file.

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section [illegible] relating to the taking of trust by using unknown or trust property.

On motion of Senator Finn, Senate Bill No. 962 was passed on file.

Senate Bill No. 824—An Act to amend Section 1774 of the Political Code, relating to school boards of elementary and secondary schools of the State of California.

On motion of Senator Anderson, Senate Bill No. 824 was passed on file.

Senate Bill No. 603—An Act to amend Section 1741 of the Political Code of the State of California, relating to the election of members of high school boards.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 603 passed by the following vote:

Ayes—Senators Anderson, Avey, Boden, Bonnet, Burnett, Bush, Campbell, Carr, Caminetti, Cogswell, Cutten, Finn, Flint, Gerdes, Gerlach, Grant, Hans Jensen, Juilliard, Kehoe, Mott, Owens, Stanford, Thompson, and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 457—An Act to amend Sections 1712, 1713 and 1714 of the Political Code, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 passed by the following vote:

Ayes—Senators Anderson, Avey, Boden, Bonnet, Burkett, Burnett, Bush, Campbell, Caminetti, Cogswell, Cutten, Finn, Flint, Gerdes, Gerlach, Grant, Hans Jensen, Juilliard, Kehoe, Mott, Owens, Stanford, Thompson, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1603—An Act authorizing boards of supervisors to levy taxes for the purchase of an ambulance for use in townships.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1603 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Mott, Owens, Shanahan, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1699—An Act providing for the construction by counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1699 was passed on file.

Senate Bill No. 1730—An Act directing the State Water Commission to examine and report to the Legislature on school lands, as to natural resources contained therein, looking to the withholding from sale of such lands.

On motion of Senator Mott, Senate Bill No. 1730 was re-referred to Committee on Finance.

Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 935 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Owens, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At six o'clock p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district, to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1287 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1747—An Act to amend Section 3227 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County between said county and Placer County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1747 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bridgford, Chamberlain, Cogswell, Curtin, Finn, Flint, Gerdes, Gerrity, Hans Jesse, Lafferty, Leake, Lewis, Main, Owens, Saunders, Stetson, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1746—An Act to amend Section 3223 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County between said county and El Dorado County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1746 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bridgford, Chamberlain, Cogswell, Curtin, Finn, Flint, Gerdes, Gerrity, Hans Jesse, Lafferty, Leake, Lewis, Main, Owens, Saunders, Stetson, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

In the absence of the author, Senate Constitutional Amendment No. 35 was passed on file.

Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 24, relating to sessions of the Legislature.

On motion of Senator Cammetti, Senate Constitutional Amendment No. 60 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof relating to the deposit of moneys belonging to the State or to any county or municipality or school district within the State in any bank or banks.

In the absence of the author, Senate Constitutional Amendment No. 31 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

In the absence of the author, Senate Constitutional Amendment No. 67 was passed on file.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Campbell moved to reconsider the vote whereby Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith—was passed.

SPECIAL ORDER SET.

Senator Campbell moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 323 was passed be made a special order for the next legislative day immediately after the reading of the Journal.

Motion carried.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Juilliard moved to reconsider the vote whereby Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate—was passed.

SPECIAL ORDER SET.

Senator Juilliard moved that the further consideration of his motion to reconsider the vote whereby Senate Bill No. 324 was passed, be made a special order for the next legislative day immediately following the special orders already set.

Motion carried.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Juilliard moved to reconsider the vote whereby Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations—was passed.

SPECIAL ORDER SET.

Senator Juilliard moved that the further consideration of his motion to reconsider the vote whereby Senate Bill No. 325 was passed, be made a special order for the next legislative day immediately following the special orders already set.

Motion carried.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Juilliard moved to reconsider the vote whereby Senate Bill No. 326—An Act to

amend Section 613 of the Civil Code of the State of California, relating to the title of cemetery lots—was passed.

SPECIAL ORDER SET

Senator Juilliard moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. [illegible] was passed, be made a special order for the next legislative day, following the special orders already set.

Motion carried.

NOTICE OF MOTION TO RECONSIDER

Pursuant to his notice given on a previous day, Senator Juilliard moved to reconsider the vote whereby Senate Bill No. [illegible]—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 615, relating to membership in cemetery corporations, and the rights of members to the assets thereof, was passed.

SPECIAL ORDER SET

Senator Juilliard moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. [illegible] was passed be made a special order for the next legislative day immediately following the special order already set.

Motion carried.

MOTION TO RECONSIDER

Pursuant to his notice given on a previous day, Senator Juilliard moved to reconsider the vote whereby Senate Bill No. [illegible]—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred, was passed.

SPECIAL ORDER SET

Senator Juilliard moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. [illegible] was passed be made a special order for the next legislative day immediately following the special orders already set.

Motion carried.

CONSIDERATION OF BILLS—NOT OF URGENCY

On motion of Senator Campbell, the Senate took up the consideration of Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IX*a* of Chapter III of Article III of Part III of said code, relating to elementary and secondary schools.

SPECIAL ORDER SET

On motion of Senator Campbell, the consideration of Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IX*a* of Chapter III of Article III of Part III of said code, relating

to elementary and secondary schools, was made a special order for the next legislative day, after the consideration of special orders previously set.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Strobridge:

Resolved, That M. L. Johnson be, and is hereby, appointed to the position of Committee Clerk, at $4.00 per day, payable weekly, and the Controller is hereby directed to draw his warrant for such amount and the Treasurer directed to pay the same.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

Also:

Resolved, That M. A. Silva be transferred from the position of Committee Clerk, at $4.00 per day, to the position of Assistant Enrolling and Engrossing Clerk, at $5.00 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Gates, Gerdes, Hans, Jones, Juilliard, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Juilliard, the Senate took up the consideration of Assembly Bill No. 1090, out of order.

Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1090 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Finn, Flint, Gates, Hans, Juilliard, Lyon, Mott, Owens, Strobridge, Thompson, and Wright—21.

NOES—Senators Boynton, Bryant, Caminetti, Gerdes, Grant, Jones, Regan, and Shanahan—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Hans, the Senate took up for consideration Assembly Bill No. 35, out of order.

Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California,

including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof."

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 49 passed by the following vote:

AYES: Senators Anderson, Ayer, Benson, Brandt, Boyd, Burnett, Chris Cogswell, Crane, Finn, Flint, Gates, Hans Jacobsen, Lewis, Scott, Owens, Stephens, Thompson, and Wright—21.

NOES: Senators Barnett, Bryant, Chamberlain, Gerdes, Grant, John Rush, and Shearer—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Gerdes was, on his own motion, granted leave of absence for Saturday, April 19, 1913.

Senator Regan was, on his own motion, granted leave of absence for Saturday, April 19, 1913.

Senator Lyon was, on his own motion, granted leave of absence for Saturday, April 19, 1913.

Senator Butler was, on his own motion, granted leave of absence for Saturday, April 19, 1913.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1201. An Act to add a new section to the Penal Code to be known as Section 1202a, relating to "indeterminate sentences."

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Brandt, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1 of the printed bill, between the enacting clause and the first line insert the following: "Section 1. A new section is hereby added to the Penal Code, to be numbered twelve hundred two *a* and to read as follows:"

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the words "Section 2" and insert in lieu thereof the following: "1202a".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1207, with instructions to amend, respectfully submits the same back, amended as per instructions.

BRYANT, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES — OUT OF ORDER.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 308—An Act to amend Section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges, and providing for the appointment of six additional Superior Court judges in counties of the first class and providing for their compensation—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 308 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 106—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 106 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1259—An Act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENSON, Chairman.

Assembly Bill No. 1259 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1188—An Act to amend Section 3493*a* of the Political Code of the State of California, relating to the validating of uncancelled certificates of purchase and patents heretofore issued for swamp and overflowed lands—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENSON, Chairman.

Senate Bill No. 1188 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce bill was received:

By Senator Avey: Permission to introduce a Senate bill—An Act to amend an Act entitled "An Act to provide for the formation, organization and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfilment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909.

BILLS ORDERED ON FILE.

On motion of Senator Gates, Senate Bills Nos. 885 and 512 were ordered from the file of unfinished business to the third reading file.

On motion of Senator Boynton, Senate Bill No. 1307 was ordered from the file of unfinished business to the third reading file.

STATEMENT

Mr. Parkinson. When the vote was taken in the Senate yesterday, I was unavoidably absent, and in consequence was not able to announce how I would vote on Senate Bills Nos. 323, 324, 325, 326, 327 and 385. Had I been present, I should have voted against the bills.

E. F. BENNET.

THIRD READING OF BILLS—ADOPTED.

Senate Bill No. 1400—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1204, providing for the formation of religious corporations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1400 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Bunkl, Chipman, Burnett, Campbell, Cary, Carroll, Finn, Flint, Gerdes, Gerdine, Hewitt, Hoyle, Leavell, Mott, Owens, Regan, Saunders, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT

At six o'clock and thirty-five minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Saturday, April 19, 1913.

The Senate met at ten o'clock a. m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Birdsall, Bunkl, Burnett, Campbell, Carroll, Chipman, Bryant, Burke, Cartwright, Cogswell, Cary, Caminetti, Curtin, Cutten, Finn, Flint, Gates, Grant, Jones, Judson, Kehoe, Lackey, Mott, Owens, Saunders, Thompson, and Wright—29.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 18, 1913, the further reading was dispensed with, on motion of Senator Burke.

COMMUNICATIONS.

The following communications were received:

PORTLAND, OREGON, April 18, 1913.

President of the Senate, Sacramento, Cal.:

The board of trustees at a special meeting to-day passed the following resolution:

Resolved by the Trustees of the Portland Chamber of Commerce, That they deprecate any action tending towards discrimination unfavorably against the Japanese of California as against other aliens and that they earnestly hope that the Legislature of California will avoid such action or any other action that will tend toward injuring trade relations between this country and Japan or the friendly relations between these two nations.

A. H. AVERILL, President.

Also:

TOKIO, April 18, 1913.

President Senate, Sacramento, Cal.:

In view of friendship between Japan-America we earnestly hope land ownership bill not pass.

TOKIO YOUNG BARRISTERS' ASSOCIATION.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also: Assembly Bill No. 288—An Act providing for the construction and equipment of a classroom building on the campus of the University of California at Berkeley and making an appropriation therefor.

Also: Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 191 and 288 read first time, and referred to Committee on Education.

Assembly Bill No. 526 read first time, and referred to Committee on Prisons and Reformatories.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the violation thereof, and means for the enforcement of this Act," approved March 20, 1903, and as amended by an Act approved March 24, 1911.

Also: Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Also: Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Also: Assembly Bill No. 1940—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Also: Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1181 read first time, and referred to Committee on Agriculture.

Assembly Bills Nos. 1756, 1938 and 1940 read first time, and referred to Committee on Elections.

Assembly Bill No. 533 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1000—An Act to amend and renumber the Act to provide for the commitment and maintenance of insane persons, approved April 1, 1897, as amended by Statutes of 1907, Chapter [illegible], and to repeal [illegible] of said Act.

Also: Senate Bill No. [illegible]—An Act to add a new section to the Civil Code of the State of California to be known and numbered as Section [illegible] relating to the relation of [illegible] and Senate Bill No. [illegible] thereto.

Also: Senate Bill No. [illegible]—An Act to regulate the [illegible] of [illegible] by [illegible] and [illegible] and [illegible] thereto.

Also: Senate Bill No. [illegible]—An Act to amend Section [illegible] of the Code of Civil Procedure of the State of California, relating to the [illegible] and [illegible] thereto.

Also: Senate Bill No. [illegible]—An Act to amend Section [illegible] of the Penal Code of the State of California, relating to [illegible] and [illegible] thereto.

Also: Senate Bill No. [illegible]—An Act

tion, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALLER, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, April 18, 1913.

To the Legislature of the State of California:

Upon the question of legislation concerning the ownership of land by aliens, I am this morning in receipt of a telegram from Mr. Bryan, Secretary of State, expressing the views of the President.

The telegram is as follows:

"WASHINGTON, D. C., April 18, 1913.

"*Governor Hiram Johnson, Sacramento, Cal.:*

"The President desires me to say that while he fully recognizes the right of the people of California to legislate according to their judgment on the subject of land tenure, he feels it his duty to urge a recognition of the international character of such legislation. Being anxious to preserve and strengthen the long standing friendly relations existing between this country and the nations of the Orient, he very respectfully, but most earnestly, advises against the use of the words 'ineligible to citizenship.' He asks that you bring this view to the attention of the Legislature. He believes the Senate bill as telegraphed to the Department of State is greatly to be preferred. That bill limited ownership to citizens and to be (those) who had declared their intention to become citizens.

"W. J. BRYAN."

Respectfully, HIRAM W. JOHNSON, Governor.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1625—An Act to provide for sanitary inspection and investigation in certain foreign and Oriental ports from which dangerous diseases may be introduced into California; specifying the general character of this work and making an appropriation to the State Board of Health therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Finance.

JONES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

Also—Senate Bill 510—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners and a board of registration of religious practitioners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

JONES, Chairman.

Senate Bill No. 1625 ordered re-referred to Committee on Finance.

Senate Bills Nos. 430 and 510 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

Mr. PRESIDENT: Your Committee on Labor and Capital to which was referred Senate Bill No. 809, An Act to amend the Penal Code relating to the health or danger employees to and while [illegible] employment, [illegible] between employer and employee, [illegible] penalties, [illegible] to be collected, [illegible] and [illegible] [illegible] [illegible]

Also: Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Also: Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Also: Senate Bill No. 483—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Also: Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 351—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 352—Appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Senate Bill No. 69—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Also: Senate Bill No. 68—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Also: Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Also: Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Also: Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street between Twenty-sixth and Twenty-seventh streets in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Also: Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Also: Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Also: Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272*a*, relating to the selling, giving away, relinquishing or disposing of children.

Also: Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 653*e*, relating to blacklisting.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 544—An Act to amend Section 271*a* of the Penal Code, relating to the

abandonment of evidence upon the use of fictitious names and from a property therefor have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 9—An Act to amend Section 190 of the Penal Code, relating to the punishment of murder, have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1253—An Act entitling persons, firms or corporations operating gilt trains for the transportation of cattle and or particulars for hire or otherwise, to lay embargo upon carriers, regulating such embargo carriers and the compensation therefor of cattle and or petroleum or the residuum thereof, and providing penalties for the violation of this Act—have had the same under consideration, and respectfully report back a substitute for the same, and recommend that it be adopted and do pass.

GATES, Chairman.

Assembly Bills Nos. 513, 1115 and 514 ordered on file for second reading.

Senate Bills Nos. 9 and 1253 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 533—An Act to amend Section 3616 of the Political Code, relating to payment of taxes under protest—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 532—An Act to amend Section 3909 of the Political Code, relating to taxes erroneously collected—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

THOMPSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804, relating to the collection of delinquent taxes—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

THOMPSON, Chairman.

Senate Bills Nos. 533 and 532 ordered on file for second reading.

Assembly Bill No. 1394 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 720—An Act to amend Section 2807 of the Political Code of the State of California, relating to what shall [illegible] on [illegible] and roads—

Also: Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura, in the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BIRDSALL, Chairman.

Assembly Bills Nos. 720 and 599 ordered on file for second reading.

100—1852

LEAVES OF ABSENCE.

Senators Tyrrell and Sanford were, on motion of Senator Campbell, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Owen, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Dr. C. L. Abbott, Coroner of Contra Costa County.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Boynton moved a call of the Senate.

Time, ten o'clock and forty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and forty-two minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boynton.

The roll of absentees was called, and Senate Bill No. 96 passed by the following vote:

AYES—Senators Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Juilliard, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 166 passed by the following vote:

AYES—Senators Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Juilliard, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 621—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

On motion of Senator Birdsall, Senate Bill No. 621 was passed to file.

Senate Bill No. 1251—An Act making an appropriation for maintenance of the Emigrant Gap state road.

On motion of Senator Birdsall, Senate Bill No. 1251 was passed to file.

Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

In the absence of the author, Senate Bill No. 1340 was passed on file.

Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street between Twenty-sixth and Twenty-seventh streets in the city of Sacramento, and bordering on a portion of the property belonging to the State of California known as Sutter's Fort.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 819 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Bonnheim, Bond, Boynton, Burnett, Campbell, Cogswell, Curry, Cogswell, Cosgrove, Crittenden, Finn, Gerdes, Gesford, Hatch, Hewitt, Lachmund, Lee, Mott, Owens, Shoemaker, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 820 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Bonnheim, Bond, Boynton, Burnett, Campbell, Cogswell, Curry, Cogswell, Cosgrove, Crittenden, Finn, Gerdes, Gesford, Hatch, Hewitt, Lachmund, Lee, Mott, Owens, Shoemaker, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

In the absence of the author, Senate Bill No. 1656 was passed on file.

Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

On motion of Senator Cogswell, Senate Bill No. 14 was passed on file.

Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap on the line between the counties of Santa Clara and Santa Cruz to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 18 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Juilliard, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmited to the Assembly.

Senate Bill No. 170—An Act to make an appropriation for the location, and survey of a proposed state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 170 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Juilliard, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 351—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 351 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Juilliard, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 352—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 352 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Juilliard, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 353 passed by the following vote:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Burbank, Campbell, Carr, Caminetti, Cohn, Curtin, Finn, Gates, Gerdes, Hatfield, Leavens, Main, Owens, Stetson, Thompson, and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 484—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 484 passed by the following vote:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Burbank, Campbell, Carr, Caminetti, Cohn, Curtin, Finn, Gates, Gerdes, Hatfield, Leavens, Main, Owens, Stetson, Thompson, and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 818 passed by the following vote:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Burbank, Campbell, Carr, Caminetti, Cohn, Curtin, Finn, Gates, Gerdes, Hatfield, Leavens, Main, Owens, Stetson, Thompson, and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 passed by the following vote:

Ayes—Senators Avey, Benson, Birdsall, Boynton, Brown, Bryant, Burbank, Campbell, Carr, Caminetti, Cohn, Curtin, Finn, Gates, Gerdes, Hatfield, Leavens, Main, Owens, Stetson, Thompson, and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 405 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Barker, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Juilliard, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1124—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

In the absence of the author, Senate Bill No. 1124 was passed on file.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

In the absence of the author, Senate Bill No. 312 was passed on file.

Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Grant moved to refer to Senator Cohn, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 1, of the printed bill, before the word "An", strike out the following: "Section 1."

AMENDMENT No. 2.

On page 9, of the printed bill, strike out from and including the word "Provided", in line 29, to and including the word "is", in line 31, of same page, and insert in lieu thereof the following: "*Provided*, that when only the windows of kitchens containing not more than seventy-five square feet of floor area or of bath rooms or toilets open or are".

AMENDMENT No. 3.

On page 10, of the printed bill, strike out from and including the word "either", in line 22, to and including the word "is", in line 24 of same page, and insert in lieu thereof the following: "only the windows of kitchens containing not more than seventy-five square feet of floor area or of bath rooms or toilets open or are".

AMENDMENT No. 4.

On page 17, of the printed bill, after the period (.) at the end of line 19, add the following: "Every tenement house may contain not to exceed five such reception or amusement rooms for the use of the tenants of the building and not to be used for commercial purposes."

AMENDMENT No. 5.

On page 17, line 20, of the printed bill, before the word "reception", strike out the words "Each of said", and insert in lieu thereof the word "every", and in the same line, strike out the letter "s" from the word "rooms".

AMENDMENT No. 6.

On page 17, of the printed bill, in line 21 thereof, after the word "of" and before the word "one", insert the following: "not less than".

AMENDMENT No. 7

On page 17, of the printed bill, in line 31 thereof, after the word "of", and before the word "his" insert the following: "not less than"

AMENDMENT No. 8

On page 17, of the printed bill, in line 32 thereof, after the word "No", and before the word "foregoing" strike out the word "of"

AMENDMENT No. 9

On page 18 of the printed bill, strike out from and including the word "and", at the beginning of line 3, to and including the period at the end of line 5 as herein amended

AMENDMENT No. 10

On page 19 of the printed bill, in line 28 thereof, after the word "assessed", and before the word "shall", insert the following: "or shall have been assessed at twenty"

AMENDMENT No. 11

On page 27 of the printed bill, in line 14 thereof, strike out the word "pressure", and insert in lieu thereof the word "pressions"

AMENDMENT No. 12

On page 27, of the printed bill, in line 15 thereof, after the word "pressions", and before the word "upon" insert the following: "or use in the canals for hydraulic mining purposes"

AMENDMENT No. 13

On page 27, of the printed bill, in line 16 thereof, strike out the word "pulley-hung", and insert in lieu thereof the word "pulley-hung".

AMENDMENT No. 14

Strike out all from and including the word "In", at the beginning of line 24, on page 27, of the printed bill, down to and including the period at the end of line 9, on page 28

AMENDMENT No. 15

On page 40, of the printed bill, in line 8 thereof, after the word "coal" and before the word "gas", strike out the comma (,)

AMENDMENT No. 16

On page 41, of the printed bill, in line 8 thereof, strike out the word "line" and insert in lieu thereof the word "use"

AMENDMENT No. 17

On page 41, of the printed bill, strike out all from and including the word "or" in line 9, to and including the word "building" in line 10, and insert in lieu thereof the following: "one of which shall be on the front of said monument thereof"

AMENDMENT No. 18

On page 41, of the printed bill, in line 12 thereof, strike out the word "Section" before "—" and insert in lieu thereof the word "Sections"

AMENDMENT No. 19

On page 41, of the printed bill, in line 15, after the word "except" and before the word "that", insert the following: "Sections of said proposed law relating"

Motion carried.

REPORT OF SPECIAL COMMITTEE ON ENR.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 389, with instructions to amend, respectfully reports the same back amended as per instructions.

COHN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

In the absence of the author, Senate Bill No. 52 was passed on file.

Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

In the absence of the author, Senate Bill No. 961 was passed on file.

Senate Bill No. 672—An Act to amend Section 172*a* of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

On motion of Senator Butler, Senate Bill No. 672 was passed on file, to retain its place.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 804 was passed on file.

Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cogswell, Colm, Curtin, Flint, Gates, Grant, Juilliard, Mott, Owens, Shanahan, Thompson and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

In the absence of the author, Senate Bill No. 1724 was passed on file.

Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of

its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 31, 1905, and all amendments thereto and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1907, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

In the absence of the author, Senate Bill No. 849 was passed on file.

Senate Bill No. 863—An Act regulating the sanitation of oyster and other shellfish grounds and processes where oysters and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof, and making an appropriation therefor.

In the absence of the author, Senate Bill No. 863 was passed on file.

Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

On motion of Senator Flint, Senate Bill No. 1177 was passed on file.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

In the absence of the author, Senate Bill No. 897 was passed on file.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of said State, relating to eligibility to hold office.

On motion of Senator Wright, Senate Constitutional Amendment No. 9 was passed on file.

Senate Bill No. 1089—An Act to grant to boards of health or health officers in cities and cities and counties the power to regulate the plumbing and drainage of buildings and to provide for the registration and examination of plumbers.

In the absence of the author, Senate Bill No. 1089 was passed on file.

Senate Bill 1085—An Act to amend Sections 3764, 3771, 3897, and 3898 of the Political Code of the State of California and to add to said Political Code two new sections, to be designated as Sections 3771 and 3771a, all relating to property sold to the State for delinquent taxes and providing for its disposal by sale and redemption.

On motion of Senator Thompson, Senate Bill No. 1085 was passed on file.

Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

In the absence of the author, Senate Bill No. 49 was passed on file.

Senate Bill No. 881—An Act to provide for the sexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit sexualization of inmates of the state hospitals and the California Home for the Care and Training of

Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909.

On motion of Senator Butler, Senate Bill No. 881 was passed on file, to retain its place.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

In the absence of the author, Senate Bill No. 1723 was passed on file.

Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

On motion of Senator Bryant, Senate Bill No. 516 was passed on file.

Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and methods of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules, and providing a penalty therefor.

In the absence of the author, Senate Bill No. 896 was passed on file.

Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185c of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

In the absence of the author, Committee Substitute for Senate Bill No. 629 was passed on file.

Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911.

Read third time.

On motion of Senator Curtin, Senate Bill No. 1627 was passed on file.

Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Mott, Owens, Shanahan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, conveyance and disposition of property, real and personal, within said State of California.

In the absence of the author, Senate Bill No. 5 was passed on file.

Senate Bill No. 564—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura State Highway.

On motion of Senator Oates, Senate Bill No. 564 was ordered to the file of unfinished business.

Senate Bill No. 1440—An Act to amend Section 635 of the Penal Code of the State of California, relating to the protection and preservation of fish.

In the absence of the author, Senate Bill No. 1440 was passed on file.

Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

On motion of Senator Cammetti, Senate Bill No. 790 was passed on file.

Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

On motion of Senator Cammetti, Senate Bill No. 791 was passed on file.

Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court.

In the absence of the author, Senate Bill No. 1296 was passed on file.

Senate Bill No. 530—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents, conferring upon the Superior Court or a judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

In the absence of the author, Senate Bill No. 530 was passed on file.

Senate Joint Resolution No. 23—Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate joint resolution extending the presidential term to six years, and limiting the President to one single term.

In the absence of the author, Senate Joint Resolution No. 23 was passed on file.

Senate Joint Resolution No. 17—Relative to appointment of a committee to draft bills abolishing all offices not now held by Roll Measures and providing for a commission of five to perform the duties formerly performed by one person.

In the absence of the author, Senate Joint Resolution No. 17 was passed on file.

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 632, relating to the taking of trout by using salmon or trout roe or eggs.

In the absence of the author, Senate Bill No. 962 was passed on file.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

On motion of Senator Anderson, Senate Bill No. 824 was passed on file.

Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1236 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Larkins, Mott, Owens, Shanahan, Thomerson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

In the absence of the author, Senate Bill No. 1529 was passed on file.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

On motion of Senator Cohn, Senate Bill No. 1411 was passed on file.

Senate Bill No. 1699—An Act providing for the construction by counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1699 was passed on file.

Senate Bill No. 258—An Act to regulate the height of billboards or fences.

In the absence of the author, Senate Bill No. 258 was passed on file.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

In the absence of the author, Senate Constitutional Amendment No. 35 was passed on file.

Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 2½, relating to sessions of the Legislature.

On motion of Senator Caminetti, Senate Constitutional Amendment No. 60 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 15½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality or school district within the State in any bank or banks.

In the absence of the author, Senate Constitutional Amendment No. 31 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

In the absence of the author, Senate Constitutional Amendment No. 67 was passed on file.

Senate Bill No. 966—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

On motion of Senator Caminetti, Senate Bill No. 966 was passed on file.

Senate Bill No. 968—An Act fixing the compensation to be paid to county clerks and registrar of voters in the several counties or cities and counties of the State of California, for services performed by them for the State, in primary, general and other elections held under the laws thereof.

On motion of Senator Caminetti, Senate Bill No. 968 was passed on file.

Senate Bill No. 1185—An Act to amend Section 4161 of the Political Code of the State of California, relating to the duties of county recorders.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1185 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Bruce, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Mott, Owens, Shanahan, Thompson, and Wright—21.

NOES—Senator Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1694—An Act authorizing boards of supervisors to levy taxes for the purchase or building, improvement or enlargement of a township hall.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1694 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Bruce, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1717—An Act relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for advertising, exploiting and making known the resources of the counties, which tax hereby authorized to be levied shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and maintaining exhibits at domestic and foreign expositions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1717 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Juilliard, Mott, Owens, Shanahan, Thompson, and Wright—21.

NOES—Senator Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 717—An Act to amend Section 397*b* of the Penal Code of California.

Read third time.

On motion of Senator Juilliard, Senate Bill No. 717 was passed on file.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the following members of the faculty, and students of the history class of the Berkeley High School, with relatives and friends:

Principal C. L. Beidenbach and Mrs. Beidenbach, Miss Fannie W. McLean, Miss Annie Edmonds, Miss Jennie Miller, Mr. A. W. Barnhart, Mrs. W. H. Wier, Miss Farrington, Mrs. J. D. Galloway, Mr. and Mrs. Wetmore, Miss Ruth Dyche, Miss Stella Howell, Miss Gretchen Jensen, Mr. George Jensen, Miss Rubelle Russell, William John Cooper.

HISTORY STUDENTS BERKELEY HIGH SCHOOL.

Misses Elvah Ames, Rosabelle Ames, Tillie Appleton, Phyllida Ashley, Constance Ardley, Thelma Anthony, Ruth Annis, Helen Baer, Angele Bailey, Ruth Brunton, Mildred Campbell, Grace Carson, Bae Chalmers, Ruth Collins, Lillian Cook, Margaret Cornwall, Lorraine Connor, Anne Crewers, Carrie Crewers, Marjorie Flynn, Bertha Galloway, Ruth Goodsell, Jean Horck, Mercedes Howell, Dorothy Huggins, Edith Hull, Merodeen Keeler, Hyldred Knapp, Ruth Lange, Elizabeth McCabe, Doris McEntyre, Madeline Muldoon, Edith McKay, Mary Moore, Dorothy Morris, Marguerite Nichols, Alice Noble, Gladys Page, Dorothy Persons, Irene Sebastian, Beatrice Stephens, Marjorie Tuft, Rossclet Wallace, Hazel Warren, Dorothy Wetmore, Dorothy Wood, Fannie Young.

Messrs. Ezra Albright, Arthur Anderson, Bradford Bosley, Ernest Cannper, Kenneth Caldwell, Oliver Carlson, Will Clew, Lloyd Cornwall, Donald Dunn, Ben Edwards, Dwight Grady, Floyd Haynes, Joe Harville, —— Holabird, J. Hoffman, B. Huskinson, Charles Lindsay, George Lindsay, Chas. Mapel, Maxwell Allen to Montijo, Duncan Montgomery, —— Muldoon, William Murray, Willis McElroy, Clifford Oscar, Myron Penfield, Edwin Pillsbury, Clayton Ristenpart, Donald Roach, Gus Sogh, Chester Stutt, Fagan Simonton, —— Warren, Geo. White, Fred Wilman, A. Wood, Elwood Wright.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 676 - An Act in relation to prostitution and to persons concerned in the encouragement and promotion thereof, to define and prohibit the same, to provide for punishment therefor, to provide

for the prosecution of persons offending against the provisions of this Act and for the competency of certain evidence at the trial thereof.

In the absence of the author, Senate Bill No. 676 was passed on file.

Senate Bill No. 675—An Act in relation to prostitution and to persons cohabiting, dwelling or residing with prostitutes, to define and prohibit the same, to provide for punishment therefor and for the competency of certain evidence at the trial thereof.

In the absence of the author, Senate Bill No. 675 was passed on file.

Senate Bill No. 677—An Act to amend the Penal Code by amending Section 266 thereof, relating to inveigling or enticing certain females for the purpose of prostitution or to have illicit sexual connection with any man.

In the absence of the author, Senate Bill No. 677 was passed on file.

Senate Bill No. 1369—An Act creating the California Historic Landmarks Commission, providing for its appointment and defining its powers and duties.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1369 passed by the following vote:

Ayes—Senators Anderson, Birdsall, Burnett, Busick, Cartwright, Caminetti, Campbell, Carr, Cogswell, Cosgrove, Curtis, Finn, Gates, Grant, Inman, Jones, Juilliard, Kehoe, Lawlor, Leavens, Leland, Lewis, Mott, Owens, Shanahan, Thompson and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1497—An Act to amend Section 1095 of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in mandate proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the state, counties and municipal corporations in certain cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1497 passed by the following vote:

Ayes—Senators Anderson, Birdsall, Burnett, Busick, Cartwright, Caminetti, Campbell, Carr, Cogswell, Cosgrove, Curtis, Finn, Gates, Grant, Inman, Jones, Juilliard, Kehoe, Lawlor, Leavens, Leland, Lewis, Mott, Owens, Shanahan, Thompson, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 416—An Act to amend Section 671 of the Civil Code, relating to the ownership of property in this State.

MOTION.

Senator Campbell moved that Senate Bill No. 416 be re-referred to Committee on Judiciary.

The question being on the motion of Senator Campbell.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Larkins, Birdsall and Breed.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Curtin, Flint, Grant, Jones, Juilliard, Kehoe, Mott, Owens, Shanahan, Thompson, and Wright—22.

NOES—Senators Birdsall, Bryant, Cohn, and Larkins—4.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until one o'clock p.m.

LEAVE OF ABSENCE.

Senator Curtin was, on his own motion, granted leave of absence for this day.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 316—An Act to repeal Section 1298 of the Civil Code, and to amend Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

In the absence of the author, Senate Bill No. 316 was passed on file.

Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between two hundred fifty thousand and four hundred thousand.

On motion of Senator Gates, Senate Bill No. 1154 was passed on file.

SENATOR KEHOE IN THE CHAIR.

At twelve o'clock and forty minutes p.m., Senator Kehoe, of the First District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk; assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between two hundred fifty thousand and four hundred thousand.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1155 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1156—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having a population between two hundred fifty thousand and four hundred thousand.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1156 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1157—An Act to amend Section 103 of the Code of Civil Procedure of California, relating to salary of justices, justices' clerk, assistant justices' clerks and deputy justices' clerks in townships having a population between two hundred fifty thousand and four hundred thousand.

On motion of Senator Gates, Senate Bill No. 1157 was passed as follows:

Senate Bill No. 1467—An Act to amend Section 850 of the Code of Civil Procedure of the State of California, relating to the requisites for notices of hearing in justices' courts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1467 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1071—An Act to amend Section 2541 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to decedent's estate.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1071 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 952—An Act to amend Section 345 of the Civil Code, relating to the extension of time of delinquent sale of stock in corporations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 952 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 956—An Act to amend Section 321*b* of the Civil Code, relating to the meetings of stockholders, who may vote thereat, and proxies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 956 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Read third time.

On motion of Senator Boynton, Senate Bill No. 1091 was passed on file.

Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1630 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1092—An Act to amend Section 1765 of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1092 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Cohn gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 469 was passed that day.

THIRD READING OF BILLS—(JOINT RULE).

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated eleven hundred and seventy-a (1170a), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord forfeits right, lease and other services or services to the tenant.

On motion of Senator Gates, Senate Bill No. 885 was passed on file.

Senate Bill No. 312—An Act to amend Section 607 of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 312 passed by the following vote:

Ayes—Senators Anderson, Benson, Boynton, Burnett, Chandler, Cogswell, Curtin, Gates, Gerdes, Hatch, Hewitt, Hurley, Inman, Leake, Lewis, Lukens, Mott, Stanford, Thompson and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1067—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

On motion of Senator Boynton, Senate Bill No. 1067 was passed on file.

TIME FOR RECESS EXTENDED.

At one o'clock p. m., on motion of Senator Thompson, the hour of recess was extended twenty minutes.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Finn, the Senate took up the consideration of **Senate Bill No. 1284, out of order.**

Senate Bill No. 1284—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1284 passed by the following vote:

Ayes—Senators Anderson, Benson, Burnett, Boynton, Breed, Bryant, Burke, Chandler, Cogswell, Curtin, Cutten, Finn, Flint, Gates, Gerdes, Hatch, Hewitt, Hurley, Inman, Leake, Lukens, Mott, Owens, Stanford, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At one o'clock and five minutes p.m., Hon. A. E. Boynton, president pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purpose and to provide for the installation of sanitary water systems.

On motion of Senator Thompson, Assembly Bill No. 236 was passed on file.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

On motion of Senator Thompson, Senate Bill No. 237 was passed on file.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and consent necessary thereto.

On motion of Senator Thompson, Assembly Bill No. 1578 was passed on file.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as Section 653c, relating to wages of employees.

On motion of Senator Benson, Assembly Bill No. 1495 was passed on file.

Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, and December 24, 1911, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12*a*, 14, 15, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 34, 35, 37, 41, 42, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 105, 106, 121, 123, 124, 127, 128, 130, 131, 133, 134, 136, 137, 138, 139, and 145 thereof and by repealing Sections 13, 18, 33, 100 and 104 thereof and by adding new sections thereto to be numbered Sections 12*b*, 12*c*, 21*a*, 31*a*, 54, 55, 56, 61*a*, 107, 130, 135*a*, 136*a* and 136*b* and by repealing Section 135 thereof and adding a new section thereto to be numbered Section 135, all relating to the definition and regulation of the business of banking.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill 1157 passed by the following vote:

Ayes—Senators Anderson, Benson, Birdsall, Boynton, Brown, Bryant, Burnett, Campbell, Caminetti, Carr, Chapman, Cogswell, Curtin, Finn, Flint, Gerdes, Gerrard, Jones, Judkins, Kehoe, Larkins, Main, Owens, Saunders, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 973—An Act to permit the consolidation of counties and to provide a procedure therefor.

On motion of Senator Thompson, Assembly Bill No. 973 was passed on file.

Assembly Bill 978—An Act to amend Section 2070 of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

On motion of Senator Thompson, Assembly Bill No. 978 was passed on file.

Assembly Bill No. 61—An Act to prevent injury to oil, gas or petroleum-bearing strata formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum bearing strata or formation by the penetration or infiltration of water therein," approved March 23, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 61 passed by the following vote:

Ayes—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Burnett, Campbell, Caminetti, Carr, Chapman, Cogswell, Curtin, Finn, Flint, Gerdes, Gerrard, Jones, Judkins, Kehoe, Larkins, Main, Owens, Saunders, Thompson, and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 1 was passed on file.

Assembly Bill No. 545—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

On motion of Senator Kehoe, Assembly Bill No. 545 was passed on file.

ASSEMBLY CONCURRENT RESOLUTION NO. 28.

WHEREAS, The farmers of the Sacramento-Sacramento Delta, who in years farming operations bought grain bags [illegible] of the acreage grain bags planted into the contracts with the Board of State Prison Directors for the purchase of grain bags, and in accordance with a rule of said board paid a deposit thereon of ten per cent of the amount of such contracts; and

WHEREAS, Since the making of such payments by said farmers the dry season has caused a failure of the grain crops in said senatorial district, and such failure seems

the necessity for the purchase of the number of grain bags that they had originally contracted for as aforesaid; and

WHEREAS, Owing to said crop failures, it is the judgment of the members of the Legislature, that an exception should be made under the circumstances in favor of the farmers of said senatorial district, as well as others in the State similarly situated who may desire to be so relieved; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Legislature respectfully requests the Board of State Prison Directors to consider and grant the requests of farmers of said senatorial district and such other farmers of the State who may ask for such relief for a return of said deposit and cancellation of the contracts entered into under the conditions aforesaid; be it further

Resolved, That a certified copy of these resolutions be transmitted to the Board of State Prison Directors by the Secretary of the Senate.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 28 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Larkins, Owens, Shanahan, Thompson, and Wright—23.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1076 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Owens, Shanahan, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

On motion of Senator Finn, Assembly Bill No. 556 was passed on file.

Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations to state further facts in articles.

On motion of Senator Thompson, Assembly Bill No. 1509 was passed on file.

Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relative to prerequisite to filing articles and amounts to be subscribed and to be fixed.

On motion of Senator Thompson, Assembly Bill No. 1507 was passed on file.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Pedic Society of the State of California, a corporation, to assist in the carrying out of the purposes of the Act.

On motion of Senator Thompson, Assembly Bill No. 69 was passed on file.

Assembly Bill No. 1896—An Act to amend Section 274d of the Penal Code of the State of California, relating to the pollution of streams.

On motion of Senator Wright, Assembly Bill No. 1896 was passed on file.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Kehoe, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 120—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees instead of establishing a separate free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1[illegible]—An Act ratifying and confirming proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 508—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of eight additional Superior Court judges in counties of the first class and providing for their compensation.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 2, Section 1, line 2, after the word "Superior" and before the word "additional," strike out the word "eight" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, Section 1, line 7, after the figures "1914", strike out the word "eight" and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1259—An Act creating a reclamation district, to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing

for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

Bill read second time, and ordered on file for third reading

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Campbell: Permission to introduce a Senate bill—An Act to declare certain combinations between railroad or other common carriers and private corporations or individuals with reference to transportation of crude oil, petroleum or the products thereof through pipe lines, in restraint of trade, an unfair practice contrary to public policy and an unlawful monopoly, authorizing such pipe lines to become common carriers and public utilities, or requiring same to become licensed, fixing penalties for violation and authorizing certain court proceedings.

Request referred to Committee on Introduction of Bills.

SECOND READING OF BILLS.

On motion of Senator Kehoe, the Senate took up the consideration of the second-reading file of Senate bills.

Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

The question being on the pending amendments, submitted by Senator Bryant, as follows:

Amend by striking out of Section 1, line 2, the words "or transported" and inserting after the word "vessel" in line 2, the words "in any port of this state".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, add a new section, to read as follows:
"SEC. 2. This Act shall take effect July 1, 1914."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the word "thirty", and insert in lieu thereof the word "twenty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

TIME OF RECESS EXTENDED.

At one o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended for thirty minutes.

THIRD READING OF BILLS [SENATE].

Senate Bill No. 1489.—An Act to amend Section 1761 of the Political Code of the State of California, relating to state aid for high schools.

On motion of Senator Caminetti, Senate Bill No. 1489 was ordered re-referred to Committee on Finance.

Senate Bill No. 907.—An Act to require physical culture and health and development supervision in the public schools and to amend Section 1668 of the Political Code.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, [illegible] the title by striking out the words "An Act" and insert in lieu thereof the following: "To amend Section 1668 of the Political Code of the State of California, relating to the use of schoolhouses, boards of health and to permit exercise in the public schools."

Amendment adopted.

AMENDMENT No. 2.

On pages 1 and 2 of the printed bill, strike out the following two sections and insert in lieu thereof the following:

"Section 1. Section 1668 of the Political Code of the State of California is hereby amended to read as follows:

1668. The trustees in the public schools of any town shall give necessary instruction in the temperance and sanitation of schoolrooms under their control. They shall give daily such exercises [illegible] as may be necessary to secure the best conditions of health and vigor of body and mind. Boards of school trustees and city boards of education shall have such power as may be necessary for the proper carrying out [illegible] of this act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1008.—An Act to regulate the payment of employees' advances and providing penalties for the violation of its provisions.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1748.—An Act to amend the Political Code of the State of California by adding thereto two new sections, to be known and numbered as Section 3496 and Section 3496, relating to labor unions.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1718.—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title of the printed bill, strike out the words "humane" commission," and insert the following: "duties of, and making appropriation",

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, of the printed bill, strike out the word "persons", and insert in lieu thereof the words "making offers".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 12, of the printed bill, strike out the word "persons", and insert in lieu thereof the words "making offers".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 26, of the printed bill, strike out the word "passage", and insert in lieu thereof the words "taking effect".

Amendment adopted.

AMENDMENT No. 5.

On page 6, line 21, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT No. 6.

On page 7, line 12, of the printed bill, strike out the word "and", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 7.

On page 7, line 22, of the printed bill, strike out the word "county", and insert, after the word "treasury", the following: "of the city, or county, or city and county, in which said case is tried".

Amendment adopted.

AMENDMENT No. 8.

On page 7, line 23, of the printed bill, strike out the word "county", and after the word "treasurer" insert the following: "of such city, or county, or city and county".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1729—An Act to amend Sections 953*a*, 953*b* and 953*c* of the Code of Civil Procedure of the State of California, relating to the duty of the clerk upon appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Court to the Supreme Court or the District Courts of Appeal.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 309*a*, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 4, of the printed bill, before the word "No", insert the following: "309*a*".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 106—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1188—An Act to amend Section 3493 of the Political Code of the State of California, relating to the validating of uncanceled

certificates of purchase and patents heretofore issued for swamp and overflowed lands.

On motion of Senator Thompson, Senate Bill No. 1188 was ordered re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second reading of bills entered on the file this day, as follows: Senate Bills Nos. 1319, 1034, 402, 430, 310, 286, 342, 223, 1301 and 9.

Senate Bill No. 1319—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, after the enacting clause insert the following:

"SECTION 1. Compensation within the terms of this Act shall mean and include unless [illegible] compensation or pay [illegible] or any of the employees for any injury resulting in death incurred by such employee in the course of the employment, irrespective of the fault of either party."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, strike out "Section 1", and insert in lieu thereof the following: "SEC. 2."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 3, strike out the last word "the", and all of lines 4 and 5 and part of line 6, up to and including the word "thereby", and insert in lieu thereof the following: "compensating as defined by section one hereof."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 8, after the word "of", strike out the words "such act", and insert in lieu thereof the following: "the last three work compensating."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 3, strike out the figure "2", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 7, strike out the following: "said chapter 286 of the acts of 1911," and insert in lieu thereof the following: "this law becoming compensation."

Amendment adopted.

AMENDMENT No. 7.

On page 2, lines 10 and 11, strike out the figure "1", wherever it occurs, and insert in lieu thereof the figure "2."

Amendment adopted.

AMENDMENT No. 8.

On page 2, strike out all of lines 28, 29 and 30, and insert in lieu thereof the following: "of any law as defined in Section 1 hereof."

Amendment adopted.

AMENDMENT No. 9.

On page 2, strike out all of lines 31 to 37, inclusive, and on page 3, strike out all of lines 1 to 5, inclusive, thus eliminating Section 5 of the printed bill.

Amendment adopted.

AMENDMENT No. 10.

Renumber Sections 3 and 4 so as to become numbers 4 and 5, respectively.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1034—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended.

During second reading of the bill, the following amendment was offered by the committee:

Amend by striking out all following the period in line 7, page 2, of the printed bill, and insert in lieu thereof the following:

SEC. 3. No minor between the ages of twelve and fifteen years shall be employed in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, unless such minor is supplied with a permit to work as hereinafter provided.

SEC. 4. The superintendent of schools of any city, or of any city and county, or of any county (over such portions of any such county as are not within the jurisdiction of any superintendent of city schools) shall have authority to issue a permit to work to any minor between the ages of twelve and fifteen years, in any of the following circumstances:

(1) Where such minor has completed the prescribed grammar school course, and is physically fitted for the labor contemplated; or

(2) Where upon the sworn statement being made by the parent, or foster-parent, or guardian of such minor, that such minor is past the age of twelve years, that the parent or parents, or foster parent or foster-parents, or guardian, of such minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of such minor, the family is in need of the earnings of such minor, and that sufficient aid can not be secured in any other manner. The person authorized to issue such permit shall make a signed statement in granting such permit that he, or a competent person designated by him for this purpose, has carefully investigated the conditions under which the application for such permit has been asked, and has found that in his judgment the earnings of such minor are necessary for such family to support such minor, and that in his judgment sufficient aid can not be secured in any other manner.

SEC. 5. No permit as specified in Section 4 of this Act shall be issued except upon written evidence that suitable work is waiting for such minor, and such permit shall specify the kind of labor. Permits issued under subdivision (2) of said Section 4 shall in no case be issued for a longer period than shall seem necessary, nor for longer than six months, at the end of which period such superintendent shall see that such minor returns to school, unless a new permit to labor is issued. Such permit shall be kept on file by the person, firm or corporation employing the minor therein designated, during the term of said employment, and shall be given up to such minor upon his quitting such employment. Where such minor works for himself and not for others, such minor shall keep in his possession such permit. Such permit shall be issued on forms in accordance with this Act, which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California. Such permit shall be subject to revocation at any time by such commissioner of the bureau of labor statistics, or by the authority issuing such permit, whenever such commissioner, or the authority issuing such permit shall find that the conditions

for the legal issuance of such permit the per cent. Said permit shall be issued upon the application of the employer and employee entering into or the adoption of the rules known as local agreements. A duplicate copy of such permit to work granted under the provisions of this Act shall be kept by the person having such permit, and a copy to be filed with the superintendent of schools of the city or the county clerk, as the case may be, prescribed time on receipt of notice issued by the Labor Commissioner, and shall be kept open for inspection by the Labor Commissioner or his agent at any time during business hours. Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each offense. Each day that any person shall employ a minor without having such permit as herein provided for shall be deemed a separate offense.

SEC. 6. The attendance officer of any county, city and county, or school district in which any place of employment, to which this Act applies, is situated, or the attendance officer of such county shall have the right and authority, at all times to enter into any such place of employment for the purpose of investigating compliance with the provisions of this Act, or ascertaining if any minor is employed therein in violation of this Act, or ascertaining if the employment of any minor therein is in violation of the provisions of this Act, or ascertaining whether the age certificate required by this Act is kept on file as herein provided. The Act to enforce the provisions of the Act entitled "An Act establishing industrial farm colonies for women and girls, providing for the appointment of a board of trustees, defining their powers and duties, providing for the support of said colonies, and making an appropriation therefor," approved March 31, 1913, and any Act amending or supplementing the same, approved, February, 1913, shall grant authority to attendance officers of school districts to such place of employment, and inspection and issuing age certificates to minors attendance or education officers acting under the law, when he has a good cause to believe that the provisions of this Act, or the Act hereinbefore referred to are being violated in such place of employment, shall be under obligation to issue age certificates to minors and parents, when any under attending such employment or persons other to enter said place of employment for the purpose of making such investigations, and parents, that any such minor under the age of fifteen years has not completed the eighth grade of the public schools, or any of the equivalent grades in a private school, or is not regularly attending some day school, or is not lawfully excused from attending school under the provisions of this Act, or any minor between the ages of fifteen and eighteen years who has not obtained a certificate of completion of the eighth grade of the public schools, or any of the equivalent grades in a private school, or is not regularly attending some day school, or is not lawfully excused from attending school under the provisions of this Act, such attendance officer shall notify the parent, guardian or person having control of such minor that such minor is required to attend school and will be required to attend school during the entire time school is in session during the period of compulsory education, and such attendance officer shall report to the truant officer of the district in which such minor resides any violation of this section.

SEC. 7. No minor who is under fourteen years of age shall be employed, permitted or suffered to work in any public or private establishment during the hours that the public schools of the city, town or school district in which the place of employment is situated are in session, unless he or she has completed the eighth grade of the public schools, or any of the equivalent grades in a private school, or unless he or she is employed under the provisions of this Act, or unless he or she is a pupil regularly enrolled for not less than four hours in a day in a part-time school or continuation school, provided, however, that if the health or physical condition of said minor is such as to render inadvisable his or her immediate attendance at school, or such as to render inadvisable his or her attendance at school for the full time required, the board of trustees or board of education of the school district in which said minor resides may excuse said minor from attendance at school for such length of time as said board of trustees or board of education may deem necessary, and may issue to said minor a certificate to that effect, which certificate shall be sufficient warrant for the absence from school of the minor mentioned therein during the time stated therein.

SEC. 8. Every person, firm or corporation employing minors under fourteen years of age, in any manufacturing establishment, shall post and keep posted, in a conspicuous place in every room where such minors are employed, a printed notice stating the number of hours per day and days per week and the hours of the week during which such minors are employed.

SEC. 9. Every person, firm or corporation, agent or officer of a firm or corporation employing or permitting minors under fourteen years of age to work in any manufacturing establishment, factory, mercantile establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the delivery, sale or transportation of merchandise or messenger service, having in control of the books, age and proof of residence of such minors, and shall furnish the Labor Commissioner or his duly authorized agent, upon demand, such information as he may require for the purposes of this Act, and shall permit such Commissioner, agent, officer and employee to inspect at all times the employment of any minor employed and performing services in any of the establishments, factories, workshops, places of amusement, restaurants, hotels, apartment houses

An age and schooling certificate shall not be approved unless satisfactory evidence is furnished by the last school census, the certificate of birth or baptism of such minor, the public register of birth of such minor, or in some other manner, that such minor is of the age stated in such certificate. A duplicate copy of each age and schooling certificate granted under the provisions of this Act shall be kept by the person issuing such certificate, such copy to be filed with the county superintendent of schools in the county where the certificate is issued; *provided*, that all such copies of certificates issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year, shall be filed not later than June 30th of each year.

The county superintendent of schools of each county shall file with the commissioner of the bureau of labor statistics, a report showing the number of age and schooling certificates issued to male and female minors and such other detailed information as the commissioner may require. Said report to be filed during the months of January and July of each year for the preceding six months, ending June 25th and December 25th of each year, and cover certificates issued during said periods and on file in the office of the county superintendent of schools as described in this section.

SEC. 11. Age and schooling certificates shall be issued on forms which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California, and shall be substantially in the following form, to wit:

Age and schooling certificate. This certifies that I am the (father, mother, or guardian) of (name of the minor) and that (he or she) was born at (name of the city or town), in the county of (name of county, if known), and state (or country) of (name) on the day (day and year of birth), and is now (number of years and of months) old.

Signature, as provided in this Act.

City or town, and date.

There personally appeared before me the above named (name of person signing) and made oath that the following certificate by (him or her) signed is true to the best of (his or her) knowledge and belief.

I hereby approve the foregoing certificate of (name of minor), height (feet and inches), complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified, and I hereby certify that (he or she) (has or has not) completed the prescribed grammar school course.

Signature of the person authorized to sign, with his official character and authority.

Town or city and date.

This certificate belongs to the minor in whose behalf it is drawn and it shall be presented to (him or her) whenever (he or she) leaves the services of the person, firm or corporation holding the same.

The certificate as to the birthplace and age of the minor under sixteen years of age shall be signed by his father, his mother, or his guardian; if a minor has no father, mother or guardian living in the same city or town, his own signature to the certificate may be accepted by the person authorized to approve the same. Every person authorized to sign the certificate prescribed by this Act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment not more than thirty days, or by both such fine and imprisonment.

SEC. 12. No minor having a permit to work, as described in Sections 3, 4 and 5 of this Act, and no minor having an age and schooling certificate, as described in Sections 9, 10 and 11 of this Act, and no other minor under sixteen years of age, who would by law be required to attend school, shall, while the public schools are in session, be and remain idle and unemployed for a period longer than two weeks but must enroll and attend school; *provided*, that within one week after any minor having such a permit to work or such age and schooling certificate shall have ceased to be employed by any employer, such employer shall, in writing, giving the latest correct address of such minor known to such employer, notify the county superintendent of schools of such county, that such minor is no longer employed by such employer; and such county superintendent of schools, shall thereupon immediately notify the attendance officer having jurisdiction in the place of such minor's residence, giving the said latest known correct address of such minor, that such minor is neither at work nor in school; *and provided, further*, that no such minor shall be permitted to cease school attendance, without securing a permit to work, or an age and schooling certificate as provided in this Act.

SEC. 13. Any person, firm, corporation, agent, or officer of a firm or corporation that violates or omits to comply with any of the foregoing provisions of this Act, or that employs or suffers or permits any minor to be employed in violation thereof, is guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, for each and every offense. A failure to produce any age and schooling certificate or permit to work or to post any notice required by this Act, shall be prima facie evidence of the illegal employment of any minor whose age and schooling certificate or permit to

work is not produced, or whose name is not to appear. Any fine collected under the provisions of this Act shall be paid into the school funds of the county or city or city and county in which the offense occurred. Upon such fines collected as the result of prosecutions by the officers of the county or town corporation, in such cases one half of the proceeds of the fine shall be paid into the county treasury and accredited to the contingent fund of the bureau of labor statistics, and one half into the school funds of the county, or city, or city and county in which the offense occurred.

Sec. 14. Nothing in this Act shall be construed to prohibit the employment of persons as apprentices, learners, or assistants, or employment without wages for time the public schools are not in session, or during school hours. For the purposes of this Act, horticultural shall be understood to include the raising and drying, but not the canning, of all varieties of fruit. Nor shall anything in this Act be interpreted as prohibit any minor between the ages of fifteen and eighteen years, who is by any ability or provision of the laws of California, now or hereafter in force, permitted to be employed in an office, or upstairs, or anywhere in a theatre or other place of amusement, previous to the hour of five o'clock p. m., in the presentation of a performance, play or theatre entertaining. Nor any minor under the age of fifteen the hour of six o'clock p. m. Only nothing has in this Act shall be such presentation as said employees between the hours of said time, without the permission of the written consent of the superintendent of the bureau of labor statistics first obtained. Nor shall anything in this Act prevent or be interpreted to prohibit the employment of any minor, whether resident or nonresident, in the presentation of a drama or dramatic play under the auspices of the superintendent of the bureau of labor statistics, but no such consent shall be given unless the officer acting is satisfied that the environment in which the drama or dramatic play is to be produced is in proper environment for the minor, and that the production of such entertainment will not be detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by the participation in such drama or dramatic play, and every such written consent shall specify the name and age of the minor engaged with such other facts as may be necessary for the proper identification of such minor, and the dates when and the theatres in which such play is permitted to be given, such dramas or dramatic plays not to be produced, and shall specify the dramas or dramatic plays in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer acting."

Sec. 15. The bureau of labor statistics shall enforce the provisions of this Act. The commissioner, his deputies and agents shall have all the powers and authority of sheriffs or other police officers to make arrests for violations of the provisions of this Act and to serve any process or notice throughout the state."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 466—An Act to regulate the hours of employment and safeguard the health of females employed in any mill, factory, manufacturing or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office or where any goods or tickets are sold, or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise.

Bill read second time and ordered to print, engrossment and third reading.

AMENDMENT No. 1.

Strike out all of the text after the title and insert in lieu thereof: "An Act to amend an Act entitled 'An Act [illegible] the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company, transporting such persons or their baggage, [illegible] or messenger or other service, [illegible] or employing any females in any of the above establishments and to repeal all acts and parts of acts which may be inconsistent herewith,' approved March 21, 1911, by adding thereto a section to be known as section [illegible] providing for the [illegible] employer to comply with the provisions of this Act, and for punishing or enforcing any contract, [illegible] of [illegible] agent of any such employer to violate the provisions of this Act," approved March 21, 1911.

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof:

SECTION 1. An Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this Act," approved March 22, 1911, hereby amended to read as follows:

Section 1. No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, public lodging house, apartment house, hospital, place of amusement, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company in this state more than eight hours during any one day or more than forty-eight hours in one week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or forty-eight hours during any one week, *provided, however*, that the provisions of this section in relation to hours of employment shall not apply to nor affect the harvesting, curing, canning or drying of any variety of perishable fruit or vegetable, nor to graduate nurses in hospitals.

SEC. 2. Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not engaged in the active duties of their employment.

SEC. 3. The bureau of labor statistics shall enforce the provisions of this Act. The commissioner, his deputies and agents, shall have all powers and authority of sheriffs or other peace officers, to make arrests for violations of the provisions of this Act, and to serve all processes and notices thereunder, throughout the state.

SEC. 4. Any employer who shall permit or require any female to work in any of the places mentioned in section one more than the number of hours provided for in this Act during any day of twenty-four hours, or who shall fail, neglect or refuse to so arrange the work of females in his employ so that they shall not work more than the number of hours provided for in this Act during any day of twenty-four hours, or who shall fail, neglect, or refuse to provide suitable seats as provided in section three of this Act, or who shall permit or suffer any overseer, superintendent, foreman, or other agent of any such employer to violate any of the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for a first offense, by a fine of not less than twenty-five dollars nor more than fifty dollars; for a second offense, by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. All fines imposed and collected under the provisions of this Act shall be paid into the state treasury and credited to the contingent fund of the bureau of labor statistics.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 510—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners and a board of registration of religious practitioners.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California defining the classification of the public

schools, the qualification of teachers, the time for prescribing the course of study, the granting of diplomas of graduation, and the amending of the courses of study.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, between lines 6 and 7, insert the following: "The day and evening elementary schools of California shall be discussed as primary and grammar schools. The day and evening secondary schools of California shall be designated as high schools and technical schools, and which class may include a portion of the other class."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 5, after the word "California", delete and the balance of the line, also strike out the 8 and insert in lieu thereof the following: "who has had at least one year of training in a senior normal school of California or other normal school accredited by the state board of education, or has credit standing for the completion of one year of training in a senior normal school of California or other normal school accredited by the state board of education, or has credit standing for the completion of a senior school, shall be entitled to teach in the first grade of the elementary schools."

Amendment adopted.

Bill read second time and ordered to print engrossed and third reading.

Senate Bill No. 532—An Act to amend Section 3804 of the Political Code relating to taxes erroneously collected.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 20 of the printed bill strike out the last seven words "entitled to the"

Amendment adopted.

Bill read second time, and ordered to print engrossed and third reading.

Senate Bill No. 533—An Act to amend Section 3819 of the Political Code, relating to payment of taxes under protest.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 1253—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof and providing penalties for the violation of this Act.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1253

An Act declaring certain corporations, individuals or associations of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, into, out of or within the State of California by means of pipe lines, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof and providing penalties for the violation of this Act, and repealing Section 2½ of the Public Utilities Act of the State of California, approved December 23, 1911.

The people of the State of California do enact as follows:

SECTION 1. Every private corporation and every individual or association of individuals

(a) Owning, operating, managing or controlling any pipe line or any part of any pipe line, plant or equipment within the State of California for the transportation of crude oil or petroleum or the products thereof, either directly or indirectly to or

for the public, for hire, compensation or consideration of any kind, paid, given, extended or received, directly or indirectly, for such transportation, or engaged, directly or indirectly, in the business of so transporting the same; or

(b) Owning, operating, managing or controlling any pipe line or any part of any pipe line, plant or equipment for the transportation, directly or indirectly, of crude oil, petroleum or products thereof to or for the public, for hire, compensation or consideration of any kind, paid or received, directly or indirectly, for such transportation, and which said pipe line, plant or equipment is constructed or maintained upon, along, over or under any public highway, and in favor of whom the right of eminent domain exists; or

(c) Owning, operating, managing or controlling, directly or indirectly, any pipe line or pipe lines, or any part of any pipe line or pipe lines, plant or equipment, or any pipe line system or any part thereof, for the transportation, directly or indirectly, to or for the public, for hire or otherwise, of crude oil, petroleum or products thereof, and which said pipe line, or pipe lines, or plant or equipment, or system, is, or are, constructed, operated or maintained across, upon, along, over or under the right of way of any railroad corporation or other common carrier required by law to transport crude oil, petroleum or products thereof as a common carrier, or

(d) Owning, using, operating, managing or controlling, directly or indirectly, or participating in the ownership, use, operation, management or control, directly or indirectly, under lease, contract of purchase, agreement to buy and sell, or other contractural or tacit agreement or arrangement of any kind or character whatsoever, of any pipe line, or pipe lines, or any part of any pipe line, or pipe lines, plant or equipment, or pipe line system, or any part of any pipe line system, for the transportation of crude oil, petroleum or the products thereof, of and from, or of, or from any oil field or place of production within the State of California, to any distributing, refining or marketing center or reshipping point therefor within said state, whereby, or under, or through which directly or indirectly, such corporation, or any corporation or association of corporations, or individual or association of individuals secures, or is enabled to secure, or attempts to secure, or tends to secure, the control of, or monopoly of the purchasing of, or the control of, or monopoly of the transportation of such crude oil, petroleum or the products thereof;

Is hereby declared to be a common carrier and subject to the provisions of the Act known as the "Public Utilities Act," approved December 23, 1911.

SEC. 2. Every corporation organized and existing under the laws of the State of California or under the laws of any other state to transport, or to engage in the business of transporting, within the State of California, any crude oil, petroleum, or the products thereof, or for the purpose of acquiring, constructing, leasing, owning, maintaining or operating, directly or indirectly, or of controlling or participating in the control of any pipe line or pipe lines with pumping station or stations, or other appurtenant equipment or plant constructed and maintained, or to be constructed or maintained for the transportation of crude oil, petroleum or the products thereof, actually engaged or engaging in such operation or transportation, directly or indirectly, or shares, directly or indirectly, in the business of such operation or transportation, is hereby declared to be a common carrier and subject to the provisions of the "Public Utilities Act" of the State of California, approved December 23, 1911.

SEC. 3. Any pipe line constructed, acquired, owned, operated, maintained, managed or controlled by any private corporation or individual or association of individuals for any of the purposes or under any of the conditions specified in Section 1 or Section 2 of this Act is hereby declared to be a public utility and subject to the provisions of the "Public Utilities Act" of the State of California, approved December 23, 1911.

SEC. 4. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 5. The provisions of this Act are not to be construed as applying to any corporation, individual or association of individuals where the nature and extent of their business is such that the public needs no use in the same, and the conduct of the same is not a matter of public consequence.

Substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 9—An Act to amend Section 190 of the Penal Code relating to the punishment of murder.

Bill read second time, ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE (OUT OF ORDER)

The following report of standing committee was received:

SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 194—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also, Senate Bill No. 195—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Also, Senate Bill No. 196—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also, Senate Bill No. 209—An Act appropriating money for building and furnishing a power house at Agnews State Hospital.

Also, Senate Bill No. 221—An Act for the preservation of the architectural inheritance of the State, providing the State shall control thereby, establishing a commission of fine arts to be appointed by the governor, prescribing the duties of said commission, granting to it powers and duties, and making an appropriation therefor.

Also, Senate Bill No. 267—An Act appropriating the proceeds derived from lands devised and conveyed to the State of California by the last will and testament of Lucy Stanford, deceased, late of Santa Clara County, California, and providing for the use of said proceeds for the purpose of establishing and maintaining a State Home at Lathrop, San Joaquin County, California, and providing how and by whom the same shall be managed and disbursed, and directing the sum to be paid out of the State Treasury for the purpose of establishing and maintaining said

Senate Bill No. 209—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners; providing for the selection of its officers; defining its powers and duties; and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 267—An Act appropriating ten thousand dollars to further develop and increase the water supply and to extend the water system of the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing the work and improvement to be done.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 270—An Act appropriating $5000 therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 271—An Act appropriating $19,000 therefor, and authorizing and directing the construction and furnishing of a nursery for males, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 347—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State and making an appropriation of two thousand dollars for such purpose.

Bill read second time, ordered engrossed and on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and

to impose tolls or compensation for and upon the use of the same and to regulate the use thereof—begs leave to report back said bill with the recommendation that it do pass and respectfully return the same back, and recommend that it do pass.

BIGGY, Chairman.

Assembly Bill No. 649 ordered on file for second reading

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Bill No. 644—An Act to amend Section 1904 of the Code of Civil Procedure of the State of California, relating to costs—has examined the same and reports back with the recommendation that the said bill do pass.

Also: Assembly Bill No. 586—An Act to amend Section 1187 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Have had the same under consideration, and respectfully return the same back and recommend that they do pass.

GATES, Chairman.

Senate Bill No. 643 ordered on file for second reading

Assembly Bill No. 589 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 595—An Act to add a new section to the Penal Code of the State of California, to be numbered 1903a, relating to imprisonment, withdrawing said evening paper—

Also: Senate Bill No. 630—An Act to repeal Sections 939, 941, 956, 956a, 956b, 9536 and 9536a of the Code of Civil Procedure, relating to records on appeal—

Also: Senate Bill No. 640—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 939, relating to records on appeal—

Also: Senate Bill No. 642—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 951, relating to transcript of reporter—

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

GATES, Chairman.

Senate Bills Nos. 594, 595, 630, 640 and 642 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done—

Also: Assembly Bill No. 888—An Act to repeal Sections 938, 939 and 940, Code of Civil Procedure, relating to costs on appeal, and to repeal Section 953a, relating to records on appeal—

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Assembly Bills Nos. 886 and 888 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 596—An Act to amend Section 1047 of the Code of Civil Procedure of the State of California, relating to costs on appeal—

Also: Senate Bill No. 597—An Act to amend Section 939 of the Code of Civil Procedure of the State of California, relating to writing of bond on appeal—

Also: Senate Bill No. 629—An Act to repeal Section 661 of the Code of Civil Procedure, relating to records on appeal from orders granting or refusing a new trial—

Also: Senate Bill No. 641—An Act to add a new Section to the Code of Civil Procedure of the State of California to be numbered 951, relating to the preparation and service of records on appeal.

Also: Senate Bill No. 644—An Act to grant relief to persons erroneously convicted of a felony in the State of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 596, 597, 609, 641 and 644 ordered on file for second reading.

SECOND READING OF BILLS.

On motion of Senator Gates, the Senate took up the consideration of the second reading of bills, ordered on file this day, as follows:

Senate Bills Nos. 643, 594, 595, 639, 640, 642, 596, 597, 609, 641 and 644, and Assembly Bills Nos. 896, 886 and 888.

Senate Bill No. 643—An Act to amend Section 956 of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Bill read second time, ordered engrossed and on file for third reading.

Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 594—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 595—An Act to add a new section to the Penal Code of the State of California, to be numbered 1075*a*, relating to examining, challenging and excusing jurors.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 639—An Act to repeal Sections 950, 951, 952, 953, 953*a*, 953*b* and 953*c* of the Code of Civil Procedure relating to records on appeal.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 640—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 950, relating to records on appeal.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 642—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 952, relating to transcript of reporter.

Bill read second time, ordered engrossed and on file for third reading.

Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 3, of the title of the printed bill, after the word "Procedure", insert the words "of the State of California,".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 888—An Act to amend Sections Civ. 659 and 660, of the Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 2, of the title of the printed bill, after the word "Procedure", insert the words "of the State of California".

Amendment adopted.

Bill read second time and ordered to print and third reading.

Senate Bill No. 596—An Act to amend Section 1027 of the Code of Civil Procedure of the State of California, relating to costs on appeal.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, of the printed bill, strike out the last four words in line 11, all of line 12 and the three words in line 13, and insert in lieu thereof the following: "No attorney fee to be allowed as costs of appeal herein to either party dollars to any one party."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 597—An Act to amend Section 631 of the Code of Civil Procedure of the State of California, relating to waiver of trial by jury.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 5, of the printed bill, after the word "answer", insert the word "or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 609—An Act to repeal Section 661 of the Code of Civil Procedure relating to records on appeal from orders granting or refusing a new trial.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 3, of the title of printed bill, after the word "Procedure", insert the following: "of the State of California".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 641—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 951, relating to the preparation and service of records on appeal.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 4, line 4, of the printed bill, strike out the word "reporter's" and insert in lieu thereof the word "reporter's".

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 10, of the printed bill, strike out the words "A typewritten or printed copy", and insert in lieu thereof the following: "Printed copies".

Amendment adopted.

AMENDMENT No. 3.

On page 4, lines 19 and 20, of the printed bill, strike out the words "Typewritten or printed", and insert in lieu thereof the word "Printed".

Amendment adopted.

AMENDMENT No. 4.

On page 4 of the printed bill, strike out the last three words of line 28, all of line 29 and all of line 30, and strike out the comma after the word "same", and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 644—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

During second reading of the bill, the following amendments were offered by the committee.

On page 2, line 5, of the printed bill, between the word "guardianship" and the semicolon, insert the following: "or appointing or refusing to appoint, removing or refusing to remove a trustee".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

Also: Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city, or other legal subdivision thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BRYANT, Chairman.

Senate Bills Nos. 121 and 122 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 1420—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BRYANT, Chairman.

Senate Bill No. 1420 ordered on file for second reading.

SECOND READING OF BILL

On motion of Senator Bryant, the Senate took up the consideration of the second reading of Senate Bill No. 1429, ordered on file this day.

Senate Bill No. 1429—An Act to amend Section 894 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 1, of the printed bill, after the words "Section 1," strike out the entire ground and insert in lieu thereof the following:

Section 894 of the Political Code is hereby amended to read as follows:

894. All insurance business in the State of California is hereby classified in the following seventy-three kinds, namely:

1. Life insurance, including every kind of insurance upon the lives of persons, and every insurance appertaining thereto, and the granting, purchasing and disposing of annuities.

2. Life insurance, including every kind of industrial insurance, that is to say, insurance by any person, association or corporation doing business in this State, whether such insurance be written upon the life of the insured or upon the life of any person in which the insured has an insurable interest, in which premiums are payable monthly or more frequently, and in which the agent or collector of the insurer is required to call at the home of the insured for the premium.

3. Marine insurance, including every kind of insurance upon ships, vessels, freights, goods, wares, merchandise, moneys, bullion, precious stones, pearls, plate, jewelry, household goods, furniture, and personal property, and every interest therein, or relative thereto, against loss or damage by fire, lightning, perils of the sea, pirates, assailing thieves, barratry of the master or mariners, and all other perils, losses and misfortunes that may lawfully be insured against, and also against losses, damages, costs, charges, and expenses arising from capture, detention, or the perils, dangers, and accidents of war, or of any person or persons, vessel or vessels, acting with hostile purpose or design, whether in time of peace or war, and against all losses, damages, costs, charges, and expenses that may lawfully be insured against, relative to any and all of the matters aforesaid, however such loss, damage, cost, charge or expense may arise or happen; and also upon the body, tackle, apparel, ordnance, munitions, artillery, boats, and other furniture of any ship or vessel, and upon the earnings of any steamer, and upon all fixtures, personal property, profits, commissions and moneys, and all interests therein, which may appertain to the business of navigation or to the owning, chartering, shipping or employing of any ship or vessel, and against any and all losses, damages, costs, charges, and expenses which may lawfully be insured against, relative to any and all of the matters aforesaid, however such loss, damage, cost, charge or expense may arise or happen.

4. Title insurance, including guaranteeing, assuring or indemnifying owners of real or personal property, or others interested therein, against loss or damage suffered by reason of defects in, liens or encumbrances upon, or adverse claims to title to, or interest in, such property.

5. Fidelity and surety insurance, including every insurance guaranteeing the fidelity of persons holding places of trust, or the performance of contracts other than insurance policies, and executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed, and every bond or undertaking conditioned for the faithful discharge of the duties of any office or position, and every bond or undertaking for the due execution, prosecution or performance of any act, contract or proceeding, or for the payment or repayment of money, or the delivery or production of property of any kind, which may be lawfully required, and every insurance against loss or damage by reason of the failure of any principal in any such bond or undertaking duly to perform the duties or obligations undertaken by him.

6. Accident insurance, and other insurance on persons, including every insurance against bodily injury, disablement or death resulting from accident, and against disablement resulting from sickness and every insurance appertaining thereto.

7. Plate glass insurance, including every insurance against breakage of plate, tempered or ornamental glass.

8. Liability insurance, including every insurance against liability arising out of the ownership, maintenance or use of any property, real or personal, not specifically mentioned in this section, or arising out of the conduct of any business not specifically mentioned in this section, or arising out of the conduct of any business not specifically mentioned in this section, and every insurance against loss or damage resulting from any liability to or for injury to or death of persons, not specifically mentioned in this section, and every insurance incidental to any business, not specifically mentioned in this section, but not including insurance against liability arising out of the ownership, maintenance or use of railroads, vehicles or aircraft, or against liability arising out of the ownership, maintenance or use of any vessel, except as provided in subdivision 13 of this section, or against liability arising out of the operation of elevators, or against liability arising out of the business of an employing printer, or against liability arising out of the publication or circulation of libelous matter, or against liability arising out of assault and battery, or against liability arising out of false arrest, detention or imprisonment, or malicious prosecution, or against liability arising out of libel, slander, defamation or violation of the right of privacy, or against liability arising out of wrongful entry or eviction, or other invasion of the right of private occupancy, or against liability arising out of the use of automobiles, or against liability arising out of the operation of aircraft, or against liability arising out of the ownership, maintenance or operation of any automatic sprinkler system, or against liability arising out of the maintenance or use of explosives, or against liability arising out of the use of any device for the transmission of electric current for light, heat, power or any other purpose, or against liability arising out of the maintenance or use of any elevator by or on behalf of any person other than the insured, or against liability arising out of the ownership, maintenance or use of any aerial tramway, or against liability arising out of the maintenance or use of any structure or property by or on behalf of any person other than the insured.

9. Boiler and pressure insurance, including vessels, boilers, fly wheels, machinery, steam, electric and power, by whatever motive power operated, appurtenances connected therewith, or operated thereby, against explosions and accidents and against loss and damage to the property of the insured, or for which he is responsible, caused by explosion, accident or breakage of the said property, and against loss of use and occupancy arising therefrom, and against loss of the said property caused by explosion, accident or breakage.

10. Burglary insurance, including policies or contracts against loss by burglary or theft or both.

11. Credit insurance, including effects for insuring merchants, manufacturers, traders, and those engaged in business and giving credit for loss and damage by means of giving and extending credit to their customers and those dealing with them, and insurance of guarantees either by endorsement or contract guaranteeing them or otherwise against loss or damage from the default of persons indebted or to become indebted to the insured, or to meet existing or contemplated liabilities.

12. Sprinkler insurance, including every insurance against loss or damage by water or substances thrown or issued from sprinkler pipes and extinguishing apparatus and accidentally or otherwise coming in contact with property insured, and against damage to such sprinkler pipes and apparatus.

13. Inland and vessel insurance, including every insurance against loss or legal liability for loss, damage or detention of vessels or property caused by the navigation of vessels, whether by perils of the sea or otherwise, and also for loss, damage or detention of the vessel or property caused by the upsetting, collision, sinking or stranding of any vessel with which or any part of which the vessel insured may come in contact, and also for general average and salvage charges and for the proportion of losses of vessels or property which the insured may be liable to pay or contribute to in case the vessel insured or the property thereon is sacrificed for the general safety, and also for loss, damage or detention of the vessel or property caused by the insolvency or wrongful act of the master, officers or crew of the vessel, and also for loss, damage or detention of the vessel or property caused by the negligence of pilots, engineers, lightermen, mariners or other persons employed by the insured or by any other person or corporation towing, assisting or navigating the vessel insured, and also for loss, damage or detention of the vessel or property caused by explosion, bursting of boilers, breakage of shafts or any latent defect in the machinery or hull, or any other accident of navigation, and also for loss, damage or detention of the vessel or property caused by the negligence of the insured or of any person or corporation towing, assisting or navigating the vessel insured

any hazard or risk upon an automobile unless authorized to assume hazards or risks of that character by its charter or articles of incorporation. Nothing herein contained shall be construed to prevent a fire insurance company from issuing a policy of insurance upon an automobile covering the fire hazard only, nor be construed to prevent a marine insurance company from issuing a policy of insurance upon an automobile covering the marine hazard of transportation only, nor be construed to prevent a life insurance company which also transacts liability insurance from issuing a policy of insurance upon an automobile, covering the liability hazard only.

15. Mortgage insurance, including within its meaning the guaranteeing of the payment of the principal, interest and other sums agreed to be paid under the terms of any note or bond secured by mortgage or trust deed, or other sums secured under the terms of any such mortgage or trust deed, in its entirety, or of an undivided or other partial interest in any such mortgage or trust deed, or in a group of such mortgages or trust deeds, and the guaranteeing or insuring, directly or indirectly, against loss thereon.

16. Miscellaneous insurance, including within its meaning lightning, windstorm, tornado and earthquake insurance, and any and all casualty insurance not included in any of the foregoing kinds, and which is a proper subject of insurance.

No company shall do any of the foregoing sixteen kinds of insurance unless authorized to do so by its charter. No company having a capital stock of less than two hundred thousand dollars, nor shall any such company do in California any other of said kinds of insurance, except the sixth and eighth classes, *provided* that any such insurance company desiring to do either the sixth or eighth class, must have in addition to such two hundred thousand dollars of capital stock, at least fifty thousand dollars of capital stock for each class it desires to do, and one hundred thousand dollars additional capital stock to do both such additional classes. No company having a capital stock shall do in California any fire insurance without having a capital stock of at least two hundred thousand dollars nor shall any such company do in California, any other of said kinds of insurance, except the third, tenth, twelfth, fourteenth and sixteenth classes. To do both fire and marine insurance such company must have a capital stock of at least four hundred thousand dollars, and to do any other class of insurance, such company must have an additional capital stock of at least fifty thousand dollars for each such additional class it desires to do, in addition to the two hundred thousand dollars required if it does fire insurance or the four hundred thousand dollars required if it does both fire and marine insurance. No company having a capital stock shall do in California any of said third kind of insurance without having a capital stock of at least two hundred thousand dollars, nor shall any such company do in California any other of said kinds of insurance except the second, thirteenth, fourteenth and sixteenth classes. To do both fire and marine insurance such company must have a capital stock of at least four hundred thousand dollars, and to do any other class of insurance, such company must have an additional capital stock of at least fifty thousand dollars for each such additional class it desires to do, in addition to the two hundred thousand dollars required if it does marine insurance or the four hundred thousand dollars required if it does both marine and fire insurance. No company having a capital stock shall do in California any of the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth or sixteenth of said kinds of insurance without having a capital stock of at least one hundred thousand dollars for the first class of insurance such company desires to do, nor do any other of such classes without having in addition to such one hundred thousand dollars of capital stock at least fifty thousand dollars additional capital stock for each additional kind of insurance that it desires to do. Except as above prescribed, no company doing either the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth or sixteenth classes of insurance, shall do any of the first, second or third classes of insurance. No company doing the fourth class of insurance shall do any other class of insurance, and no company doing the fifteenth class of insurance shall do any other class of insurance, and no company doing any other class of insurance shall do either the fourth class or the fifteenth class of insurance.

Such capital stock required must be fully paid up before doing any such business in the State of California, except that companies incorporated under the laws of California, must have at least twenty-five per cent of their capital stock paid in previous to the issuance of any policies and the residue within twelve months of the filing of the articles of incorporation with the secretary of state. If such residue is not paid within twelve months, the insurance commissioner must cancel any certificate of authority previously issued to such company. The capital stock required must be unimpaired and shall be exclusive of all liabilities for losses reported, expenses, taxes and re-insurance of all outstanding risks as provided in sections six hundred and two and six hundred and two *a* of the Political Code. Every company organized or formed under the laws of any other state or country as a mutual or as a joint stock and mutual company having a capital stock less than as above prescribed must have in lieu of such capital stock available cash assets of at least two hundred thousand dollars above all liabilities for losses reported, expenses, taxes and re-insurance of all outstanding risks as provided in sections six hundred and two and six hundred

and two a of the Political Code. No company shall do an insurance without having at least one hundred thousand dollars of capital stock fully paid in in cash, previous to the issuance of any policy; and no company shall do fire insurance without having at least one hundred thousand dollars of capital stock fully paid in in cash, previous to the issuance of any policy.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORT OF STANDING COMMITTEE — OUT OF ORDER.

The following report of standing committee was received and read:

OFFICE OF SECRETARY OF THE SENATE.

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Elections, Reapportionment and Constitutional Amendments, to whom was referred Senate Bill No. 1166—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3494, providing for the reissuing of patents to swamp and overflowed lands where the original patent has been lost or destroyed, and not of record in the county where the land is situate—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

RAYMOND CROSBY.

Senate Bill No. 1166 ordered on file for second reading.

WITHDRAWAL OF CONSTITUTIONAL AMENDMENT.

Senator Kehoe asked and was granted permission to withdraw Senate Constitutional Amendment No. 24.

Senate Constitutional Amendment No. 24 withdrawn and ordered stricken from the Calendar.

SENATOR THOMPSON IN THE CHAIR.

At one o'clock and fifty-five minutes p.m. Senator Thompson, of the Thirty-fifth District, in the chair.

MOTION TO RECONSIDER.

Senator Cannetti moved to reconsider the vote whereby Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget"—was refused passage.

On motion of Senator Cannetti, the further consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 24 was refused passage was continued till the next legislative day.

SPECIAL ORDER RESET.

On motion of Senator Cannetti, the further consideration of Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IXa, of Chapter III, of Article III of Part III of said code, relating to elementary and secondary schools—was made a special order for Monday, April 21st, at twelve o'clock m.

RECESS.

At two o'clock p.m., on motion of Senator Wright, the President declared the Senate at recess until five o'clock p.m.

RECONVENED.

At five o'clock p.m., the Senate reconvened. Senator Thompson, of the Thirty-fifth District, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 22—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Also: Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Also: Senate Bill No. 43—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Also: Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 22 and 43 ordered on file for second reading.

Assembly Bill No. 289 ordered on file for second reading.

Senate Bill No. 32 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 109—An Act appropriating money for refflooring main buildings at Stockton State Hospital.

Also: Senate Bill No. 61—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Also: Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Senate Bill No. 112—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Also: Senate Bill No. 114—An Act appropriating money for the construction and equipment of new ward number twenty five at Stockton State Hospital.

Also: Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 109, 61, 110, 112, 114, 116 and 193 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 614—An Act to provide for the reforestation of and the cutting of fire lanes and fire trails on the Angeles National Forest, and to make appropriation therefor.

Also: Senate Bill No. 634—An Act to appropriate and [illegible] for the purpose of paying for the State Board of Forestry's contract [illegible] appropriated for the support of said board.

Also: Senate Bill No. 635—An Act to amend Sections 245, 246 and 249 of the Code of Civil Procedure, relating to the [illegible] and fixing of [illegible] and costs [illegible] and to make [illegible] and making an appropriation to carry out the provisions of this Act.

Also: Assembly Bill No. 1196—An Act appropriating money to [illegible] improvement water supply for the California Polytechnic School.

Also: Assembly Bill No. 1241—An Act appropriating money for repair and improvements to buildings, [illegible] and equipment of the California Polytechnic School.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 614, 634 and 291 ordered on file for second reading.
Assembly Bills Nos. 149 and 157 ordered on file for second reading.
Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT—Your Committee on Finance, to whom was referred Assembly Bill No. 198—An Act appropriating money for repairing and improving the old heating system at the California Polytechnic School.

Also: Assembly Bill No. 1196—An Act providing for the completion of the addition to the present dining hall and kitchen of the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 1197—An Act providing for the construction of small buildings and for the repair of the present buildings at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 1198—An Act providing for the construction and completion of a cow barn and [illegible] at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 25—An Act appropriating two hundred thousand dollars ($200,000) to reimburse the commission of the [illegible] Building of the State of California at the Panama-Pacific Exposition to be held in San Diego, California, during the year 1916.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 158, 278, 337, 387 and 39 ordered on file for second reading.
Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT—Your Committee on Finance, to whom was referred Assembly Bill No. 1007—An Act to provide for the expenses of unexpended balances of certain appropriations.

Also: Assembly Bill No. 1280—An Act making an appropriation for [illegible] carpets, [illegible] and other necessaries for the use of the Supreme Court and for the Clerk of the Supreme Court.

Also: Senate Bill No. 592—An Act to provide for the reimbursement of [illegible] work of the [illegible] at the instigation of the Sacramento Sub-Drainage and Farming [illegible] of the State of California, as recommended in the special report of the Commissioners of Drainage, dated June 30, 1907, and [illegible] by Brigadier General A. Mackenzie, Chief of Engineers, U. S. Army, Major [illegible] of Engineers, and Thomas H. Jackson, Captain, Corps of Engineers, of the United States Army, and [illegible] with the consent [illegible] of the Chief of Engineers of the United States Army for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Also: Assembly Bill No. 97—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1007, 1280, and 97 ordered on file for second reading.
Senate Bill No. 592 ordered on file for second reading.

[illegible]

On motion of Senator Kehoe, the Senate took up the consideration of the second reading of bills reported on this day as follows: Senate Bills Nos. 22, 41, 108, 67, 110, 112, 114, 116, 593, 614, 634, 291 and 192, and Assembly Bills Nos. 298, 303, 305, 306, 329, 339, 342, 21, 1067, 1276 and 71.

Senate Bill No. 22—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 41—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 108—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 67—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 112—An Act appropriating money for construction and equipment of dairy building at the farm at Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 114—An Act appropriating money for the construction and equipment of new ward number twenty five, at Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 614—An Act to provide for the reforestation of and the cutting of fire lanes and fire trails in the Angeles National Forest, and to make appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 634—An Act to reappropriate and make available for the purpose of printing for the State Board of Forestry a certain amount heretofore appropriated for the support of said board.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 291—An Act to amend Sections 276, 277 and 279 of the Code of Civil Procedure, relating to the admission and license of

attorneys and counselors at law, and to add seven sections to said code to be known as Sections 276a, 276b and 276c, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 327—An Act to provide for the accomplishment of the work of the deep improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers, U. S. A., Major George E. McElroy, major corps of engineers, and Thomas H. Jackson, captain corps of engineers, of the United States Army, and printed with the annual report of the chief of engineers of the United States Army for the fiscal year ending June 30, 1907, and making an appropriation for same work.

Bill read second time, ordered engrossed and on file for third reading.

Assembly Bill No. 280—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 150—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 25—An Act appropriating $200,000 to complete the construction of the exposition building of the State of California

at the Panama-California Exposition to be held in San Diego, California, during the year 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 97—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

Also: Senate Bill No. 904—An Act to establish the Yolo and Lake state highway; to define its course; to provide for its survey and construction, repair and maintenance; and to make an appropriation therefor.

Also: Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Also: Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State, and for the expense of the payment of such bonds and the interest thereon outside of the State.

Also: Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 509, 904, 1661 and 1662 ordered on file for second reading.

Assembly Bill No. 661 ordered on file for second reading.

SECOND READING OF BILLS.

On motion of Senator Kehoe, the Senate took up the consideration of the second reading of bills ordered on file this day, as follows:

Senate Bills Nos. 509, 904, 1661 and 1662, and Assembly Bill No. 661.

Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 17, after the word "and", insert the following: "and the state controller is hereby directed to draw his warrant in favor of the person mentioned in Section 2 of this Act and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 904—An Act to establish the Yuba and Lake state highway; to define its course; to provide for the survey and construction, repair and maintenance; and to make an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title of the printed bill, strike out the word "same".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, of the title of the printed bill, strike out the comma and the word "repair".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, of the title of the printed bill, strike out the words "and maintenance".

Amendment adopted.

AMENDMENT No. 4.

On page 1, of the printed bill, strike out all of lines 5, 6, 7 and 8 and insert in lieu thereof the following: "Lake, State of California, shall be constructed and known as the Yuba and Lake highway, and the same is hereby declared and constituted as a highway."

Amendment adopted.

AMENDMENT No. 5.

On page 1, between Section 1, ending on line 8 and Section 2, beginning on line 9, of the printed bill, insert the following new section:

"SEC. 2. The responsibility of the state in the construction of said highway shall cease with the expenditure of the appropriation herein provided for."

Amendment adopted.

AMENDMENT No. 6.

On page 1, of the printed bill, strike out all of Section 3, beginning on line 9 and ending on line 16 thereof, and insert in lieu thereof the following:

SEC. 3. The work of locating, surveying and constructing said highway, to the extent of the expenditure of the appropriation herein provided for, shall be fully vested under the management and control of the state department of engineering, and it shall be the duty of said department to locate, survey and construct said highway along the route above described, with such variations as may, in the opinion of said department, be deemed advisable."

Amendment adopted.

AMENDMENT No. 7.

Strike out all of Section 3, beginning in line 17 of page 1 and ending on line 4 of page 2, of the printed bill, and insert in lieu thereof the following:

"SEC. 4. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of forty thousand dollars, to be expended under the supervision of said department, for the location, survey and construction of said highway. This appropriation shall be available for use at such times and in such manner as set forth in Section 3 hereof, only in the event that the boards of supervisors of the several counties through which said highway is built, file with the

State Controller resolutions pledging said counties to the maintenance of such portions of said highway as shall lie within the respective bounds thereof."

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 5, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "5".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by striking out the words "the expense of", and insert in lieu thereof "expenses connected with and incidental to".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 3, after the word "pay", strike out the word "for", and insert in lieu thereof "all necessary".

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 1, line 6, after the word "unsold" and before the word "that", insert the words "and the payment of said bonds and interest thereon".

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 1, line 3, beginning with the word "and", strike out all the rest of said section and insert in lieu thereof the following: "the expenses, the payment of which is authorized out of the moneys appropriated by this Act, shall include charges for the necessary legal opinions required to effect the sale of such bonds, for necessary expenses for exchange, telegraphing, expressage, postage and compensation of fiscal agent for services rendered, in and about the sale of said bonds and the payment of said bonds and the interest thereon; for the necessary traveling expenses of the state treasurer and other state officers in connection with the sale of said bonds; and for any other necessary expenses arising out of or incidental to such sale or to such payment; and the expenses herein referred to shall apply to the sale of all or any portion or portions of such bonds."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by striking out the words "the expense of", and insert in lieu thereof "expenses connected with and incidental to".

Amendment adopted.

AMENDMENT No. 2

On page 1, Section 1, line 2, after the word "appropriated" and before the word "to", insert the following: "in the Gold Bounty on the Site Protection Section Improvement Funds"

Amendment adopted.

AMENDMENT No. 3

On page 1, Section 1, line 3, after the word "pay" and before the word "expenses" strike out the word "for", and insert in lieu thereof "of premiums"

Amendment adopted

AMENDMENT No. 4

On page 1, Section 1, line 5, after the word "thereof" and before the word "and", insert the words "and the payment of said bonds and interest thereon"

Amendment adopted

AMENDMENT No. 5

On page 2, Section 1, line 6, beginning with the word "and", strike out all the rest of said section and insert in lieu thereof the following: "The proceeds of sale of bonds authorized and by this section hereinbefore set forth in this Act, shall include charges for the necessary legal services required to effect the sale of said bonds, for necessary expenses for exchange, transportation, engravings, printing and compensation of such agent for services rendered in said behalf. The cost of said bonds and the payment of said bonds and the interest thereon, but the purchaser receiving expenses of the state treasurer and other state officers in connection with the sale of said bonds, and for any other necessary services arising out of or incidental to such sale or to such purposes, and the expenses herein referring to shall equal to the sale of all or any portion or portions of said bonds.

SEC. 2. The state treasurer is hereby authorized and directed to draw his warrants for the same hereby made payable, and the state treasurer is hereby directed to pay the same."

Amendment adopted

Bill read second time, and ordered to print, engrossment and third reading

Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 12, after the word "the" and before the word "current", insert the word "same"

Amendment adopted

Bill read second time, and ordered to print and third reading

REPORT OF STANDING COMMITTEES (OUT OF ORDER)

The following report of standing committee was received and read

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1705—An Act providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission," and making an appropriation to carry out the purposes of this Act.

Also, Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 1705 and 876 ordered on file for second reading.

SECOND READING OF BILLS

On motion of Senator Kehoe, the Senate took up the consideration of the second reading of bills, ordered on file this day, as follows: Senate Bills Nos. 1705 and 876.

Senate Bill No. 1705—An Act providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission" and making an appropriation to carry out the purposes of this Act.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 2, line 7, after the word "secretary", insert the following: "The members of said commission and officers thereof shall serve without compensation by way of salary or for expenses they may incur in the performance of their duties".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 4, line 6, after the word "some" and before the word "material", strike out the word "desirable", and insert in lieu thereof the word "durable".

Amendment adopted.

AMENDMENT No. 3.

On page 3, Section 9, line 10, after the word "the" and before the word "of", strike out the word "manufacturer", and insert in lieu thereof the word "manufacture".

Amendment adopted.

AMENDMENT No. 4.

On page 3, Section 11, line 16, after the word "of" and before the word "five", strike out the word "twenty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 2, line 5, beginning with the word "ten", strike out all to and including the word "ten", in line 6, and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 2, line 7, after the word "thousand" and before the word "thereof", insert the word "dollars".

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 2, line 7, after the figures "1913", strike out the word "fifteen", and insert in lieu thereof the words "and twenty".

Amendment adopted.

AMENDMENT No. 4.

On page 1, Section 2, line 9, beginning with the word "and", strike out the balance of the section.

Amendment adopted.

AMENDMENT No. 5.

On page 1, Section 3, line 12, after the word "the" and before the word "current", insert the word "usual".

Amendment adopted.

AMENDMENT No. 6.

On page 1, Section 1, line 4, before the word "thousand", strike out the word "fifty", and insert in lieu thereof the word "forty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORT OF STANDING COMMITTEE. [LIST OF SENATE.]

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 874—An Act [illegible] political parties and providing for payment thereof by the State.

Also, Senate Bill No. 969—An Act to amend Sections 16 and 17 of an Act entitled "An Act to provide for and regulate primary elections and submitting the method whereby electors of political parties may express their choice of their candidates for United States Senator", approved April 1, 1911, and also to amend Section 19 of an Act entitled "An Act to amend Sections [illegible] of an Act entitled "An Act to provide for and regulate primary elections and submitting the method whereby electors of political parties may express their choice of their candidates for United States Senator", approved December 14, 1911.

Also, Senate Bill No. 1488—An Act relating to the nomination of [illegible] candidates for Governor and for Presidential Electors on the various tickets and providing how an emblem may be secured for candidates for Governor and Presidential Electors.

Have had the same under consideration, and respectfully report the same back without recommendation.

CARR, Acting Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 1500—An Act concerning [illegible] expenses of political parties and providing the payment thereof by counties and cities and counties.

Also, Senate Bill No. 1497—An Act concerning [illegible] expenses of political parties, and providing for payment thereof by municipalities.

Also, Senate Bill No. 1606—An Act providing for the payment to the several counties and cities and counties of the State of one half all expenses incurred by them respectively for primary election and other elections held under the laws of the State, in cases where a general election is held.

Also, Senate Bill No. 1644—An Act to provide for the appointment of [illegible] and crippled voters to the polls on election days and prohibiting solicitation from [illegible] voting them or soliciting to the same.

Have had the same under consideration, and respectfully report the same back without recommendation.

CARR, Acting Chairman.

Senate Bills Nos. 874, 969, 1488, 1500, 1497, 1606 and 1644, ordered on file for second reading.

ADJOURNMENT.

At five o'clock and thirty-five minutes p.m., on motion of Senator Kehoe, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, April 21, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, April 19, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

Also: Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Also: Assembly Bill No. 418—An Act relating to the furnishing of pure drinking water and individual drinking cups on passenger trains of railroad corporations; and providing penalties for violation of this Act.

Also: Assembly Bill No. 1920—An Act to amend Sections 1091, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Also: Assembly Bill No. 1666—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 22 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 897 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 418 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 1920 and 1666 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 25—Relative to memorializing Congress regarding the citrus fruit industry of the State of California and requesting our Senators and Representatives in Congress to use all honorable means to

prevent a reduction in duties on cotton fabrics below the point where the difference in the cost of production of the same would be equalized.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Joint Resolution No. 25 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: I am directed by Assembly that they have concurred in the amendments proposed by the Senate to Assembly Bill No. 1010, entitled "An Act to provide for the maintenance of the Pioneer Home at Yountville, Napa County, and the Veterans' Home at Napa, Napa County, and making an appropriation therefor."

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 919, 249, 248 and 247 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day granted Senate Bill No. 1014—An Act appropriating and transferring the proceeds heretofore taken by the State of California on the sales thereof, to the Veterans' Welfare Board of California, and the purchase by said Board of certain real property in the City of Los Angeles, and the construction thereon by said Board of a building and the purchase by said Board of the furniture and fixtures of the State Normal School at Los Angeles.

Also: Senate Bill No. 1014—An Act to provide for the purchase of certain California State Normal School property in the City of Los Angeles, and providing for the proper description of such lands.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 324 and 1011 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1174—An Act to make an appropriation for maintenance of the Fulton Orphan Asylum.

Also: Concurred in Senate amendments to Assembly Bill No. 1176—An Act to amend Section 3686 of the Political Code of the State of California, relating to duties for assessment purposes.

Also: Concurred in Senate amendments to Assembly Bill No. 1204—An Act creating a reclamation district to be called and known as Reclamation District No. 1600, providing for the management and control thereof and abandoning and reclamation districts now wholly within the boundaries of said Reclamation District No. 1600, and providing for the assessment and levying of an annual assessment thereon, and excluding from any assessment to defray the cost of work within the boundaries of said Reclamation District No. 1600.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 861—An Act to add a new section to the Civil Code of the State of California, to be numbered 3440a, relating to acts to be done by guardians for their ward, by a parental relative in the stead of any parent deceasing leaving such ward, by testimony to the public—and respectfully ask that the amendments be concurred in.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY COMMITTEE AMENDMENTS TO SENATE BILL NO. 843.

AMENDMENT TO TITLE.

In line 2 of title strike out the "*a*" after the word "ten", and insert in lieu thereof the letter "*b*".

AMENDMENT NO. 1.

On page 1, line 3, after the word "ten", strike out the letter "*a*", and insert in lieu thereof the letter "*b*".

AMENDMENT NO. 2.

On page 1, line 4, strike out the figures and letter "1410*a*", and insert in lieu thereof the following: "1410*b*".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 843?"

The roll was called, and Assembly amendments to Senate Bill No. 843 concurred in by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Coggswell, Curtin, Finn, Gates, Gerdes, Grant, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Thompson, and Wright—27.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Also: Senate Bill No. 198—An Act appropriating money for the construction of a new gymnasium, new playgrounds, basket ball court and tennis court at San Jose State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be re-referred to Committee on Finance.

AVEY, Chairman.

Senate Bills Nos. 199 and 198 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 73—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also: Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the Department of Agriculture of the University of California, including the station at Berkeley, and the various sub-stations throughout the State, and making an appropriation therefor.

Also: Assembly Bill No. 288—An Act providing for the construction and equipment of a classroom building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Also: Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

AVEY, Chairman.

Assembly Bills Nos. 73, 191, 198, 288 and 533 ordered re-referred to Committee on Finance.

ON PRISONS AND PENITENTIARIES

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories to whom was referred Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the state prison at Folsom—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CHAS. CUTTEN, Chairman.

Senate Bill No. 1754 ordered on file for second reading.

ON PUBLIC ...

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site and providing for the erection on the property and disposal of said site, and appropriating money therefor—have had the same under consideration, and respectfully report the same back with amendments and recommend that the amendments be adopted to the Committee on Military Affairs as herein adopted and that the bill do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 602 ordered on file for second reading.

Also

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 730—An Act to provide for the establishment of a water boarding for the harbor and ascribing to the commissioners thereof such jurisdiction thereof, and relating to appropriations therefor—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 730 ordered on file for second reading.

Also

SENATE CHAMBER, SACRAMENTO, April 20, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1134—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and report upon such employment, including a minimum wage, providing for an appropriation therefor and fixing a penalty for violations of this Act—have had the same under consideration, and respectfully report the same back with amendments and recommend that the amendments be adopted by the Finance Committee be adopted and that the bill as amended, be referred, that the appropriation as proposed by the Committee be limited and that the bill do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 1134 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for steam power plants and substations at the California Reformatory School.

Also: Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Also: Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 21 ordered on file for second reading.
Senate Bills Nos. 481 and 482 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following

Senate Bill No. 265—An Act to provide for the incorporation and government and management of county water districts, and to provide for the organization of same

rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Also: Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said constitution to be numbered Section 1½ of Article XIII thereof, relating to exempting certain property of educational institutions of collegiate grade from taxation.

Also: Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Also: Senate Bill No. 308—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2648, relating to county government.

Also: Senate Bill No. 844—An Act to amend Section 1246 of the Code of Civil Procedure of California, relating to eminent domain.

Also: Senate Bill No. 1000—An Act to amend Section 4300*a* of the Political Code of the State of California, relating to county clerk's fees.

Also: Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 581½, relating to the dismissal of actions for want of prosecution after change of place of trial.

Also: Senate Bill No. 685—An Act to prohibit the use of grain, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Also: Senate Bill No. 407—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 5, 1883.

Also: Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of irrigation water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Also: Senate Bill No. 1115—An Act creating a reclamation district to be called and known as "Reclamation District Number 1400", and providing for the management and control thereof.

Also: Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the reports of referees.

Also: Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

Also: Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at Veterans' Home of California.

Also: Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at Veterans' Home of California.

Also: Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at Veterans' Home of California.

Also: Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Also: Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital

Also: Assembly Bill No. 142—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Assembly Bill No. 144—An Act appropriating money for removal and rebuilding of buildings and grounds at Napa State Hospital.

Also: Assembly Bill No. 146—An Act appropriating money to defray the expenses of reclamation of one tract of 160 acres at Napa State Hospital.

Also: Assembly Bill No. 14—An Act appropriating money for the construction of six additional cottages and other buildings at Napa State Hospital.

Also: Assembly Bill No. 170—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Also: Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Also: Assembly Bill No. 178—An Act appropriating money for maintaining and operating a laundry building at Southern California State Hospital.

Also: Assembly Bill No. 179—An Act appropriating money for building and furnishing a women's cottage at Southern California State Hospital.

Also: Assembly Bill No. 180—An Act appropriating money for building a concrete footwalk at Southern California State Hospital.

Also: Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings on the farm at Stockton State Hospital.

Also: Assembly Bill No. 196—An Act appropriating money for enlarging laundry buildings at Stockton State Hospital.

Also: Assembly Bill No. 200—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Also: Assembly Bill No. 201—An Act appropriating money for building, equipping and furnishing a cottage for patients at Sonoma State Home.

Also: Assembly Bill No. 206—An Act appropriating money for building bungalows for farm hands at Sonoma State Home.

Also: Assembly Bill No. 226—An Act appropriating money for building a new dormitory at the Preparatory School of Mechanical Trades in the Mark West.

Also: Assembly Bill No. 67—An Act appropriating money for building new fences in the pasture at the Industrial Home of Mechanical Trades in the Mark West.

Have had the same under consideration, and recommend that same pass when and recommend that they do pass and be numbered in Consecutive order.

BUSH, Chairman.

Assembly Bills Nos. 24, 91, 119, 131, 132, 135, 140, 141, 143, 144, 145, 146, 172, 174, 178, 179, 180, 182, 188, 225, 229, 231, 302, 406 and 407 ordered re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS

Senate Bill No. 621—An Act making an appropriation to pay the claim of Duane Bliss against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Bread, Brown, Bulkley, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtis, Flint, Gates, Gaffey, Grant, Jenkins, Owens, Rigdon, Sanford, Shoemaker, Stevenson, Thompson, Tyrrell and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 621 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Benson, Boynton, Bread, Brown, Bulkley, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtis, Flint, Gates, Gaffey, Grant, Jones, Judkins, Jenkins, Miller, Owens, Rigdon, Rush, Sanford, Shoemaker, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

TITLE AMENDED.

Senator Birdsall moved to amend as follows:

Strike out all of the title, and insert in lieu thereof the following: "An Act making an appropriation to pay the claim of Duane Bliss against the State of California."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 809—An Act to amend section seven hundred thirty-seven of the Political Code of the State of California relating to the salaries of Superior Court judges.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 809 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1251—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section setting forth the urgency features of this bill be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—33.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1251 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

On motion of Senator Kehoe, Senate Bill No. 1340 was passed on file.

Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall the section setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES: Senators Anderson, Ayer, Boyle, Bryan, Bunkall, Burnett, Black, Brown, Bryan, Bates, Caminetti, Campbell, Cary, Cartwright, Chandler, Cobb, Curtin, Dan, Elliott, Gates, Gerdon, Grant, Jones, Lafferty, Leeds, Lewis, Owens, Rigdon, Rush, Sanford, Schmitz, Stetson, Strobridge, Thompson, Tyrrell, and Wright—36.

NOES: None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 34 passed by the following vote:

AYES: Senators Anderson, Ayer, Boyle, Bunkall, Burnett, Black, Brown, Bryan, Bates, Caminetti, Campbell, Cary, Cartwright, Chandler, Cobb, Curtin, Dan, Elliott, Gates, Gerdon, Grant, Jones, Lafferty, Leeds, Lewis, Owens, Rigdon, Rush, Sanford, Schmitz, Stetson, Strobridge, Thompson, Tyrrell, and Wright—36.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 37—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this Act into effect.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 37 passed by the following vote:

AYES: Senators Anderson, Ayer, Boyle, Bryan, Bunkall, Burnett, Black, Brown, Bates, Caminetti, Campbell, Cary, Cartwright, Cobb, Curtin, Dan, Elliott, Gates, Gerdon, Grant, Jones, Lafferty, Leeds, Lewis, Owens, Rigdon, Rush, Sanford, Schmitz, Stetson, Strobridge, Thompson, Tyrrell and Wright—36.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 371 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 159 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 157 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 158 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University

Farm and Agricultural School at Davis and making an appropriation therefor.

Read third time.

The question being on the passage of the bill,

The roll was called and Assembly Bill No. 278 passed by the following vote:

Ayes—Senators Anderson, Ayer, Beban, Birdsall, Boynton, Boyd, Brown, Lorigan, Butler, Cartwright, Caminetti, Campbell, Chan, Cogdill, Cutten, Finn, Flint, Gaston, Gerdes, Gesford, Hare, Hatfield, Holohan, Leake, Leavell, Lewis, Mott, Owens, Rominger, Rush, Sanford, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, and Wright—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis and making an appropriation therefor.

Read third time.

The question being on the passage of the bill,

The roll was called and Assembly Bill No. 229 passed by the following vote:

Ayes—Senators Anderson, Ayer, Beban, Birdsall, Boynton, Boyd, Brown, Bryan, Butler, Cartwright, Caminetti, Campbell, Chan, Cogdill, Cutten, Finn, Flint, Gaston, Gerdes, Gesford, Hare, Hatfield, Holohan, Leake, Leavell, Lewis, Mott, Owens, Rominger, Rush, Sanford, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, and Wright—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 382—An Act providing for the construction and equipment of a classroom and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

On motion of Senator Boynton, Assembly Bill No. 382 was ordered to the File of Unfinished Business.

Assembly Bill No. 25—An Act appropriating $200,000 to complete the construction of the exposition building of the State of California at the Panama-California Exposition to be held in San Diego, California, during the year 1915.

Read third time.

The question being on the passage of the bill,

The roll was called and Assembly Bill No. 25 passed by the following vote:

Ayes—Senators Anderson, Ayer, Beban, Brown, Birdsall, Boynton, Boyd, Bryan, Butler, Cartwright, Caminetti, Chan, Cogdill, Cutten, Curtin, Finn, Flint, Gaston, Gerdes, Gesford, Hare, Hatfield, Holohan, Leake, Leavell, Lewis, Mott, Owens, Rominger, Rush, Sanford, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, and Wright—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 97—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mt Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 97 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill, and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Senator Tyrrell, of the Sixteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1124—An Act to amend Section 4223 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1124 passed by the following vote:

AYES—Senators Anderson, Ayer, Beban, Benson, Boynton, Boyle, Brown, Bryant, Caminetti, Chamberlain, Chipman, Cogswell, Colgan, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hartman, Lagomarsino, Leyo, Lyon, Owens, Rush, Sanford, Simpson, Thompson, Tyrrell and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 312—An Act to amend Section 4227 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

On motion of Senator Boynton, Senate Bill No. 312 was passed to file.

CONSIDERATION OF MOTIONS TO RECONSIDER.

Senator Beerstecher asked and was granted unanimous consent that the Senate take up for consideration the motions to reconsider the vote whereby Senate Bills Nos. 324, 325, 326, 327 and 328 were passed.

The question being on the motion to reconsider the vote whereby Senate Bill No. 324—An Act providing for the abandonment and disposal of cemeteries, and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith—was passed.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 324 was passed lost by the following vote:

AYES—Senator Beban—1.

NOES—Senators Anderson, Ayer, Benson, Boynton, Boyle, Brown, Bryant, Burnett, Caminetti, Carr, Cogswell, Colgan, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Main, Owens, Rush, Sanford, Thompson, Tyrrell and Wright—29.

EXPLANATION OF VOTES.

MR. PRESIDENT: We vote no on this question to reconsider Senate Bill No. 324, known as the "cemetery bill," purely to insure an investigation and the publication of the proceedings on the said bill.

CAMPBELL,
CAMINETTI.

RECONSIDERATION REFUSED.

The question being on the motion to reconsider the vote whereby Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate—was passed.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 324 was passed lost by the following vote:

AYES—None.

NOES—Senators Anderson, Benson, Boynton, Boyle, Brown, Bryant, Burnett, Caminetti, Cogswell, Colgan, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Owens, Rush, Sanford, Thompson, Tyrrell, and Wright—28.

The question being on the motion to reconsider the vote whereby

Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations—was passed.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 325 was passed lost by the following vote:

AYES—None.
NOES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—29.

The question being on the motion to reconsider the vote whereby Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title of cemetery lots—was passed.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 326 was passed lost by the following vote:

AYES—None.
NOES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—28.

The question being on the motion to reconsider the vote whereby Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 618, relating to membership in cemetery corporations and the rights of members to the assets thereof—was passed.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 327 was passed lost by the following vote:

AYES—None.
NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—26.

The question being on the motion to reconsider the vote whereby Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred—was passed.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 386 was passed lost by the following vote:

AYES—None.
NOES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—29.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Jones asked and was granted unanimous consent to take up for consideration Senate Bill No. 1656 out of order.

Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

On page 1, line 4, of the printed bill, after the word "Counties", insert the words: "and altering and repairing the system distributing funds and county revenue."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1656, with instructions to amend, respectfully reports the same back amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

RUSH ORDER TO PRINTER.

On motion of Senator Jones, the Secretary was directed to issue a rush order for printing Senate Bill No. 1656.

SPECIAL ORDER CONTINUED.

On motion of Senator Caminetti, the consideration of Senate Bill No. 11, the special order set for twelve o'clock m. this day, was continued till after the consideration of the special file of Assembly bills.

RECONSIDERATION OF VOTE.

Pursuant to his notice given on a previous day, Senator Caminetti moved to reconsider the vote whereby Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 405 was passed reconsidered by the following vote:

AYES—Senators Anderson, Avey, Boyle, Bronson, Burnett, Caminetti, Chandler, Cogswell, Curtin, Dennett, Finn, Flint, Gerdes, Gerlach, Gerrard, Hatch, Holohan, Inman, Jones, Lafflin, Leake, Leavitt, Lewis, Lyon, Mott, Owens, Rush, Sanford, Saunders, Scott, Selvage, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

In the absence of the author, Senate Bill No. 52 was passed on file.

Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 961 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Lyon, Mott, Owens, Regan, Sanford, Strobridge, Tyrrell, and Wright—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR WRIGHT IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Senator Wright, of the Fortieth District, in the chair.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended for ten minutes.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 672—An Act to amend Section 172*a* of the Penal Code of California, relating to the sale of alcholic liquors near universities.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 672 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Jones, Juilliard, Kehoe, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.
NOES—Senators Bryant, Finn, and Regan—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED

At two o'clock p.m., the Senate reconvened. Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER

The question being on the motion of Senator Kehoe to reconsider the vote whereby Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the preservation and form of claims against counties—was passed.

The roll was called, and motion to reconsider the vote whereby Assembly Bill No. 1401 was passed lost by the following vote:

AYES—None.

NOES—Senators Anderson, Avey, Beban, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Gerdes, Leeds, Leonard, Kehoe, Mott, Thompson, Tyrrell, and Wright—21.

THIRD READING OF ASSEMBLY BILLS

On motion of Senator Tyrrell, the Senate took up the consideration of the third reading file of Assembly bills.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal the Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911, to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Bill read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 537 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Leonard, Leeds, Mott, Owens, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 971 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Owens, Thompson, Tyrrell, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 958—An Act to amend Section 367*c* of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

On motion of Senator Thompson, Assembly Bill No. 958 was passed on file.

Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2025 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Lyon, Mott, Owens, Thompson, Tyrrell, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Breed, as a special committee of one, to amend as follows:

By striking out of Section 1 of the printed bill, line 15, page 2, the words "juvenile court department"; also, in line 23, same page, strike out the words "superior court"; also, same line, same page, strike out the letters "depart-"; also, line 24, same page, strike out the letters "ment"; also, line 26, same page, strike out the words "superior court"; also, same page, same line, strike out letters "depart-"; also, on line 2, same page, strike out letters "ment"; also, on page 3, line 6, strike out the words "superior court"; also, same line, same page, strike out letters "depart-"; also, in line 7, same page, strike out letters "ment".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1578, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS — ENGROSSED.

Assembly Bill No. 1496—An Act to amend the Penal Code by adding a new section thereto to be known as Section 661c, relating to wages of employees.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1496 was passed on file.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 1 was passed on file.

Assembly Bill No. 946—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the cost thereof will not exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 946 was passed on file.

Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

On motion of Senator Thompson, Assembly Bill No. 1949 was passed on file.

Assembly Bill No. 545—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 545 passed by the following vote:

AYES—Senators Anderson, Black, Boynton, Brown, Bryan, Bryant, Burnett, Campbell, Caminetti, Carr, Chamberlain, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Halliday, Hatch, Holohan, Kelly, Lane, Leavitt, Leyden, Mahan, Marshall, Martin, Mathews, Merrill, Miller, Nelson, Owen, Rigdon, Roseberry, Rush, Saylor, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Welch, Wolfe and Wright—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the state or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purpose and to provide for the installation of sanitary water systems.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 5, strike out the words "the persons", and insert in lieu thereof the words "any person".

AMENDMENT No. 2.

On page 1, lines 9 and 10, of the printed bill, strike out the words "municipality, district, or other public utility, corporation, firm or person", and insert in lieu thereof the following: "person, firm, corporation, public utility, municipality or other public body, institution, or corporation".

AMENDMENT No. 3.

On page 1, line 12, strike out the word "persons", and insert in lieu thereof the words "any person".

AMENDMENT No. 4.

On page 1, lines 15 and 16, of the printed bill, strike out the words and figures "on or before the first day of January, 1914", and insert in lieu thereof the following: "as herein provided,".

AMENDMENT No. 5.

On page 1, lines 17 and 18, strike out the words "complete and detailed plan," and insert in lieu thereof the following: "statement containing a general".

AMENDMENT No. 6.

On page 2, line 5, strike out the period following the word "system", and insert in lieu thereof the following: "such general statement to be in such form and to cover such matters as the state board shall prescribe".

AMENDMENT No. 7.

On page 2, line 9, strike out the period after the word "health", and insert in lieu thereof a semicolon and the following: "*provided*, that if for any reason the board cannot immediately proceed with such investigation, a temporary permit shall be issued to the petitioner, which shall continue in force until final action is taken by the board upon the completion of the investigation herein specified".

AMENDMENT No. 8.

On page 2, line 22, after the word "conditions", insert the word "it".

AMENDMENT No. 9.

On page 2, line 36, after the word "system", insert a comma.

AMENDMENT No. 10.

On page 3, strike out the comma at the end of line 21.

AMENDMENT No. 11.

On page 3, lines 23, 24 and 25, of the printed bill, strike out the words "Whenever any petitioner shall be granted any permit by said board under the provisions

of this Act such permittee shall, prior to any change in the following: The holder of any permit granted by said board under the provisions of this Act may at any time by order of said board be required to".

AMENDMENT No. 12

On page 3, line 27, strike out the comma after the word "person" and insert in lieu thereof the following: "owned, operated or maintained by it".

AMENDMENT No. 13

On page 4, line 7, strike out the period following the word "service" and insert in lieu thereof a semicolon and the following: "*provided*, however, that any such person, firm, corporation, public utility, municipality or other body, partnership or corporation subject to the provisions of this Act may file such petition at any time prior to January first, 1914, unless sooner required so to do by order of said State Board of Health".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 236, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS (RESUMED).

Assembly Bill No. 237.—An Act to amend Section 7 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and prescribing penalties for the violation thereof," approved March 23, 1907.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Amend the title by striking out the period at the end of line 6, and inserting in lieu thereof the following: "as amended April first, 1911."

AMENDMENT No. 2.

On page 1, line 5, after the comma following the figure "7," insert the following: "as amended April first, 1911,"

AMENDMENT No. 3.

On page 3, line 29, strike out the word "the," and insert in lieu thereof the word "any".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 237, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 560—An Act to amend Section 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing and time of service of jurors.

On motion of Senator Boynton, Assembly Bill No. 560 was passed on file.

Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies, and for their free transportation and support while undergoing treatment in their own homes under the direction and treatment by the State Board of Health.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1995 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Owens, Shanahan, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

On motion of Senator Thompson, Assembly Bill No. 556 was passed on file.

Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter, any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district and providing for the payment thereof.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 954 was passed on file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Hon. A. E. Boynton, president pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter, any street in any incorporated city or town, lying adjacent to or upon the property of such county and providing for the payment thereof.

On motion of Senator Thompson, Assembly Bill No. 955 was passed on file.

Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations stating further facts in articles of incorporation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1569 passed by the following vote:

Ayes—Senators Anderson, Benson, Birdsall, Bonnheim, Brown, Bryant, Burke, Cannaday, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gaskill, Grant, Juilliard, Kehoe, Owens, Shanahan, Thompson and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1507—An Act to amend Section 292 of the Civil Code of the State of California, relative to prerequisite to filing articles of incorporation and amounts to be subscribed and to be fixed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1507 passed by the following vote:

Ayes—Senators Anderson, Benson, Birdsall, Bonnheim, Brown, Bryant, Burke, Cannaday, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gaskill, Grant, Juilliard, Kehoe, Mott, Owens, Shanahan, Thompson and Wright—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Polk Society of the State of California, a corporation, to assist in the carrying out of the purposes of the Act.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 69 was passed on file.

Assembly Bill No. 1896—An Act to amend Section 374f of the Penal Code of the State of California, relating to the pollution of streams.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1896 was passed on file.

Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees instead of establishing a separate free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 490 was passed on file.

Assembly Bill No. 555—An Act ratifying and confirming proceedings heretofore taken by the board of trustees of the state normal school at

Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

On motion of Senator Thompson, Assembly Bill No. 555 was passed on file.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

On motion of Senator Juilliard, Assembly Bill No. 416 was passed on file.

Assembly Bill No. 1259—An Act creating a reclamation district, to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1259 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Curtin, Finn, Flint, Gerdes, Grant, Juilliard, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 896 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Juilliard, Kehoe, Mott, Owens, Shanahan, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Gerdes, the Senate took up the consideration of the second-reading file of Assembly bills.

SENATOR JUILLIARD IN THE CHAIR.

At three o'clock and five minutes p.m., Senator Juilliard, of the Eighth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272*a*, relating to the selling, giving away, relinquishing or disposing of children.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, beginning with line 3 of the title the words "giving away".

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out all after the word "selling" in line 9 to and including the word "Dealers" at the end of line 9.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 653c, relating to blacklisting.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 16 of the printed bill, after the word "shall," insert the word "knowingly."

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 2 and 3, strike out the words "the assessment" and insert in lieu thereof the words "an assessment."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1294—An Act to add a new section to the Political Code, to be numbered Section 3804b, relating to the cancellation of erroneous assessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 729—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue or lay out roads.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 979—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield-Maricopa and Ventura State Highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction on the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of

way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IX*a* of Chapter III of Article III of Part III of said code, relating to elementary and secondary schools—was made a special order for Monday, April 21, 1913, at 12 o'clock noon.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer to Senator Kehoe, as a special committee of one, to amend as follows:

By striking out of Section 1, line 16, page 2, the word "eighth", and inserting in lieu thereof the word "ninth".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 11, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and refused adoption.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 11 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cartwright, Campbell, Caminetti, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Metz, Owens, Rush, Sanford, Thompson, Tyrrell, and Wright—30.

NOES—Senator Shanahan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SPECIAL ORDER SET.

Senator Thompson moved that the further consideration of Senate Bills Nos. 896 and 897 be made a special order for eleven o'clock a.m., on Tuesday, April 22, 1913.

Motion carried.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Duncan McDuffie, of Berkeley.

CONSIDERATION OF BILL—OUT OF ORDER.

Senator Birdsall asked and was granted unanimous consent that the Senate take up Senate Bill No. 5 for consideration out of order.

Senate Bill No. 5—An Act to amend Section 973 of the Civil Code of the State of California, relating to the taking, holding, conveyance to and disposition of property, real and personal, within said State of California.

Read third time on a previous day.

The question being on the report of the special committee of one, submitted on a previous day, to amend as follows:

AMENDMENT No. 1.

By striking out all of the title after the words "An Act" in line 1 of the title, and inserting in lieu thereof the following: "relating to the right of aliens and of corporations a majority of the stock and controlling control stock of which is held or owned by aliens ineligible to citizenship under the naturalization laws of the United States to acquire title to, take, hold or dispose of property in the State of California, providing for the escheat of such real estate to the State of California, providing for the recovery of property escheated thereto or held by any alien or such ineligible corporation in the State of California, and providing for ensuring title to real property to purchasers thereof or such land for the protection of the purchaser, and repealing Section 973 of the Civil Code."

AMENDMENT No. 2.

By striking out all that portion of the Act after the word "provided," in line 6 of Section 1 on page 1, line 4, and inserting in lieu thereof the following:

SEC. 2. Title to real property situated in this State shall be acquirable only by aliens, whether natural or non-resident, under the conditions, rights and limitations set forth in this Act and not otherwise.

SEC. 3. Any alien may hereafter acquire by succession or inheritance lands by devise or descent which are hereafter conveyed to him, may retain title to lands in or to any real property acquired in the manner and may hold the same for the period of one year after the date of acquiring such right, title or interest, and no longer, provided, however, that if any such alien be a person who is engaged in business at the time of so acquiring title he may hold such lands for the period of one year after a guardian or his estate is appointed to act in such business capacity, or, in case of a minor, if no such guardian or conservator prior to the time said minor shall have attained his majority. Any alien may hold such lands for the period of one year after the date of such appointment and no longer, provided, however, that if any such alien be a person who is engaged in business at the time of such appointment and the guardian or his estate shall have previously terminated by a court having jurisdiction thereof, he may hold such lands for the period of one year after a guardian of his estate is appointed to such business, or, in case of a minor, if no such guardian or conservator is appointed to such business prior to the time said minor shall have attained his majority, then he may hold such title for the period of one year after attaining his majority. At the expiration of said period of one year in any of the cases above named, all real property so held by such aliens, and all right, title and interest therein so held by such aliens, shall be escheated to and become the property of the State of California, and proceedings for such purpose shall be taken as hereinafter provided.

SEC. 4. Any corporation, whether formed under the provisions of the laws of this state or of any other state or country, a majority of the stock and corporate control stock of which shall be owned or held by such aliens or persons ineligible to citizenship under the naturalization laws of the United States may hereafter acquire by purchase or devise any right, title or interest in or to any real property situated in this state, and may hold the same for the period of one year from the date of so acquiring such right, title or interest, but no longer; provided, however, that if such right, title or interest be acquired by such corporation by devise, then such may be held for the period of one year after the date of such distribution thereof to such corporation. At the expiration of said period of one year in any of the cases above named, all real property so held by such corporation, and all right, title or interest therein so held by such corporation shall be subject to escheat to the State of California, and proceedings for such purpose shall be taken as hereinafter provided.

SEC. 4. No contract, agreement or lease whereby real property, or any interest therein, is hereafter let, leased or rented for a longer period than four years shall be made to any alien or to any corporation of the class described in section three of this Act, and no renewal or extension of any such contract, lease or agreement shall be made extending said period of four years, as hereinabove specified, and any such contract, agreement or lease hereafter made to any alien or any such corporation contrary to the provisions of this section shall be null and void.

SEC. 5. Any alien or any corporation of the class described in section three of this Act hereafter acquiring, owning or holding real property or any right, title or interest therein, in the State of California, in contravention of the provisions of this Act, or subject to escheat to the State of California, under the provisions of this Act, may nevertheless convey, either by way of security or otherwise, or mortgage, or otherwise, encumber, or demise and let the same at any time before the commencement of escheat proceedings and the recording of the notice of pendency of such proceedings as in this Act provided, and in such case any such conveyance, or mortgage, or encumbrance, or lease, shall not be impaired or affected by the provisions of this Act; *provided, however*, that if any such conveyance, or mortgage, or encumbrance or lease, be made to any alien or to any corporation of the class described in section three of this Act, then such alien or corporation shall take and acquire title under the restrictions and subject to the terms and conditions set forth in sections two and three of this Act, respectively; *provided further, however*, that if any such conveyance, or mortgage, or encumbrance or lease shall be made with the intent or for the purpose of evading the provisions of this Act, and not in good faith or for substantial consideration, such conveyance or mortgage, or encumbrance or lease, shall render the property thereby conveyed or mortgaged, or encumbered or leased, subject to escheat to the State of California for the benefit of the state school fund, and such conveyance or mortgage, or encumbrance or lease, may in the proceedings, taken as hereinafter provided for the purpose of declaring such escheat, be declared null and void, and in such case the grantee, lienholder or lessee in any such conveyance, mortgage, or encumbrance or lease, if an alien, shall not be entitled to the right given by section six of this Act to prevent such escheat by becoming a citizen of the United States, or by filing a declaration of intention to become such citizen; *provided further, however*, that if no proceedings are brought to have any property affected by any conveyance or mortgage, or encumbrance or lease of the character mentioned in this section declared escheated to the state, within one month after any such conveyance has been duly recorded in the office of the county recorder of the county wherein the land so attempted to be conveyed, mortgaged, encumbered or leased, is situated, then it shall be conclusively presumed that such conveyance, mortgage, encumbrance or lease, was made in good faith and not with the intention of evading the provisions of this Act, and thereafter no escheat proceedings for such purpose by reason of such conveyance, mortgage, encumbrances or lease shall be commenced; *provided further, however*, that if any such conveyance, mortgage, encumbrance or lease be to an alien or to a corporation, of the class mentioned in section three, the title thereby conveyed shall, nevertheless, be subject to escheat under the provisions of this Act as though such alien or corporation had acquired such title in any other manner.

SEC. 6. The title, interest, or lien granted, conveyed or created by any deed, deed of trust, or other conveyance, or mortgage of land, which shall have been duly recorded in the office of the recorder of the county where the land is situated prior to the recording of the notice of pendency of escheat proceedings herein provided for, shall not be impaired or affected in any way by the provisions of this Act, or by such escheat proceedings.

SEC. 7. Nothing in this Act contained shall apply to any real property, or any right, title or interest therein, or lien thereon, acquired, owned or held by any alien who shall have declared his intention of becoming a citizen of the United States, according to law, or who shall have become a citizen of the United States, and if any proceedings for the escheat to the State of California of any real property acquired, held or owned by any such alien shall have been commenced prior to such declaration of intention or prior to such alien owner becoming a citizen of the United States, such proceedings shall, upon proof of such fact, be discontinued and judgment in accordance with the facts shall thereupon be entered, and the recordation in the office of the county recorder of the county wherein the real property is situated of a certified copy of such declaration of intention by any such alien, or of proof of citizenship, duly certified by the officer having the custody or control of the original, or of a certified copy of the judgment entered in such action, shall establish the right of such person to own and hold real property free from the restrictions or limitations in this Act provided.

SEC. 8. The provisions of this Act shall not impair or destroy any right secured to any alien under the provisions of any treaty between the United States and the country of which such alien shall be a citizen or subject.

SEC. 9. It shall be the duty of the district attorney of any county in this state wherein any real property, or any portion thereof, acquired, owned or held contrary to the provisions of this Act, is situated, when he shall be informed, or shall have reason to believe, that any property in said county is being held contrary to the provisions of this Act, to file a complaint on behalf of and in the name of the people

of the State of California as plaintiff, or the attorney-general of the county in which such property or some portion thereof is situated, setting forth a description of the property, the names of all persons or corporations owning or holding or claiming to own or hold the same, or any portion thereof, so far as the same can be ascertained by the records of the county in which the land is situated, who shall be named as sole defendant; that the right to escheat to the State of California the property of said A. B. and the facts and circumstances in connection therewith, shall be stated; that the same is to be subject to the provisions of this Act; that all persons claiming to be entitled to the whole or any portion of the property sought to be escheated to the State shall be required to appear and answer the complaint within the time fixed by the court in which the action is brought, not less than thirty days from the date of the first publication of the summons, which said summons shall contain all the matters required by the provisions of law relating to the service of the summons in other civil actions. Summons shall be issued and served in accordance with the provisions of law, but no costs shall be allowed Plaintiff or Defendant. At the time the complaint is filed, a notice of the pendency of such escheat proceeding must be filed in the office of the recorder of the county where the land or any part thereof is situated, containing the names of the parties and the object of the action, and a description of the property in that county affected thereby.

SEC. 10. The court upon the completion of the trial and upon examination of the district attorney, either before or after judgment in favor of the State, shall declare in the decree or supplemental decree as the case may be, that the title to escheat thereby upon shall be forever quieted and settled in the State of California, and that the defendant or defendants have no right, title or interest in the property, or any part thereof, and the decree shall further declare the property to be escheated to the State of California, and that the State is entitled to the possession thereof, and shall direct the sheriff of the county where the property is situated to take possession thereof, and shall direct the disposition of the rents, income and profits of the same, and such matters as may be deemed necessary.

SEC. 11. In any action brought by the attorney-general or any district attorney under the provisions of section [illegible] of this Act, or any suit to quiet title or to determine adverse claims in which said property or any portion thereof the State of California may be made a defendant and having answered, setting forth the state that he never owns the property or any portion and the amount thereof.

SEC. 12. All persons or corporations named in the complaint may appear and answer and traverse or deny the facts stated therein or any thereof within the time for answering or appearing expires, and any other person claiming any interest in such property may appear and intervene in said action, on his own behalf or through his attorney, by motion for such purpose, at such time within the time allowed for answering. If any person appears and denies the facts set out in said complaint or introduces any material fact not both parties shall be entitled to a trial by jury, and the issue shall be tried in civil actions. In all such proceedings the state shall be deemed to have established prima facie that said defendant is an alien or that said corporation defendant therein is an alien ineligible to citizenship under the naturalization laws of the United States to prove that such defendant person or corporation is not registered as an owner of the property where said action is commenced and that no copy of any declaration by such defendant person or corporation of intention to become a citizen of the United States can be found among the archives and records of public records of said county. If after the issues are tried, it appears from the facts found or admitted that the property described in the complaint or any part thereof has escheated to the state, judgment must be rendered vesting the right to the same in the state, and that the right is the absolute and entitled to the possession thereof, and that it forever quiets all and against the defendants who have appeared and answered. In any such judgment rendered by the court declaring property escheated to the state or portion of the district attorney, the court must order and decree that such property be sold by the sheriff of the county wherein it is situated at public sale to the highest bidder for cash after giving such notice of the time and place of sale as may be prescribed by the court in such order and must in the judgment determine the value of said property or any portion thereof and must also determine who is entitled to the proceeds of such sale. The sheriff within ten days after such sale must make a report thereof to the court, and upon the hearing of such report the court may examine the same and witnesses in relation thereto, and if the proceedings were regular, or if not, but if in the opinion of the court the sale was disadvantageous to the state, or if it appears that a sum exceeding ten per cent in excess of the expense of a new sale may be obtained the court may vacate the sale and direct another to be held, of which notice must be given, and such sale in all respects conducted as if no previous sale had taken place. If no other property of sufficient value to satisfy the amount that may remain in the county is made to the court in writing by a responsible person, the court may in its discretion permit such offer and confirm the sale to such person, or order a new sale. If it appears to the court that the sale was legally made and fairly conducted and that the sum bid is not disproportionate to the value of the property sold, and that a sum exceeding sixty per cent has been obtained, or if the expense of a new sale, can not be obtained, or if the proposed bid above mentioned is made and accepted by the court, the court must make an order confirming the sale, and directing the sheriff, in the name of the state, to execute forthwith to the purchaser or purchasers a conveyance of said property sold and said conveyance shall vest in the purchaser or purchasers all the right and title of the state thereto, and the sheriff must, out of the proceeds of such sale, pay the cost of said proceedings

incurred on behalf of the state, including the expenses of making such sale, and also an attorney's fee, if additional counsel be employed in said proceedings, to be fixed by the court, not exceeding twenty per cent of the amount of such sale, and the residue thereof must be paid by said sheriff to the clerk of said court, who shall forthwith deposit the same with the county treasurer, together with a certified copy of the judgment, and he shall retain the same as a special deposit for the period of one year from the date of payment to him, and he shall pay the same to the persons entitled thereto under the judgment, and if not claimed by them within the period of one year thereafter, the same shall be paid into the state school fund. The term alien owner shall include any corporation of the class mentioned in section three of this Act. In no event, however, shall the state be liable to any person or corporation for a greater sum than the amount so paid to the state treasurer.

SEC. 13. The prohibitions of this Act contained shall not extend to lands, or any interest therein, which are valuable chiefly for mines or minerals, or which are being operated as mines, nor to lands chiefly valuable for the production of oil, or which are being used for the production of oil, nor to timber lands, nor to lands owned or used as sites for warehouses, wharves, refineries, or factories for the treatment, refining, reduction, processing, manufacturing, shipping, storing, or otherwise handling or disposing of any of the products of such lands, nor to pipe lines for the conveyance of oil or other fluid substances except water, nor to rights of way for such pipe lines, and any alien or any corporation may take, hold or dispose of any such lands, pipe lines and rights of way, or any interest therein.

SEC. 14. This Act shall not apply to the acquisition by aliens or corporations of lands or any interest therein, which are now, or may hereafter become subject to a deed of trust, mortgage, or other lien to secure a debt or other obligation to any alien or corporation, where such lands or interest therein are acquired at a sale under such deed of trust, mortgage, or other lien, for default of the debtor in the debt or obligation secured thereby, or upon a judicial sale upon the foreclosure of such deed of trust, mortgage, or other lien.

SEC. 15. This Act shall apply to corporations of the class described in section three, and to none other.

SEC. 16. No right now vested shall be impaired or affected in any way by the provisions of this Act.

SEC. 17. If any section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Act. The legislature hereby declares that it would have passed this Act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases unconstitutional.

SEC. 18. All Acts and parts of Acts in conflict herewith are hereby repealed.

Report read and refused adoption.

SENATOR CURTIN IN THE CHAIR.

At four o'clock and thirty minutes p.m., Senator Curtin, of the Twelfth District, in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer Senate Bill No. 5, as amended, to Senator Boynton, as a special committee of one, to amend as follows:

AMENDMENT NO. 1.

By striking out all of the title after the words "An Act", in line 1, of the title, and inserting in lieu thereof the following: "defining and limiting the right of aliens and of corporations, a majority of the issued and outstanding capital stock of which is held or owned by aliens ineligible to citizenship under the naturalization laws of the United States, to acquire title to, own, hold or lease real property in the State of California, providing for the period of time any alien or any such corporation may lease real property in the State of California, providing for the escheat of property acquired, owned or held by any alien or any such corporation to the State of California, and providing for divesting title to real property so acquired, owned or held and for the disposition of the proceeds, and repealing conflicting Acts."

AMENDMENT NO. 2.

By striking out all that portion of the Act after the word "provided", at the end of Section 1, page 1, line 4, and inserting in lieu thereof the following:

SEC. 2. Title to real property situated in this state may be acquired and held by aliens, whether resident or non-resident, under the restrictions, terms and conditions set forth in this Act, but not otherwise.

(*a*) Any alien may hereafter acquire by purchase, or otherwise (excepting by devise or descent which are hereinafter provided for) any right, title or interest in

or to any real property situated in this state, and may hold the same for the period of one year after the date of its acquisition such rights, title or interest, but no longer; provided, however, that if any such alien who is entitled by the provisions of this section to hold real property shall die seized of such real property, or shall acquire such title by the operation of law upon the death of any such person, such real property may be held by such alien for the period of one year after such title shall vest in such alien and all rights, title and interest thereto are hereby declared to be subject to escheat to the State of California, and proceedings for such escheat shall be taken as hereinafter provided.

(b) Any alien may hereafter acquire by devise or descent any right, title or interest in or in any real property situated in this state and may hold the same for the period of one year after the date of final distribution thereof to such alien; provided, however, that if any such alien be a minor or an insane person at the date of such final distribution, and the proceedings of the county here previously appointed by a court having jurisdiction thereof, he may hold such title for the period of one year after a guardian of his estate is appointed by such court, or in case of a minor, if no such guardian be appointed prior to the time such minor shall have attained his majority. After the expiration of such period of one year in any of the cases above stated, all such property so held by such alien, and all right, title and interest thereto so held by such alien shall be subject to escheat to the State of California, and proceedings for such escheat shall be taken as hereinafter provided.

SEC. 3. Any corporation whether formed under the provisions of the laws of this state or of any other state or country, a majority of the issued and outstanding capital stock of which may be owned or held by any alien or aliens, ineligible to citizenship under the naturalization laws of the United States, may hereafter acquire by purchase or devise, any right, title or interest in or to any real property situated in this state, and may hold the same for the period of one year after the date of its acquiring such right, title or interest, but no longer; provided, however, that if any such right, title or interest be acquired by such corporation by devise, the same may be held by the parent of any such alien, the date of final distribution thereof to such corporation. At the expiration of said period of one year in any of the cases above stated, all real property so held by any of the cases above stated, all such corporations so held by such corporations, and all right, title or interest thereto so held by such corporations, shall be subject to escheat to the State of California, and proceedings for such escheat shall be taken as hereinafter provided.

SEC. 4. No corporation organized for any educational or charitable purpose, or any corporation, a majority of the capital stock of which is owned by any such corporation, or any corporation formed for the purpose of holding title to property for the benefit of any such corporation, shall be affected by the provisions of this Act, and no limitation or extension of time herein contained shall be made to any alien or any corporation of the class described in section three of this Act, and no forfeiture or escheat of any such property, title or interest shall be made hereunder, until the period of four years from the passage of this Act; and no such corporation or person shall be affected by the provisions of this Act, if such corporation or person shall within two years after the passage of this Act, dispose of such property, title or interest to a person or corporation not within the prohibition of this section, and not prohibited from acquiring title to real property by the provisions of this Act.

SEC. 5. Any alien or any corporation of the class described in section three of this Act hereafter acquiring, owning or holding real property in violation of this Act, or any alien or any corporation of the class described in section three of this Act, or any corporation in which a majority of the capital stock is owned or held by any alien or corporation of the class described in section three of this Act, may nevertheless receive, hold and dispose of such property as hereinafter provided, and not otherwise; provided, that no such alien or corporation shall be entitled to the benefits of this section unless such alien or corporation shall, within two years after the passage of this Act, dispose of such property, title or interest to a person or corporation not within the prohibition of this section, and not prohibited from acquiring title to real property by the provisions of this Act; and provided further, that if any such alien or corporation shall fail to dispose of such property, title or interest within the time limited by this section, then such property, title or interest shall escheat to the State of California, and proceedings for such escheat shall be taken as hereinafter provided.

SEC. 6. Any alien or any corporation of the class described in section three of this Act, hereafter acquiring, owning or holding real property in violation of this Act, or any alien or any corporation of the class described in section three of this Act, or any corporation in which a majority of the capital stock is owned or held by any alien or corporation of the class described in section three of this Act, may nevertheless receive, hold and dispose of such property as hereinafter provided, and not otherwise; provided, that no such alien or corporation shall be entitled to the benefits of this section unless such alien or corporation shall, within two years after the passage of this Act, dispose of such property, title or interest to a person or corporation not within the prohibition of this section, and not prohibited from acquiring title to real property by the provisions of this Act; and provided further, that if any such alien or corporation shall fail to dispose of such property, title or interest within the time limited by this section, then such property, title or interest shall escheat to the State of California, and proceedings for such escheat shall be taken as hereinafter provided.

SEC. 7. Any conveyance, mortgage or lease made or taken in violation of section two or three of this Act, shall render the property thereby conveyed or mortgaged or encumbered or leased subject to escheat to the State of California for the benefit of the county wherein such property is situated, and such conveyance or mortgage or encumbrance or lease may be declared null and void by any court of competent jurisdiction in proceedings brought for that purpose by the district attorney of the county wherein such property is situated, or by the Attorney General of the State of California, in the name of the people of the State of California, upon information received from any source; provided, however, that in all cases where such conveyance, mortgage, encumbrance or lease was taken in good faith and without any intent to violate the provisions of this Act, and such property was acquired for a valuable consideration and not upon speculation, and such conveyance, mortgage, encumbrance or lease was executed before the passage of this Act, such property may be held for the period of two years after the passage of this Act, and shall not escheat or be forfeited to the State of California, or to any person or corporation, on account of any violation of the provisions of this Act, if such property be disposed of within such two years, or within such further time not exceeding three years as may be allowed by the court, as in this Act provided, to a purchaser without notice, for a valuable consideration, at not less than its reasonable value, or be encumbered bona fide to secure the payment of not less than its reasonable value, or be leased bona fide for not more than five years, and within such two years, or such further time as may be allowed by the court, as in this Act provided, the proceeds of such disposition, encumbrance or lease are applied in good faith to the purchase, payment or discharge of such property, or some part thereof, or of an interest therein, or of an obligation created thereby, or in the construction of improvements thereon owned by the person or corporation whose property has been affected by this Act at the time of the passage thereof, and not otherwise.

SEC. 8. Any conveyance, mortgage or lease made or taken in violation of section two or three of this Act, shall render the property thereby conveyed or mortgaged or encumbered or leased subject to escheat to the State of California for the benefit of the county wherein such property is situated, and such conveyance or mortgage or encumbrance or lease may be declared null and void by any court of competent jurisdiction in proceedings brought for that purpose by the district attorney of the county wherein such property is situated, or by the Attorney General of the State of California, in the name of the people of the State of California, upon information received from any source; provided, however, that in all cases where such conveyance, mortgage, encumbrance or lease was taken in good faith and without any intent to violate the provisions of this Act, and such property was acquired for a valuable consideration and not upon speculation, and such conveyance, mortgage, encumbrance or lease was executed before the passage of this Act, such property may be held for the period of two years after the passage of this Act, and shall not escheat or be forfeited to the State of California, or to any person or corporation, on account of any violation of the provisions of this Act, if such property be disposed of within such two years, or within such further time not exceeding three years as may be allowed by the court, as in this Act provided, to a purchaser without notice, for a valuable consideration, at not less than its reasonable value, or be encumbered bona fide to secure the payment of not less than its reasonable value, or be leased bona fide for not more than five years, and within such two years, or such further time as may be allowed by the court, as in this Act provided, the proceeds of such disposition, encumbrance or lease are applied in good faith to the purchase, payment or discharge of such property, or some part thereof, or of an interest therein, or of an obligation created thereby, or in the construction of improvements thereon owned by the person or corporation whose property has been affected by this Act at the time of the passage thereof, and not otherwise.

SEC. 9. Any conveyance, mortgage or lease made or taken in violation of section two or three of this Act, shall render the property thereby conveyed or mortgaged or encumbered or leased subject to escheat to the State of California for the benefit of the county wherein such property is situated, and such conveyance or mortgage or encumbrance or lease may be declared null and void by any court of competent jurisdiction in proceedings brought for that purpose by the district attorney of the county wherein such property is situated, or by the Attorney General of the State of California, in the name of the people of the State of California, upon information received from any source; provided, however, that in all cases where such conveyance, mortgage, encumbrance or lease was taken in good faith and without any intent to violate the provisions of this Act, and such property was acquired for a valuable consideration and not upon speculation, and such conveyance, mortgage, encumbrance or lease was executed before the passage of this Act, such property may be held for the period of two years after the passage of this Act, and shall not escheat or be forfeited to the State of California, or to any person or corporation, on account of any violation of the provisions of this Act, if such property be disposed of within such two years, or within such further time not exceeding three years as may be allowed by the court, as in this Act provided, to a purchaser without notice, for a valuable consideration, at not less than its reasonable value, or be encumbered bona fide to secure the payment of not less than its reasonable value, or be leased bona fide for not more than five years, and within such two years, or such further time as may be allowed by the court, as in this Act provided, the proceeds of such disposition, encumbrance or lease are applied in good faith to the purchase, payment or discharge of such property, or some part thereof, or of an interest therein, or of an obligation created thereby, or in the construction of improvements thereon owned by the person or corporation whose property has been affected by this Act at the time of the passage thereof, and not otherwise.

after any such conveyance has been duly recorded in the office of the county recorder of the county wherein the land so attempted to be conveyed, mortgaged, encumbered or leased is situated, then it shall be conclusively presumed that such conveyance, mortgage, encumbrance or lease was made in good faith and not with the intention of evading the provisions of this Act, and thereafter no escheat proceedings for such purpose by reason of such conveyance, mortgage, encumbrance or lease shall be commenced: *provided further, however*, that if any such conveyance, mortgage, encumbrance or lease be to an alien or to a corporation of the class mentioned in section three, the title thereby conveyed shall, nevertheless be subject to escheat under the provisions of this Act as though such alien or corporation had acquired such title in any other manner.

SEC. 6. The title, interest or lien granted, conveyed or created by any deed, deed of trust, or other conveyance or mortgage of land which shall have been duly recorded in the office of the recorder of the county where the land is situated prior to the recording of the notice of pendency of escheat proceedings herein provided for, shall not be impaired or affected in any way by the provisions of this Act, or by such escheat proceedings.

SEC. 7. Nothing in this Act contained shall apply to any real property, or any right, title or interest therein, or lien thereon, acquired, owned or held by any alien who shall have declared his intention of becoming a citizen of the United States, according to law, or who shall have become a citizen of the United States, and if any proceedings for the escheat to the State of California of any real property acquired, held or owned by any such alien shall have been commenced prior to such declaration of intention or prior to such alien owner becoming a citizen of the United States, such proceedings shall, upon proof of such fact, be discontinued and judgment in accordance with the facts shall thereupon be entered, and the recordation in the office of the county recorder of the county wherein the real property is situated of a certified copy of such declaration of intention by any such alien, or of proof of citizenship, duly certified by the officer having the custody or control of the original or of a certified copy of the judgment entered in such action, shall establish the right of such person to own and hold real property free from the restrictions of limitations in this Act provided.

SEC. 8. The provisions of this Act shall not impair or destroy any right secured to any alien under the provisions of any treaty between the United States and the country of which such alien shall be a citizen or subject.

SEC. 9. It shall be the duty of the district attorney of any county in this state wherein any real property, or any portion thereof, acquired, owned or held contrary to the provisions of this Act, is situated, when he shall be informed, or shall have reason to believe, that any property in said county is being held contrary to the provisions of this Act, to file a complaint on behalf of and in the name of the people of the State of California, as plaintiff, in the superior court of the county in which such property, or some portion thereof, is situated, setting forth a description of the property, the names of all persons or corporations owning or holding, or claiming to own or hold the same, or any interest therein on any lien thereon as shown by the records of the county where the land is situated, who shall be named as parties defendant; that the same is owned or held contrary to the provisions of this Act, and the facts and circumstances in consequence of which the property is claimed to be subject to escheat to the state, with an allegation that by reason thereof, the State of California has right by law to such property. Upon such complaint being filed, a summons must issue directed to the defendants, requiring defendants to appear and answer the complaint within ten days, if the summons is served in the county in which the action is brought or within thirty days if served elsewhere, which said summons shall contain all the matters required by section four hundred seven of the Code of Civil Procedure. Summons shall be issued and served in accordance with the provisions of title five of part two of the Code of Civil Procedure. At the time the complaint is filed, a notice of the pendency of such escheat proceedings must be filed in the office of the recorder of the county where the land or any part thereof is situated, containing the names of the parties and the object of the action, and a description of the property in that county affected thereby.

SEC. 10. The court upon the complaint being filed and upon application of the district attorney, either before or after answer is filed, upon such notice as the court shall direct to the person or corporation claiming to own said property, or any right, title or interest therein, may upon sufficient cause therefor being shown, appoint a receiver to take charge of such property, or any part thereof, and to receive rents, income and profits of the same until the title thereof is finally settled.

SEC. 11. In any action brought to foreclose a mortgage or lien upon any land which has theretofore been the subject of escheat proceedings hereunder, or in any suit to quiet title or to determine adverse claims to such real property or any portion thereof, the State of California may be made a defendant and process directed against the state shall be served upon the governor or acting governor and the attorney general.

SEC. 12. All persons or corporations named in the complaint may appear and answer and traverse or deny the facts stated therein at any time before the time for answering or appearing expires, and any other person claiming any interest in

such property may appear and intervene in said action, as the parties to foreclosure by mention for such purpose by name, subject, however, to the time allowed for answering. If any person appearing and claiming any lien upon any of the above-described property shall traverse any material fact set forth therein, the issues of fact joined by such traverse shall be tried and determined by the court without a jury, unless a jury trial is demanded by some party entitled to such trial, and in such case the issues of fact shall be tried by a jury in the manner provided by law for the trial of issues of fact in civil actions. The court shall have power to make such orders, judgments and decrees in the premises as may be just and proper, and to enforce the same by its process, and may, in its discretion, appoint a receiver of the property pending the litigation and until the sale thereof, and may order the property sold in such manner as it may deem best for the interests of all parties thereto, and may confirm such sale and order the proceeds thereof distributed to the parties entitled thereto according to their respective rights and interests therein, and may enforce the payment of the purchase money by the purchaser at such sale, and may, in case of default in such payment, resell the property, and may enforce the payment of the purchase money on such res

not disposed of within said four year period, shall be subject to escheat proceedings pursuant to sections nine, ten, eleven and twelve hereof.

SEC. 15. This Act shall apply to corporations of the class described in section three, and to none other.

SEC. 16. No right now vested shall be impaired or affected in any way by the provisions of this Act.

SEC. 17. If any section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Act. The legislature hereby declares that it would have passed this Act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases unconstitutional.

SEC. 18. All Acts and parts of Acts in conflict herewith are hereby repealed.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOYNTON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Sanford, the Secretary was directed to issue a rush order for printing Senate Bill No. 5.

PRESIDENT WALLACE IN THE CHAIR.

At five o'clock and fifteen minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

COMMUNICATION.

The following telegram was received and read:

SAN FRANCISCO, CAL., April 21, 1913.

LIEUTENANT GOVERNOR WALLACE, *Sacramento, Cal.: To the Legislature of California, Greetings:*

The Ministerial Union, composed of Presbyterian ministers and elders about the bay of San Francisco, earnestly petitions our Legislature in session at Sacramento to pass no land or fishing bill that will discriminate against the Japanese. We ask this in the name of justice and because of the effect it will have upon evangelization both in Japan and on the Pacific Coast.

JAMES M. McELHINNEY, Secretary.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

On motion of Senator Shanahan, Senate Bill No. 804 was passed on file, to retain its place.

Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devices, successions, and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this

Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 27, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

On motion of Senator Thompson, Senate Bill No. 959 was passed on file.

Senate Bill No. 1177—An Act to amend Section 631 of the Penal Code, relating to unlawful nets and lines.

On motion of Senator Flint, Senate Bill No. 1177 was passed on file.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Section 20 of Article IV of the Constitution of said State, relating to eligibility to hold office.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, five o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benson, Berrian, Bland, Boggs, Bryant, Burnett, Cammetti, Campbell, Carr, Cartwright, Caminetti, Curtin, Flint, Hoyt, Inman, Juilliard, Mott, Owens, Rigdon, Sanford, Shearer, Stephens, Thompson, Tyrrell, and Wright.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock and forty minutes p.m., Senators Cobb, Birdsall, Kehoe, and Grant were brought to the bar of the Senate, and, on motion of Senator Juilliard, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and forty minutes p.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The roll of absentees was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, five o'clock and forty-two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll. The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At six o'clock and forty minutes p.m., Senators Jones, Avey, Larkins, and Rush were brought to the bar of the Senate, and, on motion of Senator Campbell, they were excused for absence from the Senate Chamber.

MOTION.

At six o'clock and thirty five minutes p.m., Senator Tyrrell moved that further proceedings under the call of the Senate be dispensed with.

The question being on the motion.

The roll was called, and the motion lost by the following vote:

AYES—Senators Avey, Beban, Benson, Brown, Butler, Caminetti, Carr, Cogswell, Larkins, Lyon, Mott, Sanford, and Tyrrell—13.

NOES—Senators Birdsall, Boynton, Breed, Bryant, Cartwright, Cohn, Curtin, Finn, Gerdes, Juilliard, Owens, Regan, Strobridge, Thompson, and Wright—15.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At six o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The roll of absentees was called, and Senate Constitutional Amendment No. 9 refused adoption by the following vote:

AYES—Senators Anderson, Beban, Boynton, Bryant, Caminetti, Campbell, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, and Wright—24.

NOES—Senators Avey, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Kehoe, Lyon, Strobridge, Thompson, and Tyrrell—13.

CONSIDERATION OF MOTION CONTINUED.

On motion of Senator Caminetti, the further consideration of his motion to reconsider the vote whereby Senate Constitutional Amendment No. 24 was refused passage was continued till the next legislative day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Avey for permission to introduce a bill entitled an Act to amend an Act entitled "An Act to provide for the formation, organization and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909.

Also: The request of Senator Campbell for permission to introduce a bill entitled an Act to declare certain combinations between railroad or other common carriers and private corporations or individuals with reference to transportation of crude oil.

petroleum or the products thereof through pipe lines by common carriers engaged in public service and by individuals, corporations and associations engaged in the production, refining, transportation and marketing of petroleum, or products thereof, through pipe lines, and providing penalties for violations and authorizing suits and proceedings.

They had duly acted accordingly, and respectfully report the same back, and recommend that said measure do pass.

BOYNTON, Chairman.

The question being on the adoption of the report,

The roll was called and the report adopted by the following vote:

AYES—Senators Ayer, Bolton, Brown, Bunker, Bulgarin, Byrd, Bynum, Bynum, Burton, Campbell, Chandler, Cogswell, Cook, Crocker, Flint, Gerdes, Gerlach, Hayden, Hewitt, Hunter, Kelly, Miller, Nolan, Simpson, Swanston, Thompson, Tyrrell, and Wright—23.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Campbell: Senate Bill No. 1761—An Act to declare certain combinations between railroad or other common carriers and private corporations or individuals with reference to transportation of crude oil, petroleum or the products thereof, through pipe lines, as restraint of trade, an unfair practice, contrary to public policy and an unlawful monopoly, authorizing such pipe lines to become common carriers and public utilities, or requiring same to become licensed, and providing penalties for violations and authorizing certain court proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ayer: Senate Bill No. 1762—An Act to amend an Act entitled "An Act to provide for the formation, organization and construction of new counties, the location of county seats for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations existing between such new counties and other counties," approved March 10, 1907, and as amended March 9, 1909.

Bill read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES—(SEE 1ST DAY).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Assembly Bill No. 1297—An Act to amend Section 2466 of the Political Code of the State of California, relating to certificate issued to passengers sent to be transported, boxes and baggage checked as passengers and the same under compensation, and respectfully report the same back, and recommend that it do pass.

MOTT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 34—A proposition to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Section 21 of Article IV, relating to compensation of members and the state socket consolidation, and respectfully report the same back, and recommend that it be adopted.

MOTT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 633—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the payment of

construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof relating to the period of redemption; to certain proceedings to obtain deeds upon delinquent sales, and prescribing a limit of time within, and conditions upon, which action may be brought to set aside such deeds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MOTT, Chairman.

Assembly Bills Nos. 1297 and 693 ordered on file for second reading.
Assembly Constitutional Amendment No. 84 ordered on file.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Assembly Concurrent Resolution No. 26—Relative to the payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GERDES, Chairman.

Assembly Concurrent Resolution No. 26 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, providing for the granting of letters of administration by adding thereto a new section, to be numbered 1690; upon the estates of persons presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Also: Senate Bill No. 1220—An Act to permit municipal corporations and counties to declare certain property sold for the non-payment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

Also: Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards.

Also: Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways; for the charge, supervision and control thereof by the Department of Engineering of the State of California and the State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating connecting or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

Also: Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignment of claims for wages.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1297—An Act authorizing and empowering the Regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Also: Senate Bill No. 508—An Act to amend Section 372 of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1621—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto, and making an appropriation therefor; and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties and making an appropriation

thereof," approved March 20, 1905—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that it be adopted and do pass.

GATES, Chairman.

Senate Bills Nos. 1220, 1324, 1694, 1740, 1297, 908 and 1621 ordered on file for second reading.

Assembly Bill No. 372 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1744—An Act to amend Section 3647 and repealing Section 3648, relating to the county boundary between Calaveras and Mariposa counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BREED, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 660—An Act to amend Section 4097 of the Political Code of the State of California, relating to compensation of county officers in counties of the second, third and fourth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BREED, Chairman.

Senate Bills Nos. 1744 and 660 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1752—An Act providing it unlawful to sell or traffic in intoxicating liquors within the State of California without a license of general drafting for issuance of such licenses or permits which may be granted and revoked regulating the traffic in such liquor, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

Senate Bill No. 1752 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 896—An Act to appropriate the sum of two hundred and fifty thousand dollars for the acquisition of land and the erection, construction, equipment and maintenance of an armory thereon in the City of Oakland for the use of the National Guard of the State of California—respectfully recommend that the appropriation be reduced by the Committee on Military Affairs be agreed and that the amendment so proposed, by the Committee on Finance be adopted and that the bill as goes so amended.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and authorizing money for the purpose of advancing out the provisions hereof not otherwise provided for by law—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 896 ordered on file for second reading.

Assembly Bill No. 282 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 847—An Act defining the term "usual public uses," as applied to grants, cases, or reservations of canals, ditches or flume-

after made by the State, of tide or submerged lands- have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass.

BENSON, Chairman.

Assembly Bill No. 847 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was re-referred Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party, and to provide for the settlement of disputes by the Industrial Accident Commission—by creating a "state compensation insurance fund" to insure employers against such liability, and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe, and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization, define its powers and duties and provide for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act, and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act"—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

LYON, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: The following is submitted as a minority report on Senate Bill No. 905, entitled "An Act to promote the general welfare of the people of the State of California by creating and enforcing a liability on the part of employers to compensate their employees," etc.

It is the opinion of the minority of the Committee on Labor and Capital that Senate Bill No. 905 in its present form is unconstitutional and that it violates Section 24 of Article II of the Constitution, which provides that every Act shall embrace but one subject, which subject shall be embraced in the title. The title of the Act and the text of the bill deal with three subjects, to wit: Compensation to be paid employees by employers in the event of accident, regardless of the fault of either; second, the creation of an insurance department on the part of the State of California to insure employers against loss growing out of accidents to employees; and, third, the creation of a safety department for the purpose of preventing accidents.

The minority further realizes that many members of the Senate are in favor of compulsory compensation to employees and also of promoting the safety of employees, but do not approve of the State engaging in the business of insurance; and therefore, the minority recommend that Senate Bill No. 905 be divided into three separate and distinct bills, one dealing with the compensation feature, the other with insurance, and the last with the safety of employees.

In view of the fact that the present bill, however, is likely to pass the Senate, and in order that it may be put in as workable form as possible, the minority recommend the adoption of the following amendments to Senate Bill No. 905:

AMENDMENT NO. 1.

Amend title by substituting "an accident fund" for "a state compensation insurance fund", after the word "creating", in line 8.

AMENDMENT NO. 2.

Amend Section 1 by substituting "accident fund" for "state compensation insurance fund", in lines 19 and 20, page 2.

AMENDMENT NO. 3.

Amend Section 7 by striking out subsection (c) and subsection (d), lines 31 to 37, inclusive, on page 4, and lines 1 to 8, inclusive, page 5.

AMENDMENT NO. 4.

Amend Section 7 (c) by striking out the words "officers, experts, statisticians, actuaries, accountants, inspectors," in lines 9 and 10, page 5.

AMENDMENT No. 6

Amend Section [illegible] page 7, by striking out lines [illegible] and inserting in lieu thereof the following:

[illegible] Where at the time of the accident, the employee should not have been under the industrial accident commission system or working thereunder and by reason of the compensation provisions of this act, [illegible] the said employee shall be liable for [illegible] Industrial Accident Commission, a written statement to the effect that such employee does not accept the provisions of this act, as to the employee. That such statement shall be made [illegible] and within [illegible] days after the filing of a written statement with the industrial accident commission by the other party employee claiming to accept the provisions of this act.

AMENDMENT No. 8

Amend Section [illegible] page [illegible] by striking out the word [illegible] in line [illegible] the following:

Where the employee claiming with such liability is subject to the provisions of this Act, provided the liability has been agreed thereto or has been adjudged and, at the time of receiving [illegible] the employee or [illegible] with such liability, have given to the employer notice by writing that he elects not to be subject to the provisions of this Act, or has given such notice of any such matter [illegible] the provisions of this Act, or has given such notice of any such matter [illegible] employer shall have given to the employee notice in writing that he elects to be subject to the provisions of this Act, [illegible] such employee shall not be entitled to any benefits under this Act, and shall be left to such remedies as existed prior thereto, and the employer shall have [illegible] to the contrary, [illegible] shall have given the employer [illegible] notice as aforesaid, [illegible] to be subject to the provisions of this Act. [illegible] the employer [illegible] to withdraw as aforesaid, [illegible] to be subject to the provisions of this Act, [illegible] any action [illegible] to recover damages [illegible] to the employee [illegible] to be determined by the employee or his personal agent.

AMENDMENT No. 7

Amend Section [illegible] by striking out [illegible] on the [illegible] page [illegible] and lines 1 and 2, page 8, and substituting in lieu thereof the following:

Where such conditions of compensation exist [illegible] the payment of such compensation pursuant to the provisions of this Act shall be the exclusive remedy against the employer for the injury or death except that where the injury or death was caused by reason of the [illegible] of willful misconduct of the employer or of duly [illegible] an action may be brought by the employee [illegible] and exercising the powers of superintendence [illegible] the provisions of compensation to be paid by the employer shall be doubled.

AMENDMENT No. 8

Amend Section 12, page 8, line 3, by adding after the word "person" in line 3, the following:

Except however in an action against the insurance [illegible] employee, who has given such notice as his employer, claiming not to be subject to the provisions of this Act [illegible] employee may be subject to the provisions of this Act same and shall have the benefit of all defenses known to the common law and all exceptions, of every grade, of such employer [illegible] in such action, he shall be [illegible] of such [illegible] employee.

AMENDMENT No. 9

Amend Section 13, [illegible] page 9, by striking out "three" and substituting "five." Strike out "five" on page 10, page 9. Substitute "three" for "five" in line 24, page 9. Substitute "[illegible]" for "five" where [illegible] 5, 6, 7, 8, 9, 10, 11, 13, 17, 20, 24, 30 and 32, page 10. Substitute "three" for "five" in line 28 page 11.

AMENDMENT No. 10

Amend Section 32 by striking out the words "subject to the provisions herein contained," in lines 6 and 7, page 20. Also by striking out subdivisions (a), (b) and (c) that is lines 14 to 37 inclusive, on page 20 and lines 1 to 9, inclusive, on page 24.

AMENDMENT No. 11

Amend Section 33 [illegible] by striking out the following: "or the compensation may order the same to be deposited with the state compensation insurance fund," lines 10 and 11, page 25.

AMENDMENT No. 12

Amend Section 35 by striking out subsection (b), lines 3 to 12, inclusive, page 28.

AMENDMENT NO. 13.

Amend Sections 36 to 48, inclusive, by striking out such entire sections and substituting in lieu thereof the following:

"SEC. 36. Whenever ten or more employers (of the same kindred classes of industry) who have become subject to the provisions of this Act, and who have on their payrolls in this state an aggregate number of not less than ten thousand employees, shall, in writing, request the insurance commissioner of California so to do, he shall assume charge of levying and collecting from them such premiums, assessments and dividends as may, from time to time, be necessary to pay the sums which shall become due to their employees, or dependents of their employees, as compensation under the provisions of this Act, and for its administration and shall disburse the same to the persons entitled to receive said compensation: *provided, however*, that neither the insurance commissioner nor the State of California shall become or be liable or responsible for the payment of claims for compensation under the provisions of this Act beyond the extent of the funds so collected and received by him as hereinafter provided.

SEC. 37. The insurance commissioner shall immediately upon assuming the administration of the collection and disbursement of the moneys referred to in the preceding section, cause to be created in the state treasury a fund to be known as 'accident fund.' Each such employer shall contribute to this fund to the extent of such premiums or assessments as the commissioner shall deem necessary to pay the compensation accruing under this Act to employees of such employers or to their dependents, and to provide the reserve hereinafter referred to, which premiums and assessments shall be levied in the manner and proportion as hereinbefore and hereinafter set forth. Said premiums and assessments levied for such purposes shall be subject to readjustment from time to time by the insurance commissioner as may become necessary.

SEC. 38. The insurance commissioner shall be entitled to inspect the plant, workroom, shop or premises of any subscriber contributing to said accident fund, and for such purposes to appoint inspectors who shall have free access to all such premises during the regular working hours.

SEC. 39. Said insurance commissioner shall determine the amount of the premiums or assessments which the subscribers of said accident fund shall pay for said administration and the payment of said compensation benefits by him, in accordance with the nature of the business in which said subscribers respectively are engaged, and the probable risk of injury to their employees, the experience of said risk and the conditions under which said work is performed, and shall fix the premiums and assessments at such amounts as in his judgment shall be sufficient to enable him to pay to the employees, or their dependents, of such subscribers all sums which may become due and payable to them under the provisions of sections thirty-six to forty-eight, inclusive, of this Act, together with the expense of conducting said business. In fixing said premiums or assessments payable by such subscribers, said insurance commissioner may take into account the degree of hazard, the condition of the plant, workroom, shop or premises of such subscriber in respect to the safety of the employees therein, and the experience of the risk, together with the conditions under which said work is performed and he may, from time to time, change the amount of premiums payable by any of the subscribers, as circumstances may require, and as said conditions, risk and hazard may justify, and may increase the premium of any subscriber neglecting to provide safety devices required by law.

SEC. 40. If any employer shall make default in payment of any contribution, premium or assessment required as aforesaid by the insurance commissioner, the sum due shall be collected by an action at law in the name of the state as plaintiff, and such right of action shall be in addition to any other right of action or remedy.

SEC. 41. The insurance commissioner, annually, on the first day of January or within thirty days thereafter, shall prepare under oath, and file in his office, a statement of the condition of such accident fund on the thirty-first day of December, next preceding, exhibiting therein such facts as may be applicable to the business of operating, maintaining, investigating and disbursing said accident fund, together with such other information as is necessary to reveal the true financial condition of such accident fund and its liabilities.

SEC. 42. Any employer subject to the provisions of Sections 36 to 48, inclusive, of this Act, who has complied with all the rules, regulations and demands of the industrial accident commission and the insurance commissioner may withdraw from said accident fund at the expiration of the period of one year from the date upon which he became subject to the provisions of Sections 36 to 48, inclusive, of this Act; *provided, however*, that he shall give written notice of such withdrawal to said insurance commissioner at least thirty days before the expiration of such period; *and provided, further*, that if at the time of such withdrawal liability may exist against such employer for any contribution, premium or assessment as provided in Section 39 hereof, such employer shall either pay into said accident fund such contribution, premium, or assessment in cash, or shall otherwise protect and indemnify said insurance commissioner against such liability in such reasonable manner as he may require. If there be not, at any time, in said accident fund, in cash over and above the unearned premium on undetermined risks, sufficient money for the

payment of accrued losses and expenses under insurance contracts shall apply to companies for the benefit thereof to the said funds and contracts made the committee to said fund under an assessment or proportion as under section [illegible] In ascertaining the accrued premiums and the accrued losses and expenses for the purposes of Section 28 of the provisions of this Act and insurance contracts shall be subject to and governed by the provisions of the applicable to such companies contained in Insurance and Building Associations against loss under the terms and provisions of this Act.

Sec. 27. Such premiums, contributions shall accrue and have become due to and accepted fund, respectively made until not more be construed as the suspending of the business thereof, to funds and until actually in the form named as an alternative by the laws of this state, with respect to investments of the funds and obligations of corporations, funds, associations and other instruments engaged in the business of [illegible] fund from liability on account of damages claimed for personal injuries and against [illegible] or property of the corporation provided for in this Act.

Sec. 28. It shall [illegible] shall also provide for employer contributions and any employee entitled to the provisions of Section 28 of the provisions of this Act, relative to any sum or sums to be expended for such insurance contributions of any damage liable to him to account to the [illegible] administration and investment of such funds, and to the said sum contributions which may accrue and employer arising the compensation under the provisions of this Act and said insurance contributions all such instruments of [illegible] shall also be subject to [illegible] by the insurance provided contemplated by this section and with the same force and effect to all respects as the others for compensation under this Act.

Sec. 29. The funds, property and securities in [illegible] subject to the provisions of Section 28 of the provisions of this Act shall subject to taxes, assessments by the insurance commissioner or the duly authorized agent or representative for the purpose of determining the investment of the moneys of the [illegible] the conduct of such corporation, and such other information as the commissioner may require in the administration of said fund. Should any the part of the said contributions to subject said funds, income and any duty for such inspection, such report to affording employers to a consent of this section for such officers to be collected by any person in the event of the insurance commissioner, and said sum the accident fund and the individual who shall personally put such officer shall be guilty of a misdemeanor.

Sec. 30. The insurance commissioner shall have power annually for all moneys so collected and received from employers and funds and shall [illegible] to all sums paid to claimants for compensation under the provisions of this Act and shall keep full and accurate records of all moneys transferred to him in the administration of said funds. He may employ such [illegible] and [illegible] help as may be necessary for the proper administration of said fund and for purposes and in the duties imposed upon him in the provisions of this Act, and may compensate them. The insurance commissioner and such [illegible] and assistants paid be entitled to receive their actual and necessary expenses while traveling on the business of the fund, but all such expenses and all moneys so [illegible] by the provisions of this Act shall be charged to said fund and all such accident fund.

Sec. 31. Disbursements being such accident fund shall be made promptly upon due bill and proof, warrants issued by the state board of control [illegible] chapter [illegible] to be by the insurance commissioner. In no case [illegible] shall not be sufficient money in said fund [illegible] to pay the same, the commissioner of [illegible] certificate to that fact, stating the [illegible] and the sum [illegible] the amount [illegible] and [illegible] to said fund the amount so paid with interest thereon at the rate [illegible] the date of such payment to the date such fund [illegible] [illegible] payment [illegible] of the amount of the credit shall extend the moneys of the [illegible] to which they belong.

Sec. 32. If this Act shall be [illegible] of [illegible] to be the accident fund, at the time of such [illegible] shall be paid to [illegible] under the direction of the state [illegible] by the [illegible] of [illegible] with the [illegible] of the obligation assumed and existing at the [illegible] under the provisions of this Act, and the expenses of administering said fund.

AMENDMENT No. 14

Amend Section 32 of Section 72, [illegible] as [illegible] and [illegible] thereof.

AMENDMENT No. 15

Amend Section 85 [illegible] [illegible] Page 52

WRIGHT,
OWENS

On motion of Senator Wright, the proposed committee amendments to Senate Bill No. 905 were ordered printed in the Journal, as follows:

PROPOSED SENATE COMMITTEE AMENDMENTS TO SENATE BILL NO. 905.

AMENDMENT No. 1.

On title page, page 1, line 2, strike out all of the title after the words "to promote the general welfare of the people of this state", down to and including the last line of said title immediately preceding the enacting clause on page 2, and in lieu thereof insert the following: "as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this state and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act."

AMENDMENT No. 2.

On page 2, line 3, strike out the word "subject", and in lieu thereof insert the word "subjects".

AMENDMENT No. 3.

On page 2, line 12, strike out the word "the", and in lieu thereof insert "sections twelve to thirty-six, inclusive, of this".

AMENDMENT No. 4.

On pages 2-3, commencing at line 22 on page 2, strike out all of lines 22 to 33, inclusive, on page 2, and all of lines 1 to 8, inclusive, on page 3 and in lieu thereof insert the following: "laws of this state to insure employers against liability for compensation under this Act.

(7) The phrase 'compensation provisions of this Act' means and includes sections twelve to thirty-five, inclusive, of this Act.

(8) The phrase 'safety provisions of this Act' means and includes sections fifty-one to seventy-two, inclusive, of this Act.

(9) Whenever in this Act the singular is used the plural shall be included; where the masculine gender is used, the feminine and neuter shall be included.

SEC. 3. There is hereby created a board to consist of three members who shall be appointed by the governor from the state at large and which shall be known as the 'industrial accident commission' and shall have the powers, duties and functions hereinafter conferred. Within thirty days prior to the first day of January, 1914, the governor shall appoint the three members of said commission, one for the term of two years, one for the term of three years and one for the term of four years. Thereafter, the term of office of each commissioner shall be four years. Vacancies shall be filled by appointment in the same manner for the unexpired term. Each commissioner shall receive an annual salary of three thousand six hundred dollars. Each commissioner shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office."

AMENDMENT No. 5.

On page 3, line 29, insert a comma after the word "California".

AMENDMENT No. 6.

On page 3, line 36, strike out the comma after the word "stationery".

AMENDMENT No. 7.

On page 4, line 5, strike out the letter "*a*", and in lieu thereof insert the figure "1".

AMENDMENT No. 8.

On page 4, line 21, strike out the letter "*b*", and in lieu thereof insert the figure "2".

AMENDMENT No. 1

On page 4, line 21, strike out the letter "c", and in lieu thereof insert the letter "3".

AMENDMENT No. 2

On page 5, strike out all of page 5 to 6, inclusive, and in lieu thereof insert the following: "Every of the officers as above provided shall, in the name of the State and with the corporate seal of the district, have power to administer oaths and affirmations in all matters pertaining to the business of the commission, by virtue of their respective offices, and he shall, in the place of the secretary, do and perform the duties of secretary.

"(4) To appoint a superintendent of the Department of Safety, who shall hold office at the pleasure of the commission, and who shall perform such duties as the commission shall prescribe.

"(5) To employ such other inspectors, officers, experts, stenographers, accountants, examiners, engineers, assistants and other employees, and to fix and pay their salaries or fees, as may be necessary to carry into effect the provisions of this Act, or to perform the duties and exercise the powers conferred by law upon the commission.

Sec. 8. All officers and employees of the commission shall receive such compensation for their services as may be fixed by the commission, and such fees, allowances or other charges as may be prescribed by the commission, and shall be allowed and paid their necessary traveling and other expenses, and all such salaries, fees, allowances and expenses shall be paid in the same manner as other expenses of the commission are paid. The services of the employees of the commission, its attorneys, assistants and examiners, except as may be otherwise specifically provided for in this Act, shall be paid by the state treasurer on the warrant of the commission, upon vouchers approved by the chairman. The salary of commissioners, of every officer serving a salary, of chief clerks, and of every employee, as fixed as last as by the commission, shall be public property, when being appointed by the commission, upon written request of the governor, and shall be audited by the board of control, provided however, that no such employee, except officers of the state shall be allowed unless such information thereof is received from the board of control.

Sec. 9. In all cases in which actions pursuant or collection of any fine imposed under the provisions of the commission are intended or about to be had on behalf of the state department, the commission may prosecute the same jointly with the department.

Sec. 10. The commission shall cause to be printed and furnished free of charge to any employer or employee, or other person, such blank forms as it shall deem necessary to facilitate or promote the efficient administration of this Act; it shall provide a book in which shall be recorded the minutes of all its proceedings, a book in which shall be recorded all awards made by the commission and such other books or records as it shall deem necessary for the proper and efficient administration of this Act; all such records to be kept in the office of the commission.

Sec. 11. The commission shall also have power and authority:

(1) To charge and collect the following fees: for copies of papers and records not required by the statutes or otherwise superseded by the commission, one cent for each folio. For certified copies of official documents and records filed in the office of the commission which are required by law, fifteen cents for each folio.

(2) To provide and distribute to the employers from time to time, as addenda to its annual report to the governor of the state, such further reports and compilations covering the operations, procedure and matters relating to the work as it may deem advisable.

(3) To fix and collect reasonable charges for publications issued under the authority.

(4) The fees charged and received under this section shall be paid quarterly into the treasury of the state to the credit of the industrial accident fund and shall be accounted for in a detailed statement thereof.

Sec. 12. (1) Liability for the compensation provided by this Act, in lieu of any other liability whatsoever exist, without regard to negligence, exist against an employer for any personal injury sustained by his employee by accident arising out of and in the course of his employment and for the death of any such employee if the injury shall proximately cause death, in those cases where the following conditions of compensation exists:

(1) Where, at the time of the accident, both the employer and employee are subject to the compensation provisions of this Act.

(2) Where, at the time of the accident, the employee is performing service growing out of and incidental to his employment and is acting within the course of his employment as such.

(3) Where the injury is proximately caused by accident, either with or without

[illegible]

(d) Where such employer of compensation does not apply to recover such compensation pursuant to the provisions of this Act, shall be the exclusive remedy against the employer for the injury or death, except that where the injury was caused by the employer's gross negligence or wilful misconduct and such act or failure to act causing such injury was the personal act or failure to act of the employer himself, or of the employer's partner or of a managing or executive officer of the corporation (as the case of an employer which is a corporation), or the case of an employer which is a limited partnership, or of a member thereof, or of a manager or executive officer thereof, or of a person designated by such employer to perform a duty imposed by law upon such employer with respect to the safety of employees and [illegible].

AMENDMENT No. 10

On page 5, line 6, strike out the word "that" and in lieu thereof insert the following: "contract (unless in writing) that".

AMENDMENT No. 11

On page 5, line 12, strike out the word "knowingly", and in lieu thereof insert the word "unknowingly".

AMENDMENT No. 12

On page 6 lines 15 to 25 inclusive, strike out all of Section 14, and in lieu thereof insert the following:

SEC. 14. The term "employee" as used in sections twelve to thirty-five inclusive of this Act shall be construed to mean each person in the service of an employer as defined in section thirteen hereof under any appointment or contract of hire or apprenticeship, express or implied, oral or written, including aliens and also including minors, and excluding any person whose employment is both casual and not in the usual course of the trade, business, profession or occupation of his employer, and any person employed as an employee engaged in farm, dairy, agricultural, viticultural or horticultural labor, or in private [illegible] or household domestic service.

AMENDMENT No. 13.

On page 7, line 25 strike out all of line 25, and in lieu thereof insert the following: "injury and which would likely be liable to sue and".

AMENDMENT No. 14

Strike out all of pages 9 to 19 inclusive, and in lieu thereof insert the following: "ably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employee in providing the same.

(a) "If the accident causes disability a disability indemnity which shall be payable for one week in advance as wages on the fifteenth day after the injured employee leaves work as a result of the injury, and thereafter on the employer's regular weekly pay day but not less frequently than twice in each calendar month, unless otherwise provided by the commission, subject however to the following conditions:

(1) If the period of disability does not last longer than two weeks from the day the employee left work as the result of the injury, no disability indemnity whatever shall be recoverable.

(2) If the period of disability lasts longer than two weeks from the day the employee left work as the result of the injury, an disability indemnity shall be recoverable for the first two weeks of such disability.

2. The disability indemnity payable shall be as follows:

(1) If the accident causes temporary total disability, sixty per cent of the average weekly earnings during the period of such disability.

(2) If the accident causes temporary partial disability, sixty-five per cent of the weekly loss in wages during the period of such disability.

(3) If the temporary disability caused by the accident is at times total and at times partial, the weekly indemnity during the periods of such total temporary or partial disability shall be in accordance with paragraphs (1) and (2) of this subdivision numbered 2.

(4) Paragraphs (1), (2) and (3) of this subdivision shall be limited to [illegible] aggregate disability indemnity for a week having temporary disability shall not exceed forty times the average weekly earnings of the employee, nor shall the aggregate disability period for such temporary disability in any event exceed two hundred [illegible] from the date of the accident.

(5) In the payment compensation provided for the percentage of disability to total disability shall be ascertained and the disability indemnity computed and based as follows, to wit: [illegible] per cent of the average weekly earnings for a period of four weeks; for a subsequent period [illegible] per cent of the average weekly earnings for a period of eight weeks; for a subsequent period [illegible] per cent of the average weekly earnings for a period of twelve weeks; for a subsequent period [illegible] per cent of the average weekly earnings for a period of sixteen weeks; for a subsequent period [illegible] per cent of the average weekly earnings for a period of twenty weeks; for a subsequent period [illegible] per cent of the average weekly earnings for a period of twenty-four weeks; for a subsequent period [illegible] per cent of the average weekly earnings for a period of one hundred weeks; for a fifty per cent

disability specified and one of the average weekly earnings for a period of two hundred weeks, for a total or permanent disability other than one specified and one of the average weekly earnings for a period of two hundred forty weeks, for a temporary partial disability and one and one-half of the average weekly earnings for a period of two hundred weeks and compensation shall be paid only during the continuance of the disability. But no weekly payment shall exceed fifty dollars nor be less than five dollars, except that if the average weekly earnings of the employee at the time of the injury are less than five dollars per week then the full amount of such weekly earnings shall be paid.

(6) The schedule for permanent disabilities hereinafter in this Act referred to shall be construed and applied as follows: If total accident and occupational disability results from the loss of both hands at the wrist or above, or both feet at the ankle or above, or both eyes, or any two thereof, or from any injury rendering the employee permanently helpless and bedridden, or from any injury resulting in permanent mental incapacity, total disability shall be presumed. Loss of one hand at the wrist or above, or one foot at the ankle or above, or one eye, or any one thereof, or any injury rendering the employee permanently helpless but not bedridden, or any injury resulting in permanent mental incapacity but not rendering the employee helpless or bedridden, shall be presumed to result in permanent partial disability. Any other injury shall be presumed to result in temporary disability.

(7) In determining the percentages of permanent disability, account shall be taken of the nature of the physical injury or disfigurement, the occupation of the injured employee and his age at the time of such injury.

(8) Nothing contained in the foregoing schedule of permanent disability indemnity shall be held to limit the powers of commissioners hereinafter set out to award permanent total disability upon proof of total incapacity due to causes resulting from such injury, but any sum so awarded shall be deducted from the compensation payable in accordance with the said schedule.

(9) The following permanent disabilities shall be conclusively presumed to be total in character: Loss of both arms at the shoulder, loss of both hands at the wrist thereof, or injury resulting in a permanently helpless condition as hereinbefore set forth, according to reasonable probability or certainty. The following permanent total disabilities shall be presumed to be total in character: Loss of both feet at the ankle, loss of both eyes, or any two thereof, or any injury rendering the employee permanently helpless but not bedridden, or any injury resulting in permanent mental incapacity but not rendering the employee helpless or bedridden, shall be presumed to result in permanent partial disability. Any other injury shall be presumed to result in temporary disability.

3. The death of the injured employee shall not affect the liability of the employer under subsections (a) and (b) of this section, but he or his estate shall be entitled to such further compensation, if any, as he would have received had he lived, and the same shall be paid to his dependents, if any, entitled thereto, or, if there are no dependents to the payment of the deceased employee or to some person entitled thereto, that such death shall be deemed to be the termination of the disability.

(d) If the accident causes death either solely or without dependents, a death benefit which shall be payable to dependents named in section four hereof, of the average weekly earnings of the deceased employee, being the employee's highest rate for the last two thousand weeks, but not less than five dollars nor more than fifteen dollars per week, subject to the provisions of subsection (h) hereof, to make the total disability indemnity and death benefit equal to three times the average annual earnings of the deceased employee, which death benefit shall be as follows:

(1) In case any deceased employee leaves no person wholly dependent upon him for support, but leaves one or more persons partially dependent thereon, one death benefit shall be paid, commencing at once, and ending with the termination of the compensation as the person entitled thereto for the amount of the portion of persons as partially dependent upon such average annual earnings, provided, that the death benefit shall not be payable when a mere sufferance exists or when no liability to support exists, or the death has ceased and hereof payable under the provisions of subsection (h) hereof to make the total disability indemnity and death benefit equal to three times the average annual earnings, such annual earnings to be taken at not less than three hundred and fifty-three dollars and three cents nor more than seven thousand six hundred and sixty-six dollars and sixty-six cents.

(2) If the deceased employee leaves no person dependent upon him for support, the death benefit shall consist of the reasonable expenses of his burial not exceeding one hundred dollars and such further death benefit as may be provided for him.

(3) Payment of compensation in accordance with the rules and principles of the commission shall discharge the employer from all further liability.

SEC. 16. (a) Unless compensation as agreed or as provided for by payments made within the time limited by this section, or the commencement of proceedings for its collection, the right to institute such proceedings shall be absolutely barred.

(b) The periods within which proceedings for the collection of compensation may be commenced are as follows:

(1) Proceedings for the collection of the benefit provided by subsection (*a*) of section fifteen or for the collection of the disability indemnity provided by subsection (*b*) of said section fifteen must be commenced within six months from the date of the accident, except as otherwise provided in this Act.

(2) Proceedings for the collection of the death benefit provided by subsection (*c*) of said section fifteen must be commenced within one year from the date of death, and in any event within two hundred forty weeks from the date of the accident, and can only be maintained when it appears that death ensued within one year from the date of the accident, or that the accident causing death also caused disability which continued to the date of the death and for which a disability indemnity was paid, or an agreement for its payment made, or proceedings for its collection commenced within the time limited for the commencement of proceedings for the recovery of the disability indemnity.

(*c*) The payment of the disability indemnity or death benefit, or any part thereof, or agreement therefor, shall have the effect of extending the period within which proceedings for its collection may be commenced, six months from the date of the agreement or last payment of such disability indemnity or death benefit or any part thereof.

(*d*) If an injured employee, or in case of his death, one or more of his dependents, shall be a minor or incompetent at any time when any right or privilege accrues to such person under the provisions of this Act, a general guardian, appointed by the court or a guardian *ad litem* or trustee appointed by the commission or a commissioner may, on behalf of any such person, claim and exercise any such right or a privilege with the same force and effect as if no such disability existed, and no limitation of time provided by this Act shall run against any such minor or incompetent unless and until such guardian or trustee is appointed.

(*e*) No compensation shall be payable in respect of the death or disability of an employee if his death is caused, or if and so far as his disability is caused, continued, or aggravated, by an unreasonable refusal to submit to medical treatment, or to any surgical treatment, the risk of which is, in the opinion of the commission, inconsiderable in view of the seriousness of the injury.

(*f*) The fact that an employee has suffered a previous disability, or receives compensation therefor, shall not preclude him from compensation for a later injury, or his dependents from compensation for death resulting therefrom, but in determining compensation for the later injury, or death resulting therefrom, his average annual earnings shall be fixed at such sum as will reasonably represent his annual earning capacity at the time of the later injury.

(*g*) Any payment, allowance or benefit received by the injured employee during the period of his incapacity, or by his dependents in the event of his death, which by the terms of this Act was not then due and payable, or when there is any dispute or question concerning the right to compensation, shall not, in the absence of any agreement, be construed to be an admission of liability for compensation on the part of the employer, or the acceptance thereof as a waiver of any right or claim which the employee or his dependents may have against the employer, but any such payment, allowance or benefit may be taken into account by the commission in fixing the amount of the compensation to be paid.

SEC. 17. (*a*) The average weekly earnings referred to in section fifteen hereof shall be one fifty second of the average annual earnings of the employee, in computing such earnings his average annual earnings shall be taken at not less than three hundred and thirty-three dollars and thirty-three cents, nor at more than one thousand six hundred and sixty-six dollars and sixty six cents and between said limits shall be arrived at as follows:

(1) If the injured employee has worked in the same employment, whether for the same employer or not, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of three hundred times the average daily earnings, wage or salary which he earned as such employee during the days when so employed.

(2) If the injured employee has not so worked in such employment during substantially the whole of such immediately preceding year, his average annual earnings shall consist of three hundred times the average daily earnings, wages or salary which an employee of the same class, working substantially the whole of such immediately preceding year in the same or a similar kind of employment, in the same or a neighboring place, earned during the days when so employed.

(3) In every case where for any reason the foregoing methods of arriving at the average annual earnings of the injured employee can not reasonably and fairly be applied, such annual earnings shall be taken at such sum as, having regard to the previous earnings of the injured employee, and of other employees of the same or most similar class, working in the same or most similar employment, in the same or neighboring locality, shall reasonably represent the average annual earning capacity of the injured employee at the time of the injury in the kind of employment in which he was then working, or in any employment similar thereto.

(*b*) In determining such average weekly earnings, there shall be included the market value of board, lodging, fuel and other advantages received by the injured employee, as part of his remuneration and which can be estimated in money, but

such average weekly earnings shall not include any sum which the employee paid to the injured employee to cover any special expenses entailed on him by the nature of his employment.

(c) If the injured employee is a minor, and his incapacity whether total or partial, is permanent, the average weekly earnings shall be deemed, within the three hundred, to be the weekly sum that under ordinary circumstances he would probably be able to earn after attaining the age of twenty-one years, in the employment in which he was employed at the time of the injury, if he had not been injured.

SEC. 18. The weekly loss in wages referred to in section fifteen hereof shall consist of the difference between the average weekly earnings of the injured employee, computed according to the provisions of said section, and the weekly amount which the injured employee, in the exercise of reasonable diligence, may probably be able to earn during the disability, to be determined by rule of the agency and court of the action. In computing such probable earnings due regard shall be had to the ability of the injured employee to overcome in no more hilly section.

SEC. 19. (a) The following shall be conclusively presumed to be wholly dependent for support upon a deceased employee:

(1) A wife upon a husband with whom she was living at the time of his death.

(2) A husband upon a wife upon whom he was in part or wholly dependent at the time of her death.

(3) A child or children under the age of eighteen years (or over said age, but physically or mentally incapacitated from earning) upon the parent with whom he or they are living at the time of such parent's death, or for whose maintenance such parent was legally liable at the time of his death, there being no surviving dependent parent.

(b) In all other cases, questions of entire or partial dependency and questions as to who constitute dependents and the extent of their dependency shall be determined in accordance with the fact, as the fact may be at the time of the death of the employee.

(c) No person shall be considered a dependent of any deceased employee unless a member of the family of such employee or unless such person lives in such employee the parent of husband or wife with whom such wife or husband, father or mother, father-in-law or mother-in-law, grandfather or grandmother, brother or sister, nephew or niece.

(d) 1. If there is one or more persons wholly dependent for support upon a deceased employee, such person or persons only within the same family unit, and any person or persons partially dependent shall receive no part thereof, unless otherwise ordered by the commission.

2. If there is more than one such person wholly dependent for support upon a deceased employee, the death benefit shall be divided equally among them, unless otherwise ordered by the commission.

3. If there is more than one person partially dependent for support upon a deceased employee and no person wholly dependent for support, the person entitled to the death benefit shall be divided among the persons so partially dependent in proportion to the relative extent of their dependency unless otherwise provided by the commission.

(e) The death benefits shall be paid to each one or more of the dependents of the deceased as to a trustee appointed by the commission, or a commissioner, for the benefit of the persons or persons entitled as may be determined by the commission and the commission may, according to the Act pursuant to the county notwithstanding, apportion such benefits among the dependents in proportion to their respective needs and as may be just and equitable, and may order payment to a dependent subsequent in right, or any employee entitled upon proof being given thereto. The person to whom the death benefit is paid for the use of the several dependents shall apply the same in accordance with the findings and directions of the commission.

SEC. 20. No claim to recover compensation under this Act shall be maintained unless within thirty days after the occurrence of the accident which is claimed to have caused the injury or death, notice in writing stating the name and address of the person injured, the time and the place where the accident occurred, and the nature of the injury, and signed by the person injured or some one in his behalf, or in case of his death, by a dependent or some one in his behalf, shall be served upon the employer; provided, however, that actual knowledge of such accident and injury on the part of such employer or his managing agent or superintendent in charge of the work upon which the injured employee was engaged at the time of the injury, shall be equivalent to such service and provided, further, that the failure to give any such notice or any defect or inaccuracy therein, shall not be a bar to recovery under this Act if it is found as a fact in the proceedings for the recovery of the claim that there was no intention to mislead or prejudice the employer, and that he was not in fact misled or prejudiced thereby.

SEC. 21. (a) Whenever in case of injury the right to compensation under this Act would exist in favor of any employee, he shall, upon the written request of his employer, submit from time to time to examination by a competent physician, who shall be provided and paid for by the employer and shall be duly qualified to practice in this State, and shall be selected by the employee or his representative from a list of three physicians named by the commission or any member or deputy thereof.

(b) The request or order for such examination shall fix a time and place therefor, due regard being had to the convenience of the employee and his physical condition and ability to attend at the time and place fixed. The employee shall be entitled to have a physician provided and paid for by himself present at any such examination. So long as the employee, after such written request of the employer, shall fail or refuse to submit to such examination or shall in any way obstruct the same, his right to begin or maintain any proceeding for the collection of compensation shall be suspended, and if he shall fail or refuse to submit to such examination after direction by the commission, or any member or referee thereof, or shall in any way obstruct the same his right to the weekly indemnity which shall accrue and become payable during the period of such failure, refusal or obstruction, shall be barred. Any physician who shall make or be present at any such examination may be required to testify as to the results thereof.

SEC. 22. Upon filing with the commission by any party in interest of an application in writing stating the general nature of any dispute or controversy concerning compensation, or concerning any right of liability arising out of, or incident thereto, jurisdiction over which is vested by this Act in the commission, a time and place shall be fixed for the hearing thereof, which shall be not less than ten days nor more than forty days after the filing of such application. The person filing such application shall be known as the applicant and the adverse party shall be known as the defendant. A copy of said application, together with a notice of the time and place of hearing thereof, shall forthwith be served upon all adverse parties and may be served either as a summons in a civil action or in the same manner as any other notice that is authorized or required to be served under the provisions of this Act. A notice of the time and place of hearing shall also be served upon the applicant.

SEC. 23. If any defendant desires to disclaim any interest in the subject matter of the claim in controversy, or considers that the application is in any respect inaccurate or incomplete, or desires to bring any fact, paper or document to the attention of the commission as a defense to the claim, or otherwise, he must within five days after the service of the application upon him, file with or mail to the commission his answer setting forth the particulars in which the application is inaccurate or incomplete, and the facts upon which he intends to rely. A copy of such answer must be forthwith served upon all adverse parties.

SEC. 24. (a) No pleadings, other than the application and answer, shall be required. The hearing on the application may be adjourned from time to time and from place to place in the discretion of the commission. Either party shall have the right to be present at any hearing, in person or by attorney or by any other agent, and to present such testimony as shall be pertinent under the pleadings, but the commission may, with or without notice to either party, cause testimony to be taken, or inspection of the premises where the injury occurred to be made, or the time-books and payroll of the employer to be examined by any commissioner or any referee appointed by the commission, and may from time to time direct any employee claiming compensation to be examined by a regular physician; the testimony so taken and the results of any such inspection or examination to be reported to the commission for its consideration.

(b) The parties to a controversy may stipulate the facts relative thereto in writing and file such stipulation with the commission. The commission may thereupon make its findings and award based upon such stipulation, or may in its discretion set the matter down for hearing and take such further testimony or make such further investigation as may be necessary to enable it to completely determine the matter in controversy.

SEC. 25. (a) After final hearing by the commission, it".

AMENDMENT NO. 15

On page 20, line 1, after the word "shall", insert the following: "within thirty days,".

AMENDMENT NO. 16.

On page 20, lines 14-16, strike out all of lines 14 to 16, inclusive, and in lieu thereof insert the following: "instead of dismissing the application, award a nominal disability indemnity, if it appears that disability is likely to result at a future time."

AMENDMENT NO. 17.

On page 20, lines 33-34, strike out all of lines 33 and 34, and in lieu thereof insert the following: "therewith, immediately upon the filing of such findings and award."

AMENDMENT NO. 18.

On page 21, lines 20-21, strike out all of lines 20 and 21, and in lieu thereof insert the following: "five, inclusive, of this Act may be reviewed by the courts specified in sections eighty-four and eighty-five hereof and".

AMENDMENT No. 36.

On page 21, line 24, before the word "shall," insert "(a) A."

AMENDMENT No. 37.

On page 22 [illegible] and on page 23 to [illegible] and at [illegible] line 11 thereof, on page 28, and in lieu thereof insert the following: "to be known as the rules of the [illegible] to such compensation, except as hereinafter provided.

(b) The Commission may by such determination and [illegible] as it may deem [illegible] to be paid as compensation.

(c) A reasonable attorney's fee for legal services performed in any claim for compensation or application filed thereon may be determined by the Commission as hereinafter provided.

(d) The reasonable expenses incurred by or on behalf of the injured employee and for which any employer is liable under the provisions of subdivision (a) of section [illegible] hereof.

(e) The reasonable burial expenses of the deceased employee not to exceed the sum of [illegible] dollars.

(f) If power to sue be given to the employee pursuant to [illegible] and extent of any claim that may be allowed as a lien, the said claim shall be a lien against any award [illegible] to the said employee, except as to the deductions of the employer and approved thereof by the Commission.

(g) No agreement by an employee to pay any portion of the premium paid by his employer to the insurance carrier for the insurance against his liability for compensation under this statute or any part thereof shall be valid, and any employer who makes such deduction for such purpose from the employee's wages shall be guilty of a misdemeanor.

(h) No agreement by any employee to waive his right to compensation under this statute shall be valid, and any employer who requires such waiver as a condition of employment shall be guilty of a misdemeanor.

(i) Any employer who shall fail to secure the payment of compensation under this Act when [illegible] shall be guilty of a misdemeanor.

(j) The provisions of this section shall not be construed as a waiver of any defense [illegible] to the employer in any action brought by an employee to recover damages for injuries sustained in the course of his employment or for death resulting from injuries so sustained.

(k) The amount awarded as such compensation shall be the only liability of the employer [illegible] to the employee, and of the widow, husband, children, or dependents of the latter, for injuries sustained by the employee, or for death resulting from injuries so sustained, except that if the employer fails to pay compensation for a period of [illegible] days after the same is due and payable, as provided in this Act, then the employee, or his dependents, may bring suit against such employer for the recovery of damages suffered by reason of such injuries, and in such suit it shall not be a defense that the injury was caused by the negligence of a fellow servant, or that the employee was guilty of contributory negligence, or that he assumed the risk of his employment.

SEC. 30. The Industrial Commission of [illegible] is hereby vested with full power and authority to make and enforce all rules and regulations necessary for the administration of this Act, and to require from employers and insurance carriers such reports as may be necessary from time to time in order to obtain full information relative to the operation of this Act. Any employer who refuses to furnish any report required by the Commission shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to furnish such report after the same is required by the Commission.

SEC. 31. The Industrial Commission shall have the right to examine the books, papers, and accounts of employers in so far as the same may relate to matters covered by this Act, and shall have the right to require the attendance of witnesses and their books, papers, and accounts in relation to any matter under investigation or in question before the Commission. Any member of the Commission may administer oaths to witnesses and may sign subpœnas for them, and the Commission may, upon application of any party to a proceeding, require the attendance of witnesses and the production of books, papers, and accounts before the Commission at any designated place of hearing. Any employer who refuses to obey such subpœna, or who refuses to testify or produce any books, papers, or accounts relative to any matter under investigation or in question before the Commission, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(a) Any party to a proceeding before the Commission may be represented by an attorney at law or other representative, but no fee or other compensation for services rendered to any claimant in connection with any proceeding before the Commission shall be valid unless approved by the Commission.

(b) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(c) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(d) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(e) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(f) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(g) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(h) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(i) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(j) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(k) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(l) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(m) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(n) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(o) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(p) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(q) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(r) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(s) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(t) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(u) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(v) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(w) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(x) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(y) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

(z) Any person who shall wilfully make any false statement or representation for the purpose of influencing the Commission to make any award or to take any action in favor of any claimant, or who shall wilfully make any false statement or representation for the purpose of influencing the Commission to withhold any award or to take any action against the interest of any claimant, shall be guilty of a misdemeanor, and shall be liable to a penalty of [illegible] dollars for each day during which he shall continue to refuse to obey such subpœna after the same has been served upon him.

or his dependents is entitled, shall not be admissible in evidence in any action brought to recover damages, but any amount collected by the employer, under the provisions of this section, in excess of the amount paid by the employer, or for which he is liable, shall be held by him for the benefit of the injured employee or other person entitled.

SEC. 32. (*a*) No contract, rule or regulation shall exempt the employer from liability for the compensation fixed by this Act, but nothing in this Act contained shall be construed as impairing the right of the parties interested to settle, subject to the provisions herein contained, any liability which may be claimed to exist under this Act on account of such injury or death, or as conferring upon the dependents of any injured employee any interest which such employee may not divert by such settlement or for which he, or his estate, shall, in the event of such settlement by him, be accountable to such dependents or any of them.

(*b*) The compensation herein provided shall be the measure of the responsibility which the employer has assumed for injuries or death that may occur to employees in his employment when subject to the provisions of this Act, and no release of liability or settlement agreement shall be valid unless it provides for the payment of full compensation in accordance with the provisions of this Act or until it shall be approved by the commission.

(*c*) A copy of any such release or settlement agreement signed by both parties shall forthwith be filed with the commission. When such release or settlement agreement is filed with the commission and approved by it, the commission may of its own motion, or on the application of either party, without notice, enter its award based upon such release or settlement agreement.

(*d*) Every such release or settlement agreement shall be in writing, duly executed and attested by two disinterested witnesses, and shall specify the date of the accident, the average weekly wages of the employee, determined according to section seventeen hereof, the nature of the disability, whether total or partial, permanent or temporary, the amount paid or due and unpaid to the employee up to the date of the release or agreement or death, as the case may be, and, if any, the amount of the payment or benefits then or thereafter to be made, and the length of time that such payment is to continue. In case of death there shall also be stated in such release or settlement agreement the date of death, the name of the widow, if any, the names and ages of all children, if any, and the names of all other dependents, if any, and whether such dependents be total or partial, and the amount paid or to be paid as a death benefit and to whom such payment is to be made.

SEC. 33. (*a*) At the time of making its award or at any time thereafter the commission on its own motion, either with or without notice, or upon application of either party with due notice to the other, may in its discretion, commute the compensation payable under this Act to a lump sum, if it appears that such commutation is necessary for the protection of the person entitled thereto, or for the best interest of either party, or that it will avoid undue expense or hardship to either party, or that the employer has sold or otherwise disposed of the greater part of his assets, or is about to do so, or that the employer is not a resident of this state, and the commission may order such compensation paid forthwith or at some future time.

(*b*) The amount of the commuted payment shall be determined in accordance with the following provisions:

(1) If the accident causes temporary disability, the commission shall estimate the probable duration thereof and the probable amount of the temporary disability indemnity payable therefor in accordance with the provisions of section fifteen hereof and shall fix the lump sum payment at such amount so determined.

(2) If the accident causes permanent disability or death, the commission shall fix the total amount of the permanent disability indemnity or death benefit payable therefor in accordance with the provisions of said section fifteen and shall estimate the present value thereof, assuming interest at the rate of six per cent per annum, disregarding the probability of the beneficiary's death in all cases except where the percentage of permanent disability is such as to entitle the beneficiary to a life pension, and then taking into consideration the probability of the beneficiary's death only in estimating the present value of such life pension.

(*c*) The commission in its discretion may order the lump sum payment, determined as hereinbefore provided, paid directly to the injured employee or to his dependents, or deposited with any savings bank or trust company authorized to transact business in this state, that will agree to accept the same as a deposit bearing interest at not less than four per cent. per annum, or the commission may order the same deposited with the state compensation insurance fund. Any such amount so deposited, together with all interest thereon, shall thereafter be held in trust for the injured employee, or in the event of his death, for his dependents, who shall have no further recourse against the employer. Payments from said fund, when so deposited, shall be made by the trustee only in the same amounts and at the same times as fixed by the order of the commission and until said fund and interest thereon shall be exhausted. In the appointment of the trustee preference shall be given, in the discretion of the commission, to the choice of the injured employee or his dependents. Upon the making of such payment, the employer shall

present to the commission a proper release executed by the person entitled thereto or by the injured employee or his dependents, or by the trustee, and the commission shall thereupon issue its certificate in proper form releasing the same, and such certificate, upon filing with the clerk of the district court in which said judgment upon an award may have been entered, shall operate to be a satisfaction of said award and shall fully discharge the employer from any further liability on account thereof.

SEC. 24. (a) Nothing in this Act shall affect the organization of any mutual or other insurance company or any existing contract for insurance against liability for compensation or any existing contract for insurance against liability for the compensation provided for in this Act, or prevent the employer from insuring in part or entire his liability to pay such compensation, or relieve the said liability for the compensation provided for in this Act, or prevent the payment by such company of such compensation; nor shall anything in this Act affect the existing organization or rights of mutual benefit associations, or prevent the formation of such associations or the joining of employees therein, or their continuing membership therein, and participation in the benefits thereof, except that no such association shall be permitted to accept any part of the consideration for the hire of any employee, or to deduct any sum from the earnings of any employee as a condition to his employment or to the continuance thereof, unless such association shall first have been approved by the commission after a finding that the relationship between the association and its members, the powers and duties of its officers, the limitations upon its benefits, and the general scope and character of its activities are such as reasonably to assure the payment of the benefits promised within the realization of the fact that membership therein is optional with the employee and that the only consideration which the association may require for membership therein is the initiation fee and periodical dues necessary to maintain the association and provide the benefits, and that no fine, penalty, deduction, or forfeiture of any kind shall be imposed upon members thereof. Any such association may be required to submit annually, or oftener, a statement of its business to the commission in such form and detail as it may require, and shall at all times be subject to such reasonable supervision and inspection by the commission as it shall deem necessary. If at any time the commission shall find that the relationship between such association and its members, the powers and duties of its officers, the limitations upon its benefits, and the general scope and character of its activities are not such as reasonably to assure the payment of the benefits promised within the realization of the fact that membership therein is optional with the employee and that the only consideration which the association may require for membership therein is the initiation fee and periodical dues necessary to maintain the association and provide the benefits, and that no fine, penalty, deduction, or forfeiture of any kind shall be imposed upon members thereof, the commission shall withdraw its approval of such association, and thereafter no person shall be required or permitted to become a member thereof as a condition to employment or the continuance thereof.

(b) Liability for compensation shall not be reduced or affected by any contribution or other benefit whatsoever that is or may be granted to the person entitled to such compensation, except as otherwise provided in this Act, and the person so entitled shall, irrespective of any contribution or other benefit provided in this Act, have the right to receive such compensation arising from the employment and in addition thereto the right to enforce such liability arising from the employment and in addition thereto the right to enforce such liability in the manner provided in this Act either by suing the insurance carrier or by making the insurance carrier a party to the original proceeding on the claim of the employee for compensation, and the insurance carrier, which may be made a party to such suit upon application to the court, may interpose against liability for such compensation, provided however that payment in whole or in part of such compensation by either the employer or the insurance carrier shall be a bar to recovery against the other of the amount so paid; and provided further that as between the employer and the insurance carrier, payment by either directly to the employee or to the person entitled to compensation, shall be subject to the conditions of the insurance contract between them.

(c) Every contract insuring against liability for compensation or insurance policy evidencing the same shall contain a clause to the effect that the insurance carrier shall be directly and primarily liable to the employee and, in the event of his death, to his dependents, to pay the compensation, if any, for which the employer is liable; that, as between the employee and the insurance carrier, the notice to or knowledge of the occurrence of the injury on the part of the employee shall be deemed notice or knowledge, as the case may be, on the part of the insurance carrier; that jurisdiction of the employee shall, for the purposes of this Act, be jurisdiction of the insurance carrier and that the insurance carrier shall in all things be bound by and subject to the orders, findings, decisions or awards rendered against the employer under the provisions of this Act.

(d) Such policy must also provide that the employee shall have a first lien upon any moneys which shall become payable by reason of such policy to the employer from the insurance carrier, and that in case of the bankruptcy or inability of the employer to secure the said moneys and pay to same to the employee or his dependents the said accident carrier may and shall pay the same directly to the said employee or his dependents, limited nevertheless to the extent of such payment the obligations of the employer to the employee and said policy shall not contain any provision relieving the insurance carrier from payment when the employer becomes insolvent or is discharged in bankruptcy or otherwise during the period that the policy is in operation or the insurance contract.

(e) 1. If the employer shall be insured against liability for compensation with any insurance carrier, and if after the happening of any accident such insurance carrier shall serve or cause to be served upon any person claiming compensation against such employer a notice that it has assumed and agrees to pay the compensation, if any, for which the employer is liable and shall file a copy of such notice with the commission, such employer shall thereupon be released from liability for compensation to such claimant and the insurance carrier shall without answer be substituted in place of the employer in any proceeding then pending or thereafter instituted by such person to recover such compensation, and the employer shall be dismissed therefrom. Such proceeding shall not abate on account of such substitution but shall be continued against such insurance carrier.

2. If at the time of the happening of an accident for which compensation is claimed, or may be claimed, the employer shall be insured against liability for the full amount of compensation payable or that may become payable, the employer may serve or cause to be served upon any person claiming compensation on account of the happening of such accident and upon the commission or a member thereof a notice that the insurance carrier has, in its policy contract or contracts assumed and agreed to pay the compensation, if any, for which the employer is liable and shall file a copy of such notice with the commission. If it shall thereafter appear to the satisfaction of the commission that the insurance carrier has through the exception of its contract of insurance or otherwise assumed such liability for compensation, such employer shall thereupon be relieved from liability for compensation to such claimant and the insurance carrier shall, after notice, be substituted in place of the employer in any proceeding theretofore or thereafter instituted by such person to recover such compensation, and the employer shall be dismissed therefrom. Such proceeding shall

not abate on account of such substitution, but shall be continued against such insurance carrier.

(f) Where any employer is insured against liability for compensation with any insurance carrier and such insurance carrier shall have paid any compensation for which the employer was liable, or shall have assumed the liability of the employer therefor, it shall be subrogated to all the rights and duties of the employer and may enforce any such rights in its own name.

SEC. 35. (a) If any insurance policy shall be issued covering liability for compensation, which policy shall contain any limitation as to the compensation payable, such limitation shall be printed in the body of such policy in boldface type and in addition thereto the words "limited compensation policy" shall be printed on the top of the policy in bold-faced type not less than eighteen point in size.

(b) No insurance carrier shall insure against the liability of the employer for damages recoverable at law by the injured employee under the optional provisions contained in section twelve hereof, and any insurance carrier liable to any such injured employee for compensation upon the payment of the same shall have the same option given by said section twelve to such employee and shall be fully subrogated to his rights, and may enforce such liability for damages against the employer in its own name, anything in the insurance contract to the contrary notwithstanding."

AMENDMENT No. 21.

On page 28, line 32, preceding the word "expenses", insert the words "salaries and other".

AMENDMENT No. 22.

On page 29, line 27, strike out the word "contract", and in lieu thereof insert the word "contracts".

AMENDMENT No. 23.

On page 30, lines 15-37, strike out all of lines 15 to 37, inclusive, and in lieu thereof insert the following: "capacity, in good faith and without intent to defraud, in connection with the administration, management or conduct of the state compensation insurance fund, its business or other affairs relating thereto.

SEC. 39. In conducting the business and affairs of the state compensation insurance fund, the manager of the said fund or other officer to whom such power and authority may be delegated by the commission, as provided by subsection (a) of section thirty-eight hereof, shall have full power and authority:

(1) To enter into contracts of insurance, insuring employers against liability for compensation and insuring to employees and other persons the compensation fixed by this Act.

(2) To sell annuities covering compensation benefits.

(3) To decline to insure any risk in which the minimum requirements of the commission with regard to construction, equipment and operation are not observed, or which is beyond the safe carrying of the state compensation insurance fund; but shall not have power or authority, except as otherwise provided in this subdivision, to refuse to insure any compensation risk tendered with the premium therefor.

(4) To reinsure any risk or any part thereof.

(5) To inspect and audit, or cause to be inspected and audited the pay rolls of employers applying for insurance against liability for compensation.

(6) To make rules and regulations for the settlement of".

AMENDMENT No. 24.

On page 31, line 5, strike out the word "the".

AMENDMENT No. 25.

On page 31, lines 30-35, strike out all of lines 30 to 35, inclusive, and in lieu thereof insert the word "hazard.

SEC. 41. The insurance contracts entered into between the state"

AMENDMENT No. 26.

On page 32, line 36, after the word "moneys" insert the words "belonging to said fund".

AMENDMENT No. 27.

On page 35, line 22, after the period following the word "therefor", commence a new paragraph and insert the following:

"(c) During the months of January and of July of each year the state board of control or the commission shall cause a valuation to be made of the properties and securities which have been acquired and which are held for said fund, and shall report the results of the same to the state controller, whose duty it shall be to keep a special ledger account showing all of the assets pertaining to the state compensa-

tion insurance fund. In the employer's general ledger this fund account must be carried account on a cash account, the actual payments of funds to the state treasurer, and thereon only the actual cash coming into the state compensation insurance fund shall be credited to such fund."

AMENDMENT No. 28.

On pages 34-38, strike out all of lines 8 to 27, inclusive, on page 34, all of pages 35 to 38, inclusive, and all lines 1 to 7, inclusive, on page 39, and insert in lieu thereof the following:

SEC. 46. Each county, city and county, city, school district, or other political corporation within the state may elect to come under the provisions of this act by ordinance or resolution duly passed and entered in the minutes of its proceedings, and thereupon and thereafter the provisions of this act shall apply to such county, city and county, city, school district, or other political corporation, and the officers thereof, with like force and effect as if they were specifically named herein; provided, however, that such ordinance or resolution shall not become operative in any such county, city and county, city, school district, or other political corporation until sixty days after a copy thereof has been filed with the state industrial accident commission.

SEC. 47. Upon the passage into the treasury of the state compensation insurance fund of any premium, the commission shall forthwith issue to the employer entitled thereto a certificate to the effect that such premium has been paid. Such certificate shall specify the period of time covered by such premium, and shall state the basis upon which the premium has been computed. Such certificate shall be prima facie evidence of the facts therein stated.

SEC. 48. The commission shall keep an account with each employer insured by the state compensation insurance fund, which account shall show the premiums paid and the moneys to the credit of such employer, the losses sustained by employees of such employer entitled to compensation, and such other data as the commission may deem necessary for the safe and efficient administration of the state compensation insurance fund. Upon the termination of the liability of the state compensation insurance fund upon any risk, the commission shall furnish the employer a statement showing the premiums paid, the losses sustained, and the moneys to the credit of such employer, and shall order repaid to such employer the moneys to the credit of such employer, if any there be, in excess of the liability of the state compensation insurance fund upon such risk.

SEC. 49. The commission shall make annual reports to the governor, not later than the 1st day of October in each year, concerning the administration of the state compensation insurance fund, the receipts and disbursements thereof, the accident experience of the several classes of employers insured therein, the effect of the various rates of premium charged, the mortality among employees, the character of injuries for which compensation has been paid, and such other matters as may be specially required by the governor. The commission shall also report to the governor any suggestions it may have for the reduction of the number of accidents to employees and for the better administration of this act. The commission shall include in its report to the governor a report of the industrial accident board, and shall make such recommendations as it may deem proper based upon the experience of the industrial accident board in the administration of this act. The commission shall also report to the governor any violation of this act of which it has knowledge, and the action taken by it in connection therewith, and shall transmit with its report such reports as it may deem necessary to enable the governor to make his report to the legislature required by section 19 of article V of the constitution. The commission may make such investigations relative to the operation of this act as it may deem necessary, and may submit the results thereof in its report to the governor. The commission shall also report to the governor any evidence that it may obtain of the existence of any trust or combination in restraint of trade in connection with the business of insurance, and the facts relating thereto, and any action taken by it in connection therewith.

SEC. 50. Any person who wilfully misrepresents any fact in order to prevent himself or any other person from becoming entitled to compensation under this act, or to increase the amount of compensation payable under this act, shall be guilty of a misdemeanor.

SEC. 51. For purposes of this act, unless a different meaning is plainly required by the context, the following words, as used in this act, and as used in sections 46 to 50, inclusive, of this act, shall, unless a different meaning is plainly required by the context, be construed as follows:

(1) The phrase "place of employment" shall mean and include every place, whether indoors or out or underground, or elsewhere, and the premises appurtenant thereto, where, either temporarily or permanently, and whether regularly or not, any business is carried on, or where any process or occupation incident or necessary to any business, trade, work or employment as defined herein is carried on, and where any employee is directly or indirectly employed by the employer, or is under the control of the employer, or is subject to any direct or indirect invitation, express or implied, of the employer, and shall not include any place where persons are employed solely in the construction, repair or alteration of private residences, or in agricultural pursuits, or in domestic service.

(2) The term "employment" shall mean and include any trade, profession, occupation or process of manufacture, or any method of carrying on such trade, work, business, occupation or process of manufacture in which any person may be engaged, except where persons are employed solely in the construction, repair or alteration of private residences, or in agricultural pursuits, or in domestic service.

(3) The term "employer" shall mean and include every person, firm, voluntary association, corporation, officer, agent, manager, representative of whom persons having control or custody of any employment, place of employment or of any employee.

(4) The term "employee" shall mean and include every person who may be required or directed by any employer to do anything in connection with any employment, or who receives compensation for personal services rendered to an employer, and who is not an employer as herein defined; provided, however, that any person who is a member of a partnership, association, corporation, or private corporation, including any official thereof, shall not be deemed an employee of such partnership, association, corporation, or private corporation, unless he has elected to be included in the coverage of his employer's insurance contract, as provided in section 4 of this act.

(5) The term "order" shall mean and include any decision, rule, regulation, direction, requirement or standard of the commission or any other determination arrived at or decision made by such commission under the terms, provisions of this act.

(6) The term "safety order" shall mean and include every order made under the safety provisions of this act, or under a reasonable construction thereof, to any persons, employments or places of employment, or all persons, employments or

places of employment of a class under the jurisdiction of the commission. All other orders of the commission shall be considered special orders.

(7) The term "local order" shall mean and include any ordinance, order, rule or determination of any board of supervisors, city council, board of trustees or other governing body of any county, city and county, city or of any school district or other public corporation, or an order or direction of any other public official or board or department upon any matter over which the industrial accident commission has jurisdiction.

(8) The terms "safe" and "safety" as applied to an employment or a place of employment shall mean such freedom from danger to the life or safety of employees as the nature of the employment will reasonably permit.

(9) The terms "safety device" and "safeguard" shall be given a broad interpretation so as to include any practicable method of mitigating or preventing a specific danger.

SEC. 52. Every employer shall furnish employment which shall be safe for the employees therein and shall furnish a place of employment which shall be safe for employees therein, and shall furnish and use such safety devices and safeguards, and shall adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and place of employment safe, and shall do every other thing reasonably necessary to protect the life and safety of such employees.

SEC. 53. No employer shall require, permit or suffer any employee to go or be in any employment or place of employment which is not safe, and no such employer shall fail to furnish, provide and use safety devices and safeguards or fail to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and no such employer shall fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees, and no such employer shall occupy or maintain any place of employment that is not safe.

SEC. 54. No employer, owner or lessee of any real property in this state shall construct or cause to be constructed any place of employment that is not safe.

SEC. 55. No employee shall remove, displace, damage, destroy or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for the protection of any employee in such employment, or place of employment, or fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees.

SEC. 56. The commission is vested with full power and jurisdiction over, and shall have such supervision of, every employment and place of employment in this state as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment and place of employment to be safe, and requiring the protection of the life and safety of every employee in such employment or place of employment.

SEC. 57. The commission shall have power, after a hearing had upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise:

(1) To declare and prescribe what safety devices, safeguards or other means or methods of protection are well adapted to render the employees of every employment and place of employment safe as required by law or lawful order.

(2) To fix such reasonable standards and to prescribe, modify and enforce such reasonable orders for the adoption, installation, use, maintenance and operation of safety devices, safeguards and other means or methods of protection, to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful orders relative to the protection of the life and safety of employees in employments and places of employment.

(3) To fix and order such reasonable standards for the construction, repair and maintenance of places of employment as shall render them safe.

(4) To require the performance of any other act which the protection of the life and safety of employees in employments and places of employment may demand.

(5) To declare and prescribe the general form of industrial accidents reports, the accidents to be reported and the information to be furnished in connection therewith, and the time within which such reports shall be filed. Nothing in this Act contained shall be construed to prevent the commission from requiring supplemental accident reports.

SEC. 58. Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and issuing a general safety order or orders as authorized by section fifty-seven hereof, the commission shall cause a notice of such hearing to be pub-.

AMENDMENT No. 29.

On page 39, lines 15-20, strike out all of lines 15 to 20, inclusive, and in lieu thereof insert the following: "in such employments and places of employment, the commission shall make and enter and serve such order relative thereto as may be necessary to render such employment or place of employment safe and protect the life and safety of employees in such employments and places of employment and may in".

AMENDMENT NO. 30

On page 39, lines 24-27, strike out all of lines 24 to 27, inclusive, and in lieu thereof insert the following: "is not safe for all employees in the working of any employment of the same nature, or upon employment, connected with the[illegible] [illegible] with or difficult safely to [illegible], and after a hearing upon such notice as is reasonable, the commission may order such repair made, such safeguard provided, or such method, device, or appliance adopted, as may be necessary to render such employment safe".

AMENDMENT NO. 31

On page 40, lines 14-22, strike out all of lines 14 to 22, inclusive, and in lieu thereof insert the following: "Except where the safety provisions of this Act may be enforced by the courts pursuant to previous orders duly issued and lawfully in force and within the time and in the manner therein specified and not otherwise.

SEC. 64. Nothing contained in this Act shall be construed to deprive the board of supervisors of any county, or city and county, the board of trustees of any city, or any other public corporation or board or department, or any agent or subordinate officer of either of such boards of supervisors, or boards of trustees, or boards, such action shall, upon the filing of the application of a party injured, have the right, of the county, city and county, or city to which he reports or upon which he depends for employment, appealing the matter complained of to such county board, which shall be empowered to[illegible] with any board action relative to the same matter that is granted to[illegible] any employee in such board under and by the standard of the terms of the employment.

SEC. 65. The commission shall have"

AMENDMENT NO. 32

On page 41, lines 8-26, strike out all of lines 8 to 26, inclusive, and in lieu thereof insert the following:

(3) In appeal actions the said[illegible] shall[illegible] upon the[illegible] to establish the standards of safety and the conditions, appliances and methods in[illegible] special orders and[illegible] as it may consider[illegible] advisable.

SEC. 66. Every order of the commission pursuant to appeal, or upon any petitions, findings and decisions, made and entered under the safety provisions of this Act shall be enforceable as provided in the preceding[illegible] of this Act[illegible] said provisions and shall be[illegible] with penalties, the commission proceeding, or prosecuting and acting as to[illegible] and proper standards and requirements of safety, unless prior to the institution of the commission for such orders, or[illegible] proceedings for a rehearing thereon or a review thereof shall have been instituted as provided in sections[illegible] of this Act and not then finally determined.

SEC. 67. Every employer or employee or other person who[illegible] willfully or neglects or refuses to obey, either of himself or in connection with other persons any safety provision contained in[illegible] provisions[illegible] of this Act, or any part of any such provision or who shall fail or refuse to comply with any such requirement or who shall[illegible] or otherwise or[illegible] knowingly violates provisions or refuses to obey any of the[illegible] under this section[illegible] shall be deemed guilty of a misdemeanor. In[illegible] under this section it shall be deemed prima facie evidence of a violation of any such safety provision that the accused has failed or refused to comply with any reasonable regulation or requirement of the commission relative thereto and the burden of proof shall thereupon rest upon the accused to show that he has complied with such safety provision.

SEC. 68. Every violation of the provisions contained in sections[illegible] three, fifty-four or fifty-five of this Act or any part or provision thereof, by any person or corporation is a separate and distinct offense, and in the case of a continuing violation thereof each day's continuance thereof shall constitute a separate and distinct offense.

SEC. 69. All fines imposed and collected under prosecutions for violations of the provisions of sections[illegible] of this Act shall be paid into the state treasury to".

AMENDMENT NO. 33

On page 42, line 21, strike out the word "specified" and in lieu thereof insert the word "specific".

AMENDMENT NO. 34

On page 42, line 27, after the word "fifty" insert the word "one".

AMENDMENT NO. 35

On page 42, line 30, strike out the words "or to"

AMENDMENT No. 36.

On page 42, line 35, strike out the word "court", and in lieu thereof insert the word "course".

AMENDMENT No. 37.

On page 43, line 31, preceding the word "arising", insert the words "concerning any right or liability".

AMENDMENT No. 38.

On page 43, line 33, strike out the words "or it".

AMENDMENT No. 39.

On page 43, line 37, after the word "persons", insert the words "or for the determination of any question".

AMENDMENT No. 40.

On page 44, line 27, strike out all of line 27, and in lieu thereof insert the following:

"(b) The secretary, assistant secretary and the inspectors appointed by the commission shall have all of the powers conferred by law upon peace officers to carry weapons, make arrests and serve warrants and other process in any county or city and county of this state.

(c) Any notice, order or decision affecting the state or".

AMENDMENT No. 41.

On page 45, line 5, after the semicolon following the word "proper", insert the following: "and such guardian or trustee must give a bond in the same form and of the same character required by law from a guardian appointed by the courts and in such an amount as the commission or a commissioner may fix and determine, such bond to be approved by the commission or a commissioner, and such guardian or trustee shall not be discharged from liability until he shall have filed an account with the commission or with the probate court and such account shall have been approved. The trustee or guardian shall be entitled to receive such compensation for his services as shall be fixed and allowed by the commission or by the probate court;".

AMENDMENT No. 42.

On page 46, line 18, strike out the word "conclusion", and in lieu thereof insert the word "conclusions".

AMENDMENT No. 43.

On page 48, line 5, strike out the word "therof", and in lieu thereof insert the word "thereof".

AMENDMENT No. 44.

On page 48, lines 30-33, strike out all of lines 30 to 33, inclusive, and in lieu thereof insert the following: "thereof or referee at a time and place to be fixed in such order, and testify or produce the required papers, and upon failure to obey said order, said witness shall be dealt with as for contempt of court. The remedy provided in this section is cumula-".

AMENDMENT No. 45.

On page 49, lines 16-17, strike out all of lines 16 and 17, and in lieu thereof insert the following: "courts of record, or by any person designated for that purpose by the commission or any member thereof. The person".

AMENDMENT No. 46.

On page 49, line 33, strike out the word "persons", and in lieu thereof insert the word "person".

AMENDMENT No. 47.

On page 50, line 7, strike out the words "upon such", and in lieu thereof insert the following: ". Such".

AMENDMENT No. 48.

On page 50, line 30, strike out all of line 30, and in lieu thereof insert the following: "to the applicant and the adverse parties, if any, and to such other persons".

AMENDMENT No. 49.

On pages 51-52, strike out all of lines 10 to 37, inclusive, on page 51, and all of lines 1 to 12, inclusive, on page 52, and in lieu thereof insert the following: "of filing; *provided, however*, that the commission may upon good cause being shown therefor, extend the time within which it may act upon such application for rehearing for not exceeding thirty days.

SEC. 82. (a) At any time within twenty days after the service of any final order

or decision of the commission awarding or denying compensation, or arising out of an incidental thereto, any party or parties aggrieved thereby may apply for such rehearing upon one or more of the following grounds and upon no other grounds:

(1) That the commission acted without or in excess of its powers.

(2) That the order, decision or award was procured by fraud.

(3) That the evidence fails to justify the findings of fact.

(4) That the applicant has discovered new evidence material to him, and which he could not, with reasonable diligence, have discovered and produced at the hearing.

(5) That the findings of fact do not support the order, decision or award.

(6) Nothing contained in this section shall be construed to limit the right of the commission at any time within two hundred forty-five months from the date of its award and from time to time, after due notice and upon the application of any party interested, to review, diminish or increase within the limits provided by this Act, any compensation previously awarded, on the ground that the condition of the person in whose favor such award was made has either increased or diminished or terminated.

SEC. 82. (a) At any time within twenty days after the entry of any award, final order, decision, rule or regulation made by the commission under the provisions of this Act, any party or parties, persons or persons aggrieved thereby or otherwise affected directly or indirectly, may apply for such reasonable relief as to them of the following grounds and upon no other grounds:

(1) That the commission acted without or in excess of its powers.

(2) That the award or decision was procured by fraud.

(3) That the order, decision, rule or regulation is unreasonable.

(b) Nothing contained in this section shall be construed to limit the right of the commission, at any time and from time to time, to adopt new or different rules or regulations or new or

AMENDMENT No. 50

On page 56, line 15, after the word "adopting", insert a comma and the word "modifying".

AMENDMENT No. 51

On page 73, line 18, strike out the word "injury" and in lieu thereof insert the word "cases".

AMENDMENT No. 52

On page 52, line 26, insert a comma after the words "employer of".

AMENDMENT No. 53

On page 54, line 2, strike out the word "whom", and in lieu thereof insert the word "which".

AMENDMENT No. 54

On page 54, line 17, strike out the word "thereof", and in lieu thereof insert the word "hereof".

AMENDMENT No. 55

On page 54, lines 21 22, strike out all of lines 21 and 22 and in lieu thereof insert the following: "hereinafter provided, to be held by the workers in the respective groups of the state or to employers insured with it, and".

AMENDMENT No. 56

On page 54, line 26, strike out all of lines 26 and in lieu thereof insert the following:

SEC. 87. (a) Any employer subject to the compensation provisions of this Act who fails to secure compensation as provided by section fourteen of this Act or who, being required to contribute under this Act, shall fail to contribute, may be held liable in damages as provided in the compensation provisions of this Act to the employee himself or to those dependent upon him for support or, in case he has no employee or dependent so entitled to support, then to his personal representatives for the benefit of the persons entitled under the laws of this state relative to recovery for death by wrongful act, and in such action the defendant shall not avail himself of the defenses of assumption of risk, fellow-servant rule or contributory negligence.

(b) Such election on the part of such employee shall be made by filing with the commission a written statement to that effect within the time limited in section twelve of this Act for the commencement of proceedings under the provisions of said section twelve of this Act, to subject him to the compensation provisions of this Act, and of all Acts amendatory thereof, but the time of the filing of such statement of election after workmen's accident may in no case, for the purposes of this Act, exceed the time limited for the commencement of such proceedings before the commission. Such statement of election shall operate to subject such employer to the compensation provisions of this Act, and of all Acts amendatory thereof, unless such employer shall, at least sixty days prior to the occurrence of such injury, or such proceeding were filed in the office of the commission, a notice in writing that he will not be subject to the compensation provisions of this Act, and of all Acts amendatory thereof, which notice shall be filed in the office of the commission and a notice in writing that he will not draws his election. Such notice of election shall not be filed in relation to any employment in which insurance is required under the provisions of this Act, unless there is in force at the time of such filing a policy of insurance in favor of such employer, and

have given to his employer notice in writing that he elects not to be subject to the compensation provisions of this Act; or, in the event that such contract of hire was made in advance of the election by the employer, such employee shall have given to his employer notice in writing that he elects to be subject to such provisions, or without giving either of such notices, shall have remained in the service of such employer for thirty days after the employer has filed his election.

SEC. 88. The commission shall, not later than the first day".

AMENDMENT No. 57.

On page 54-55, strike out all of lines 34 to 37, inclusive, on page 54, and all of page 55, and in lieu thereof insert the following:

"SEC. 89. The sum of one hundred eighty-seven thousand four hundred seventy dollars is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to be used by the industrial accident commission in carrying out the purposes of this Act, and the controller is hereby directed to draw his warrant on the general fund from time to time in favor of said industrial accident commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

SEC. 90. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

SEC. 91. The compensation provisions of this Act shall not apply to any injury sustained prior to the taking effect thereof.

SEC. 92. This Act shall take effect and be in force on and after the first day of January, A. D. 1914."

Senate Bill No. 905 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 84—An Act to amend Section 26 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to Whittier State School and the Preston State School of Industry, and manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909—have had the same under consideration, and respectfully report the same back, with amendment, and without recommendation.

LYON, Chairman.

Senate Bill No. 84 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Strobridge, the Senate took up the consideration of Assembly Bill No. 1280, out of order.

Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

In Section 2, line 16, after the word "the", and before the word "current", insert the word "usual".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1280, with instructions to amend, respectfully reports the same back, amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Bill ordered to print.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

On motion of Senator Tyrrell, the Senate took up the consideration of Senate Constitutional Amendment No. 31, out of order.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality or school district within the State in any bank or banks.

During the reading of the constitutional amendment, the following amendments were offered by the committee:

AMENDMENT No. 1.

In line 6 of the title strike out the words "or school districts".

Amendment adopted.

AMENDMENT No. 2.

In line 1 strike out the word "moneys," and insert the words "money"; and in the same line strike out the word "them" and insert the word "thereof".

Amendment adopted.

AMENDMENT No. 3.

Strike out all of the amendment after the words "as follows:" in line 3 and insert in lieu thereof the following:

Section 16½. All moneys belonging to the State, or to any county or municipality within the State shall be deposited by the proper officer of such State, county or city, or by any bank or banks organized under the laws of this State, or such banking associations as may be provided by law, and authorized to do a banking business of such State, or of the United States, organized for the purpose; provided, that the laws now governing the deposit of school moneys shall continue in force until such laws shall be amended, changed or repealed by the Legislature.

Amendment adopted.

Constitutional amendment ordered to print and engrossed.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Benson, the Senate took up the consideration of Assembly Bill No. 1425, out of order.

Assembly Bill No. 1425—An Act to amend the Penal Code by adding a new section thereto to be known as Section 653½, relating to wages of employees.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Tyrrell, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 31, of the printed bill, after the second word "that", in said line strike out all down to and including the fourth word "corporation", in line 37, of said page, and insert in lieu thereof the following: "thereon pertinent to the county in which said public buildings or structure, or the said building be constructed within a city or a city and county, or the city assessing and collecting taxes of said city and county, whose duty it should be to investigate complaints made that the person so reported to have committed said violations, has the contract of constructing said building in the name of and on behalf of the said or political subdivision thereof, or whether in behalf the said contract was made. The complaint must set out the county in which said public building is situated and have jurisdiction of the action brought in said district attorney for said purpose."

AMENDMENT No. 2.

On page 3, line 18, of the printed bill, after the bracket, insert the following: "Nothing in this Act contained shall be construed to affect any existing contract."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1495, with instructions to amend, respectfully reports the same back, amended as per instructions.

TYRRELL, Committee.

Report read and adopted.

Bill ordered to print and engrossment.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Bryant, the Senate took up for consideration Senate Bill No. 1520, out of order.

Senate Bill No. 1520—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2004, relating to disputes between employers and employees concerning terms and conditions of employment.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Bryant moved to refer to Senator Finn, as a special committe of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 2, of the title, strike out the word "as".

AMENDMENT No. 2.

On page 1, line 14, place the following words in parenthesis: "not to exceed one in number at any one entrance of any such places of work or places of business."

AMENDMENT No. 3.

On page 1, line 15, after the words "places of business", strike out the comma.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1520, with instructions to amend, respectfully reports the same back, amended as per instructions.

FINN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

SENATOR THOMPSON IN THE CHAIR.

At seven o'clock and ten minutes p.m., Senator Thompson, of the Thirty-fifth district, in the chair.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Jones, the Senate took up the consideration of Senate Bill No. 208, out of order.

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Campbell, as a committee of one, to amend as follows:

On page 1, line 17, strike out the period after the word "possession", and insert in lieu thereof a semicolon, and strike out all the rest of the line beginning with the words "The officer" in line 17, on page 1, and insert in lieu thereof the following: "provided, however, if the mortgagee cannot be found, or if upon requiring the payment before provided for, he fails to pay, or tender payment, the sheriff or other officer making such levy is not bound to keep the property under the control of the person in whose favor the writ of attachment or execution runs, or foreclosure satisfies the sheriff against liability to said mortgagee by so undertaking to go into two good and sufficient sureties to be approved by him, in a sum equal to double the value of the property levied on. In case such undertaking is given such officer must keep and sell said property, unless it be surrendered as such by undertaking, as is provided by Sections 710, 720, 721, 721a, 722, 723 and 724, Code of Civil Procedure. The officer making such levy is not liable for damages for the taking, keeping, leaving upon, or selling such property pursuant to giving the notice to the mortgagee herein provided for, unless the mortgagee makes a demand during the time provided. Nothing herein shall relieve the mortgagor or execution debtor from liability for actual damage to said property in the event that it is taken from possession by the officer but not sold."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 208, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

SECOND READING OF BILLS.

On motion of Senator Boynton, the Senate took up the consideration of the second reading file of Senate bills.

Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city or other legal subdivision thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1165—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3524, providing for the reissuing of patents to swamp and overflowed lands, where the original patent has been lost or destroyed, and not of record in the county where the land is situated.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 8, strike out the words "surveyor general", and insert in lieu thereof the following: "register of the state land office".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, strike out the words "surveyor general", and insert in lieu thereof the following: "register of the state land office".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 13, strike out the words "surveyor general", and insert in lieu thereof the following: "register of the state land office".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 14, after the word "been", insert in lieu thereof the word "lawfully".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 5, strike out the word "reissued", and insert in lieu thereof the word "issued".

Amendment adopted.

AMENDMENT No. 6.

On page 2, lines 6 and 7, strike out the following: "to the same party".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 11, strike out the words "attorney general", and insert in lieu thereof the following: "register of the state land office".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 18, strike out the words "surveyor general", and insert in lieu thereof the following: "register of the state land office".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 969—An Act to amend Sections 16 and 17 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senators," approved April 7, 1911, and also to amend Section 10 of an Act entitled "An Act to amend Sections 1, 3, 5, 7, 10, 12, 13, 22 and 24 of an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,'" approved December 24, 1911.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1488—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official

ballot and providing how an elector may designate his choice for candidates for President and Presidential Electors.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1596—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1597—An Act concerning expenses of political parties, and providing for payment thereof by counties.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1616—An Act providing for the payment to the several counties and cities and counties of the State of one half all expenses incurred by them, respectively, for primary, general and other elections, held under the laws of the State, in years when a general election is held.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1643—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

Bill read second time, ordered engrossed and on file for third reading.

ADJOURNMENT.

At seven o'clock and fifteen minutes p. m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Tuesday, April 22, 1913.

The Senate met at ten o'clock a. m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Anderson, Avey, Beban, Bennett, Boynton, Brown, Burnett, Campbell, Chandler, Cogswell, Cutten, Curtin, Dennett, Dennison, Dillon, Finn, Flint, Gates, Gerdes, Gillett, Hare, Harris, Hayes, Hewitt, Holohan, Inman, Leake, Lewis, Lukens, Mott, Owens, Peixotto, Rigdon, Roseberry, Sanford, Savage, Shearer, Stetson, Strobridge, Tarleton, Thompson, Tyrrell, Walker, Weed, Wolfe, Wyllie—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. R. Dean Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 21, 1913, the further reading was dispensed with, on motion of Senator Finn.

PETITION.

Senator Birdsall presented a petition, protesting against the passage of Senate Bill No. 754, from W. G. Redding and others, of Santa Cruz County.

LEAVE OF ABSENCE.

Senator Sanford was, on motion of Senator Juilliard, granted leave of absence for this day.

PRIVILEGES OF FLOOR OF SENATE EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. J. R. Gabbert, *Riverside Enterprise*, Riverside, Cal.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Albert H. Elliot, of Oakland.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Also: Assembly Bill No. 524—An Act appropriating money for the purchase of livestock at the state prison at Folsom.

Also: Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting," in municipal elections.

Also: Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 529 and 524 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bills Nos. 1923 and 1936 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Also: Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Also: Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities except in those of the fifth and sixth class, and of cities and counties, to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish within the State of California uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practical method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 986 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 1135 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 536 and 535 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1[illegible] to amend Section 1[illegible] of the Civil Code of the State of California, relating to the appointment of guardians of minors, to provide for the appointment of guardians of property of children.

Also: Assembly Bill No. 1024—An Act to provide for the construction of a public house, public yard appurtenances, roads, play lots, and appurtenances by dredging, pumping and depositing upon or for protection of the water frontage of the town of Point Arena, Mendocino County, California, and making an appropriation therefor.

Also: Assembly Bill No. 1[illegible]—An Act to amend Section 1[illegible] of the Political Code, relating to the appointment of [illegible].

Also: Assembly Bill No. 1[illegible]—An Act to amend Section 1[illegible] of the Political Code, relating to the registering of [illegible].

Also: Assembly Bill No. 1[illegible]—An Act to appropriate the sum of [illegible] dollars and two cents to pay the salaries of the State Board of Health.

Also: Assembly Bill No. 1[illegible]—An Act providing for the holding and publication of a new constitution and propounding [illegible] to the State Capital [illegible] at said convention.

J. M. MACKENZIE, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

Assembly Bill No. [illegible] read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1[illegible] read first time, and referred to Committee on Education.

Assembly Bills Nos. 1935 and 1934 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 1481 and [illegible] read first time and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1[illegible], to which the concurrence of the Senate is respectfully requested.

An Act to authorize the reconstruction of the Carquinez Strait ferry and railroad [illegible] by Shasta, [illegible] Southern, subordinate counties and [illegible] authorized by [illegible] and placing under jurisdiction of the board of [illegible] the appointment of a board of engineers, the appointment of a [illegible] and preparation of plans and specifications, [illegible] for vessels and buildings, and to create the necessary appropriations therefor; approved April 30, 1909.

Also: Assembly Bill No. 1[illegible]—An Act to amend Section [illegible] of the Political Code of the State of California, relating to [illegible] and fees of officers, to provide for the [illegible] thereof.

Also: Assembly Bill No. 1[illegible]—An Act to provide for the [illegible] and use of [illegible] to provide a fund for the construction, [illegible] equipment, [illegible] and furnishings of a [illegible] building, or [illegible] known as the [illegible] and [illegible] of San Francisco, to be used for the [illegible] of the State [illegible] and [illegible] to [illegible] and [illegible] of San Francisco, [illegible] and [illegible] from the city and county of San Francisco in exchange for the [illegible] [illegible] thereof to the State for such [illegible] and [illegible] [illegible] [illegible] of said bonds, and providing the manner of [illegible] [illegible] [illegible] and [illegible] an appropriation of two thousand dollars for the [illegible] [illegible] [illegible] and providing for the submission of [illegible] to the [illegible] of the people.

Also: Assembly Bill No. 1[illegible]—An Act to amend [illegible] of the Political Code of California, relating to the [illegible] of [illegible].

J. M. MACKENZIE, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

Assembly Bill No. 1[illegible] read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1[illegible] read first time, and referred to Committee on County Government.

Assembly Bill No. [illegible] read first time and referred to Committee on Finance.

Assembly Bill No. 1[illegible] read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure" approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Also: Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

Also: Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters, to be designated Chapters 1, 1*a*, 1*b*, 1*c*, 1*d* and 1*e*, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the appointment and duties of an advisory board to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employes of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said Title V of Part III of the Political Code by renumbering Chapter 1*c* thereof, relating to the Woman's Relief Corps Home of California and designating said chapter as Chapter 1*f*, and to repeal Chapter 1 of Title V of Part III of the Political Code, relating to the State Commissioner in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons and Chapter 1*b* of Title V of Part III of the Political Code, relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as Children's Home Finding Societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto; and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of said Act conflict with this Act; and to repeal all Acts and parts of Acts in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1191 and 1204 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1635 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of

the State of California by adding a new section to Article XII thereof, to be numbered Section 23a, to follow Section 23 thereof, relating to the Railroad Commission, to fix the just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings.

L. B. MALLORY, Chief Clerk of the Assembly.
By THOMAS G. WALSH, Assistant Clerk.

Assembly Constitutional Amendment No. 57 referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON SENATE BILLS AMENDED.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 1064, An Act making a specific appropriation to the State Board of Charities and Corrections to purchase lumber or timber for the use of counties requiring aid, and whereas, many aged and infirm, and needy persons are unable to procure such lumber or timber, and whereas, said counties have found it necessary to purchase such lumber or timber, and building the lumber or timber so purchased into houses for the use of such persons, and whereas, no appropriation has been made for such purpose

REPORTS OF STANDING COMMITTEES.

The following reports of Standing Committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your committee on Engrossment and Enrollment have examined Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also, Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved thereon, and defining the duties of the State Board of Health in relation thereto.

Also, Senate Joint Resolution No. 19—Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Débris Commission, relating to "control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California."

Also: Senate Bill No. 1153—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Also: Senate Bill No. 1496—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

Also: Senate Bill No. 538—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and referring of jurors for courts of record.

Also: Senate Bill No. 642—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 952, relating to transcript of reporter.

Also: Senate Bill No. 640—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 950, relating to records on appeal.

Also: Senate Bill No. 639—An Act to repeal Sections 950, 951, 952, 953, 953*a*, 953*b*, and 953*c* of the Code of Civil Procedure, relating to records on appeal.

Also: Senate Bill No. 595—An Act to add a new section to the Penal Code of the State of California, to be numbered 1075*a*, relating to examining, challenging and excusing jurors.

Also: Senate Bill No. 594—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Also: Senate Bill No. 643—An Act to amend Section 956 of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Also: Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the boys of the various schools in various cities in the State, and making an appropriation of two thousand dollars for such purpose.

Also: Senate Bill No. 371—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Also: Senate Bill No. 747—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 271—An Act appropriating fifteen thousand dollars therefor, and authorizing and directing the construction and furnishing of a nursery for males, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 270—An Act appropriating five thousand dollars therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners, providing for the election of its officers, defining its powers and duties; and making an appropriation therefor.

Also: Senate Bill No. 267—An Act appropriating ten thousand dollars to further develop and increase the water supply and to extend the water system of the Sonoma

State Home at [illegible] County, California, and [illegible] the work and [illegible] to be done.

Also: Senate Bill No. [illegible]—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Senate Bill No. 196—An Act appropriating money for building a [illegible] reservoir at Southern California State Hospital.

Also: Senate Bill No. [illegible]—An Act appropriating money for constructing and furnishing a [illegible] cottage at Southern California State Hospital.

Also: Senate Bill No. [illegible]—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Senate Bill No. [illegible]—An Act to amend Section [illegible] of the Penal Code, relating to the [illegible].

Also: Senate Bill No. [illegible]—An Act to repeal Section [illegible] of the Political Code, relating to [illegible].

[illegible]

for the levy and collection of taxes by and for the use of municipal corporations and [illegible]

[illegible] and provided by an Act approved [illegible]

[illegible]

hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof.

Also: Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

Also: Senate Bill No. 907—An Act to amend Section 1668 of the Political Code of the State of California, relating to the care of schoolrooms, health of pupils and to proper exercise of pupils in the public schools.

Also: Senate Bill No. 466—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any owner, superintendent, foreman or any other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

Also: Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Also: Senate Bill No. 134—An Act to protect the health of persons employed in handling Portland cement in or about going vessels, providing for the packing of such cement in paper sack containers or other equally dust-proof containers, defining the powers and duties of the Labor Commissioner in the enforcement of the provisions of this Act; and imposing penalties for the violation thereof.

Also: Senate Bill No. 532—An Act to amend Section 3804 of the Political Code relating to taxes erroneously collected.

Also: Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized.

Also: Senate Bill No. 1742—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

Senate Bill No. 252—An Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

Also: Senate Bill No. 1076—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, portiers, wagon covers, tents, grain and hay covers, stable or tent tops and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Also: Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Also: Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredger process, declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use, declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said applications, and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

Also: Senate Bill No. 718—An Act to amend Section 308 of the Penal Code of California.

Also: Senate Bill No. 720—An Act to add a new section to the Penal Code, to be numbered 308c, relating to minors wilfully misrepresenting their ages for the purpose of obtaining cigars, tobacco, intoxicating liquor, etc., and providing for a penalty therefor.

Also: Senate Bill No. 589—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

Also: Senate Bill No. 291—An Act to repeal Sections 276, 277 and 278 of the Code of Civil Procedure relating to the admission and duties of attorneys and counselors at law and to add three new sections to said code to be known as Sections 276a, 276b and 276c, relating to the same subject and making an appropriation to carry out the purposes of this Act.

Also: Senate Bill No. 634—An Act to reappropriate and make available for the purpose of printing for the State Board of Forestry a certain amount heretofore appropriated for the support of said board.

Also: Senate Bill No. 614—An Act to provide for the preservation of both the cutting of the grass and the fields on the Angora Northern Prison road; to make appropriation therefor.

Also: Senate Bill No. 795—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Senate Bill No. 440—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Senate Bill No. 113—An Act appropriating money for construction and equipment of dairy buildings for the herds at Stockton State Hospital.

Also: Senate Bill No. 114—An Act appropriating money for the construction and equipment of new Ward No. 20 at Stockton State Hospital.

Also: Senate Bill No. 45—An Act to appropriate money for boarding and furnishing a cottage for female nursing personnel at Agnews State Hospital.

Also: Senate Bill No. 126—An Act appropriating money for the purchase and installation of an elevator for the kitchen building at Stockton State Hospital.

Also: Senate Bill No. 94—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Also: Senate Bill No. 109—An Act appropriating money for enlarging power house at Stockton State Hospital.

Also: Senate Bill No. 110—An Act appropriating money for building and furnishing a cottage for male nursing personnel at Agnews State Hospital.

Also: Senate Bill No. 1115—An Act to create a police system of state and private protection, defining its powers and duties, providing between thereof and fixing penalties.

Also: Senate Joint No. 1541—An Act to add a new section to the Penal Code of the State of California to be numbered [illegible], relating to the trading in money by corporations organized under the laws of the State of California or any officer, director or stockholder.

And report that the same have been introduced.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

Mr. PRESIDENT: Your Committee on Engrossment and Enrollment have compared Senate Bill No. 520—An Act to provide for the licensing and registration of engineers and special licensing agents in the State of California.

Also: Senate Bill No. 740—An Act to prohibit the issue, possession, sale or offering for sale of any and all kinds of cigarettes in the State of California, to prescribe the duties of the Commissioner of Agriculture, the Commissioner of Weights and Measures, the Commissioner of Labor Statistics and Inspection, the Commissioner of Immigration and Housing, the Commissioner of Horticulture, the Commissioner of Markets, the State Board of Health, and the Board of Supervisors thereof, and to provide for the enforcement of the provisions of this Act by said boards, and to provide for the appointment of such additional deputies as may be necessary for the enforcement of this Act, and to provide for the payment of such deputies, and to provide for the payment of the expenses of the enforcement of this Act, and to provide for the disposition of moneys collected for violations of this Act, and to provide for the appointment of such additional inspectors as may be necessary for the enforcement of this Act, and to provide for the payment of such inspectors

tions, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 21, 22, 23, and adding thereto two new sections, to be numbered 23*a* and 24*a*, all relating to revenue and taxation.

Also: Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter, to be known as Chapter VIII, of Title II, of Part IV, of Division First, of said Civil Code, relating to mortgage insurance companies.

Also: Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Also: Senate Bill No. 747—An Act to amend Section 667 of the Penal Code of the State of California.

Also: Committee Substitute for Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered Sections 1625, 1626, 1627, 1628, 1629 and 1630, relating to the sale and leasing of property of school districts and to the granting of easements in such property to incorporated cities or towns.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1389—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 1389 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose, on the southerly arm of San Francisco Bay, and to prescribe their powers and duties, and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

BROWN, Chairman.

Senate Bill No. 1531 ordered re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 451 passed by the following vote:

AYES—Senators Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cartwright, Curtin, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, and Strobridge—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 109—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 109 passed by the following vote:

AYES—Senators Benson, Birdsall, Brandon, Breed, Bryant, Burnett, Campbell, Cartwright, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans Jacobsen, Jacobsen, Lee, Lyon, Mary, Owens, Rush and Strobridge—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 194—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 194 passed by the following vote:

AYES—Senators Benson, Birdsall, Brandon, Breed, Bryant, Burnett, Campbell, Cartwright, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans Jacobsen, Kehoe, Larkins, Lyon, Owens, Regan and Rush—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 195—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 195 passed by the following vote:

AYES—Senators Benson, Birdsall, Brandon, Breed, Bryant, Burnett, Campbell, Cartwright, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans Jacobsen, Kehoe, Larkins, Lyon, Owens, Regan, Rush, and Strobridge—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 196—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 196 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Bryant, Burnett, Campbell, Cartwright, Finn, Flint, Gates, Gerdes, Grant, Hans Jacobsen, Kehoe, Larkins, Lyon, Owens, Regan, Rush, and Strobridge—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 209—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 209 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Bryant, Butler, Caminetti, Campbell, Cartwright, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Rush, and Strobridge—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 267—An Act appropriating $10,000 to further develop and increase the water supply and to extend the water system of the Sonoma State Home, at Eldridge, Sonoma County, California, and authorizing and directing the work and improvement to be done.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 267 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Bryant, Butler, Caminetti, Campbell, Cartwright, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Larkins, Lyon, Owens, Regan, Rush, and Strobridge—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 270—An Act appropriating $5,000 therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 270 passed by the following vote:

AYES—Senators Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, and Strobridge—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 271—An Act appropriating $19,000 therefor, and authorizing and directing the construction and furnishing of a nursery for males, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 271 passed by the following vote:

AYES—Senators Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Curtin, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Larkins, Lyon, Owens, Rush, Strobridge, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State, dividing the State into viticultural districts, appointing a state board of viticultural commissioners, providing for the selection of its officers, defining its powers and duties, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 221 passed by the following vote:

Ayes—Senators Boynton, Brown, Breed, Bryant, Burnett, Campbell, Carr, Caldwell, Curtin, Esan, Ellis, Gates, Gerdes, Grant, Hans, Inman, Jenkins, Leon, Owens, Reed, Strobridge and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 347—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 347 passed by the following vote:

Ayes—Senators Avey, Boynton, Brown, Bryant, Burnett, Campbell, Carr, Caldwell, Curtin, Esan, Ellis, Gates, Gerdes, Grant, Hans, Inman, Jenkins, Leon, Owens, Reed, Strobridge and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 374 passed by the following vote:

Ayes—Senators Anderson, Brown, Breed, Bryant, Burnett, Boynton, Campbell, Caldwell, Curtin, Carpenter, Esan, Ellis, Flint, Gates, Gerdes, Grant, Hans, Inman, Leon, Owens, Reed, and Strobridge—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State and making an appropriation of $2,000 for such purpose.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 passed by the following vote:

Ayes—Senators Anderson, Brown, Breed, Bryant, Burnett, Campbell, Caldwell, Carr, Carpenter, Curtin, Esan, Ellis, Flint, Gates, Gerdes, Grant, Hans, Inman, Owens, Reed, Strobridge and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 22—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 22 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Owens, Shanahan, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 43—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 43 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Owens, Shanahan, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 109—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 109 passed by the following vote:

AYES—Senators Anderson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Lyon, Owens, Shanahan, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 61—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 61 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Owens, Shanahan, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 110 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Braunton, Brown, Burnett, Burnham, Caminetti, Campbell, Carey, Cartwright, Chan, Chrisman, Finn, Flint, Gaines, Gerdes, Holohan, Owens, Shearer, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 112—An Act appropriating money for the construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 112 passed by the following vote:

AYES—Senators Avey, Brown, Burnett, Brown, Burnham, Burnett, Burnham, Caminetti, Campbell, Carey, Cartwright, Chan, Chrisman, Finn, Flint, Gaines, Gerdes, Holohan, Owens, Shearer, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 114—An Act appropriating money for the construction and equipment of new Ward No. 25 at Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 114 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burnett, Brown, Burnham, Burnett, Campbell, Caminetti, Carey, Cartwright, Chan, Chrisman, Finn, Flint, Gaines, Gerdes, Holohan, Juilliard, Kehoe, Owens, Shearer, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 116 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burnett, Brown, Burnham, Campbell, Caminetti, Carey, Cartwright, Chan, Chrisman, Finn, Flint, Gaines, Gerdes, Holohan, Juilliard, Kehoe, Owens, Shearer, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 193 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Cartwright, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Owens, Shanahan, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 614—An Act to provide for the reforestation of and the cutting of fire lanes and fire trails on the Angeles National Forest, and to make appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 614 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Owens, Shanahan, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 634—An Act to reappropriate and make available for the purpose of printing for the State Board of Forestry a certain amount heretofore appropriated for the support of said board.

On motion of Senator Flint, Senate Bill No. 634 was ordered to the file of Unfinished Business.

Senate Bill No. 291—An Act to amend Sections 276, 277 and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counselors at law, and to add three sections to said code, to be known as Sections 276*a*, 276*b* and 276*c*, relating to the same subject and making an appropriation to carry out the purpose of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 291 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Owens, Shanahan, and Wright—21.
NOES—Senator Cartwright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

In the absence of the author, Senate Bill No. 312 was passed on file.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 896—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules, and providing a penalty therefor—was

made a special order for Tuesday, April 22, 1913, after the consideration of special order previously set.

Read third time.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the Chair.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Boynton, the following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, April 22, 1913.

To the Legislature of the State of California:

I have just received a telegram from the President transmitting the note lately received from the Imperial Minister to Tokio, which I am directed to transmit to you.

It is as follows:

THE WHITE HOUSE, WASHINGTON, D. C., April 22, 1913.

Hon. Hiram W. Johnson, Governor, Sacramento, California:

I speak from the immediate, which I am sure is well founded, that the people of Californ[illegible] and there [illegible] with an intent to [illegible] the [illegible] States in the [illegible] [illegible] [illegible]

creating a drainage district to be known as Sacramento Drainage District, providing for the management and control of said district and the making of assessments and issuing of bonds therein, also defining the powers of certain reclamation, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer; also, making said bonds receivable as investments or of security for public money and trust funds and by banks—have had the same under consideration, and respectfully report the same back, and recommend that the amendments as proposed by the Committee on Drainage, Swamp and Overflowed Lands, together with the amendments to the said amendments as herein proposed by the Committee on Finance, be adopted, and that the said bill do pass as thus amended.

STROBRIDGE, Chairman.

Senate Bill No. 1218 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties, and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties—have had the same under consideration, and respectfully report the same back, and recommend that the amendments as proposed by the Committee on Agriculture be adopted, and that the bill do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 184 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

Also: Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty fourth fiscal years, and for the maintenance of the State Fair grounds during said fiscal years.

Also: Senate Bill No. 638—An Act making an appropriation to reimburse the directors of the State Board of Agriculture for money paid for traveling expenses during the sixty-third and sixty-fourth fiscal years.

Also: Senate Bill No. 1689—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General, and defining its use and the liability therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 995, 406, 638 and 1689 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1192—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Also: Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Senate Bill No. 1588—An Act making an appropriation of $25,000 for purchasing machinery and equipment for the State Printing Office.

Also: Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of protecting, improving and dredging the channel of San Rafael Creek.

Also: Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 1192, 1727, 1588 and 341 ordered on file for second reading.

Assembly Bill No. 1642 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1014—An Act appropriating the sum of ten thousand dollars to defray the expenses during the ensuing two years [illegible] report of examining, preparing, preparing, examining and [illegible] under compilation by the Board of Control, and to [illegible] the same, and to provide for the [illegible] thereof, and the payment of the [illegible] Act, and to provide for the [illegible] and maintenance of high school cadet companies, and for the payment of the [illegible] and [illegible] the use of the National military [illegible] of April 5, 1911.

Also: Senate Bill No. 1508—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard of the State of California, and appropriating a sum of money to pay for said lands and [illegible] seven thousand five hundred dollars therefor.

Also: Assembly Bill No. 247—An Act [illegible] to appropriate [illegible] to pay the claim of Alice J. Miller against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 1014 and 1508 ordered on file for second reading.

Assembly Bill No. 247 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 254—An Act appropriating a sum to defray the expenses of the [illegible] meteorologist, fixing the salary and prescribing the powers and duties appertaining [illegible] the appointment of officers and employees of said bureau, relating to the use of [illegible] in charge of [illegible] and [illegible] providing for the [illegible] providing for the [illegible] and the appointment [illegible] advisory [illegible] meeting [illegible] fund for the purpose of carrying out the provisions of this Act, and repealing an Act entitled "An Act to provide for the establishment, maintenance and support of a bureau, to be known as the [illegible] and for the appointment and duties of a board of [illegible] to be known as the [illegible] of the state bureau [illegible] fixed [illegible] of said state bureau [illegible] and to provide for the maintenance, [illegible] compensation of a state [illegible] who shall perform the duties of the office under the general direction and supervision of the board of [illegible] of the state bureau," approved March 21, 1885, and all Acts [illegible] thereof and supplemental thereto, or to confer [illegible] amendment [illegible] the [illegible] as provided by the Committee on Mines and Mining, be adopted, and that the [illegible] be passed.

STROBRIDGE, Chairman.

Senate Bill No. 254 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 868—An Act making an appropriation for [illegible] and [illegible] the validity of proposed [illegible] [illegible] under [illegible] of the State, and authorizing the [illegible] to [illegible] thereof.

Also: Senate Bill No. 1252—An Act [illegible] four dollars per [illegible] from the [illegible] of the State [illegible] by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard of the State of California, [illegible] [illegible] shall not [illegible] April 12, 1909, to pay National Guardsmen for services rendered at Camp Park, San [illegible], 1911.

Also: Senate Bill No. 1264—An Act [illegible] to pay the claim of A. J. Raisch against the State of California.

Also: Senate Bill No. 1341—An Act [illegible] the sum of [illegible] two cents to pay the claim of the State Board of Health.

Also: Senate Bill No. 1343—An Act [illegible] to pay for the expense of improving Alexander Street, Stockton, Park and Lincoln streets, fronting the property belonging to Stockton State Hospital in the city of Stockton.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 868, 1252, 1264, 1341 and 1343 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 150—An Act to amend Section 739 of the Political Code relating to the salaries of officers connected with the Supreme Court.

Also: Senate Bill No. 151—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one-hundredths dollars out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Also: Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California relating to salaries of the members of the State Board of Equalization and the secretary thereof.

Also: Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 150, 151, 727 and 1761 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1515—An Act to appropriate the sum of three hundred and sixty-one dollars to pay the claims of the State Board of Health.

Also: Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Also: Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Also: Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 1515, 1536, 187, 189, 199 and 1728 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 47—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Also: Senate Bill No. 160—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Also: Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Also: Senate Bill No. 443—An Act making application to repay to L. H. Boggs moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Also: Senate Bill No. 450—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos 47, 160, 443 and 450 ordered on file for second reading.

Senate Bill No. 226 ordered on file for third reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Committee Substitute for Senate Bill No. 191—An Act providing that the State Board of Equalization shall determine the net loss in county revenues sustained by any county of the State by the withdrawal of unlicensed pawnbrokers from such county, in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, and providing for the payment of such loss by the State, where no objection is made to the amount thereof, and making an appropriation for the payment of such loss and to authorize any county in the State which claims to have sustained any such net loss in county revenue, and which may not be satisfied as to the amount of such net loss as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of such loss, prescribing such suit to final judgment, establishing the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the establishment of counties in this State, fixing salaries and fees of officers in the assessment of subject property from county revenue, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STEPHENSON, Chairman.

Senate Bill No. 191 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 248—An Act to appropriate the sum of thirty-one hundred and twelve dollars and ninety-four cents ($3112.94), to pay the claim of J. Henry Schmitt—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

STEPHENSON, Chairman.

Assembly Bill No. 248 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 26—An Act making an appropriation to purchase, furnish and equip a building to be used as a state printing office—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

STEPHENSON, Chairman.

Assembly Bill No. 26 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 166—An Act making an appropriation for the payment of the costs of C. A. Perkins.

Also: Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the State prison at Folsom and for construction of a roof garden and prison.

Also: Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Also: Assembly Bill No. 782—An Act appropriating money to pay the costs in Tuolumne County against the State of California.

Also: Assembly Bill No. 1374—An Act to make an appropriation for maintenance of the Trinity Highside state road.

Also: Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to Markleeville.

Also: Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Fremont Gun state road.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

STEPHENSON, Chairman.

Senate Bill No. 484 ordered on file for second reading.

Assembly Bills Nos. 166, 531, 532, 782, 1374, 1375 and 1377 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 10, 17, 42, 56, 57, 59 and 86 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 196 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highway within the corporate limits of incorporated cities or towns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BIRDSALL, Chairman.

Senate Bill No. 1647 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Bill No. 1363—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

MOTT, Chairman.

Senate Bill No. 1363 ordered re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Public Health and Quarantine.

GATES, Chairman.

Senate Bill No. 278 ordered re-referred to Committee on Public Health and Quarantine.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 591—An Act to add a new section to the Civil Code, to be numbered Section 149, relating to the recording of a notice of pendency of action in actions for divorce.

Also: Senate Bill No. 664—An Act to grant relief to persons erroneously convicted of a felony in the State of California.

Also: Senate Bill No. 983—An Act to amend Section 103 of the Code of Civil Procedure, relating to justices of the peace.

Also: Senate Bill No. 1587—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 591, 664, 983 and 1587 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills reports the following:

Senate Bill No. 392—An Act to provide for the accomplishment of the work of the direct improvement of the mountains of the Sacramento River Junction and Feather River of the State of California, the expenditure of the moneys appropriated for such work by the Federal Government, under June 25, 1910, and made known by President Theodore A. McKenzie, Chief of Engineers U. S. Army, Major General of Engineers, and Thomas H. Thomas, Captain Corps of Engineers of the United States Army, and created with the annual report of the Chief of Engineers of the United States Army for the fiscal year ending June 30, 1911, and making an appropriation for such work.

Also: Senate Bill No. 191—An Act to amend [illegible] conspiracies and agreements among business relations [illegible] or control and to regulate combinations and agreements [illegible] trade, competition and competitive [illegible] to the interests of consumers.

Also: Senate Bill No. 474—An Act [illegible] of political parties and providing for payment thereof by the State.

Also: Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations entered into or made between [illegible] to limit the [illegible] or to restrict the [illegible] or [illegible] agents or persons for securing insurance or soliciting the same, or [illegible] business of insurance shall be prosecuted in this State, or by any resident [illegible] county, city, or other local government thereof.

Also: Senate Bill No. 1458—An Act relating to the nomination or election of candidates for President and for delegates to the national conventions of political parties, and providing for the payment of the expenses [illegible] and providing how [illegible] shall be nominated for President and Vice-President [illegible].

Also: Senate Bill No. 1696—An Act [illegible] of political parties and providing for payment thereof by counties and cities and counties.

Also: Senate Bill No. 1697—An Act [illegible] of political parties and providing for payment thereof by municipalities.

Also: Senate Bill No. 1698—An Act providing for the payment to the several counties and cities and counties of the State of one half of all moneys received by them respectively for primary [illegible] and [illegible] at the general election held in the year 1912 in such State, in years when a general election is held.

Also: Senate Bill No. 1645—An Act to provide for the assessment of [illegible] and occupied lands to the owner thereof, and prohibiting [illegible] from collecting from or maintaining an [illegible] against the owner.

And reports that the same have been correctly engrossed.

GRANT Chairman.

STATEMENT.

The following statement was filed and ordered printed in the Journal:

I am not recorded on page 67 of the Senate Journal of April 18th as voting on Assembly Bill No. 1080. An Act granting [illegible] in the city of Riverside, owing to the fact that this bill was brought up for consideration during my unavoidable absence and when quite a few members of the Senate were present. This was brought as something to all legislative members. I had the privilege [illegible] to call me to the telephone [illegible] in the Assemblyman who introduced the bill. Then Dan F. Cosgrave is trying one of the Assembly Districts in San Francisco [illegible] and the bill affected a purely local situation in his district. I attempted to obtain his pair on the measure on Monday, April 21st, while on the Senate floor, but [illegible] the bill should not be considered. Had I been present when the bill was up for passage I would have voted "aye."

EDWARD J. TYRRELL.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Butler: Permission to introduce a Senate bill—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor [illegible]

proved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County and running thence across the summit of the Sierra Nevada Mountains to Bridgeport in Mono County, a state highway;" which became a law under constitutional provisions without the Governor's approval, March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley Turnpike," to a point on the wagon road near the junction of Silver Creek near the east fork of Carson River, said highway to be named the Alpine-Inyo state highway, and making an appropriation therefor.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF SPECIAL ORDER—RESUMED.

The Senate resumed the consideration of Senate Bill No. 896, the special order pending at the hour of recess.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

Time, three o'clock and forty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and twenty-four minutes p.m., Senators Caminetti, Jones and Avey were brought to the bar of the Senate, and, on motion of Senator Campbell, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and twenty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The roll of absentees was called, and Senate Bill No. 896 refused passage by the following vote:

AYES—Senators Anderson, Avey, Benson, Brown, Bryant, Butler, Caminetti, Carr, Cogswell, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Shanahan, and Thompson—18.

NOES—Senators Beban, Birdsall, Breed, Campbell, Cohn, Curtin, Finn, Flint, Hans, Juilliard, Lyon, Mott, Owens, Regan, Rush, Strobridge, Tyrrell, and Wright—18.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies, and their agents and other persons, foreign and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 897 passed by the following vote:

Ayes—Senators Anderson, Avey, Ethan Bennett, Brand, Byrnes, Caminetti, Campbell, Carey, Cartwright, Curtin, Dunn, Finlayson, Gerdes, Gerlach, Hans Heath, Jones, Juilliard, Kehoe, Larkins, Mead, Owens, Rush, Saunders, Seawell, Thompson, and Leeds—20.

Noes—Senators Caldwell and Ramey—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On motion of Senator Birdsall, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Joe O. Lord of Sacramento, Cal.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate laid up the consideration of the second reading file of Senate bills.

Senate Bill No. 1754—An Act appropriation money for the support and maintenance of the state prison at Folsom.

Bill read second time, and ordered engrossed and to the 3rd third reading.

SENATOR THOMPSON IN THE CHAIR.

At four o'clock and thirty-five minutes p.m., Senator Thompson of the Thirty-fifth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, Section 5, line 22, strike out the word "thirty", and insert in lieu thereof the word "eighteen."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, lines 1 and 2, of printed bill, strike out everything from and including the word "section", in line 1, down to and including the word "Los Angeles", in line 2, and insert in lieu thereof the following: "in Southern California."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, of printed bill, insert a comma (,) immediately after the word "engineer".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 5, of printed bill, strike out the words "and the medical", and insert in lieu thereof the words "the general".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 6, of printed bill, strike out the words "Southern California State Hospital", and insert in lieu thereof the following: "state hospitals, and a member of the Psychopathic Association of California, to be appointed by the governor.".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 11, of printed bill, strike out the word "a".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 12, of printed bill, insert the words "or admitted" immediately after the word "committed" and before the word "thereto".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 13, of printed bill, insert a comma (,) immediately after the word "persons", and insert immediately after the word "persons" and before the word "to" the following: "and for the admission of insane persons, under special agreements,".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 2, of printed bill, strike out the words "in Title V, Part III, of the Political Code," and insert in lieu thereof the following: "by law for the control, management and operation of state hospitals for the care of the insane."

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 9, of printed bill, strike out everything after and inclusive of the word "sum", down to and inclusive of the numerals "1914", in line 30, and insert in lieu thereof the following: "two hundred and fifty thousand dollars to be used for the purchase of a site together with water rights for said hospital and the erection and equipment of buildings and improvements thereon. Not more than ninety thousand dollars of the money herein appropriated shall be used for the purchase of said site and water rights. Said site shall contain not less than three hundred acres of tillable land."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1134—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage, providing for an appropriation therefor and fixing a penalty for violations of this Act.

During second reading of the bill, the following amendments were offered by the Committee on Labor and Capital:

AMENDMENT No. 1.

On page 2, lines 23 and 24, of the printed bill, strike out the words "assist in establishing harmonious relations between employers and employees," and insert in lieu thereof the following: "make investigation into the comfort, health, safety, and welfare of such women and minors."

Amendment lost.

AMENDMENT NO. 2

On page 2, line 27, of the printed bill, before the word "any" insert the words "and all".

Amendment lost.

AMENDMENT NO. 3

On page 2, line 28, of the printed bill, after the word "any" insert in parenthesis the following: "(such reports and information to be certified by the oath of the bookkeeper, secretary, or manager, if a corporation, or of the president of the firm, if such, or of the person, if an individual employer)".

Amendment lost.

AMENDMENT NO. 4

On page 3, line 11, of the printed bill, after the period following the word "agent" insert the following: "In case of failure on the part of any person to comply with an order of the commission or any member thereof, or any reference, or upon the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated before any such board of the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission, or counsel thereof, to the supervising or to whatever jurisdiction, or county thereof, in which the inquiry or investigation is carried on, to compel obedience by attachment proceedings for contempt, as in cases of disobedience of any requirements of such subpoena issued from such court, or a refusal to testify therein."

Amendment lost.

AMENDMENT NO. 5.

On page 3, line 17, of the printed bill, after the word "employment", insert the following: "(hereinafter termed wage board)".

Amendment lost.

AMENDMENT NO. 6.

On page 3, line 18, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "chosen by the".

Amendment lost.

AMENDMENT NO. 7.

On page 3, line 18, of the printed bill, after the word "and", insert the following: "an equal number of representatives chosen by the".

Amendment lost.

AMENDMENT NO. 8.

On page 3, line 19, of the printed bill, strike out all of line 19 following the word "wage", also all of lines 20, 21, 22, 23, and 24, and the word "and" in line 25, and insert in lieu thereof the following: "a representative chosen by the commission. The members of such wage boards shall be selected from persons fitted by experience and knowledge to represent fairly the employer and employee interests affected by the determinations".

Amendment lost.

AMENDMENT NO. 9.

On page 3, line 25, of the printed bill, strike out the word "minimum," and insert in lieu thereof the word "standard".

Amendment lost.

AMENDMENT NO. 10.

On page 3, line 25, of the printed bill, after the word "of", insert the word "such".

Amendment lost.

AMENDMENT NO. 11.

On page 3, line 26, of the printed bill, strike out the word "minimum," and insert in lieu thereof the words "wage boards".

Amendment lost.

AMENDMENT NO. 12.

On page 3, line 28, of the printed bill, strike out the words "and maximum," and insert in lieu thereof the words "such wage boards".

Amendment lost.

AMENDMENT No. 13.

On page 3, line 29, of the printed bill, strike out the words "the conference," and insert in lieu thereof the words "such wage board."

Amendment lost.

AMENDMENT No. 14.

On page 3, line 36, of the printed bill, strike out the words "the conference," and insert in lieu thereof the following: "such wage board."

Amendment lost.

AMENDMENT No. 15.

On page 4, line 2, of the printed bill, strike out the word "conference," and insert in lieu thereof the words "wage board."

Amendment lost.

AMENDMENT No. 16.

On page 4, line 5, of the printed bill, strike out the word "conference," and insert in lieu thereof the words "wage board."

Amendment lost.

AMENDMENT No. 17.

On page 4, line 6, of the printed bill, strike out the word "conference," and insert in lieu thereof the words "wage board."

Amendment lost.

AMENDMENT No. 18.

On page 4, line 21, of the printed bill, after the word "minors," change the period to a comma, and insert the following: "*provided, however*, that no order shall become effective until after April 1, 1914."

Amendment lost.

AMENDMENT No. 19.

On page 5, line 1, of the printed bill, strike out the word "conference," and insert in lieu thereof the words "wage board."

Amendment lost.

AMENDMENT No. 20.

On page 5, line 3, of the printed bill, strike out the word "conference," and insert in lieu thereof the words "wage board."

Amendment lost.

AMENDMENT No. 21.

On page 5, line 4, of the printed bill, strike out the word "conference," and insert in lieu thereof the words "wage board."

Amendment lost.

AMENDMENT No. 22.

On page 5, line 8, of the printed bill, strike out the word "license," and insert in lieu thereof the word "licensee".

Amendment lost.

AMENDMENT No. 23.

On page 5, line 8, of the printed bill, after the word "license," add a comma and insert the following: "for a period of six months, subject to renewals for like periods of six months each,".

Amendment lost.

AMENDMENT No. 24.

On page 5, line 14, of the printed bill, after the period following the word "require," insert the following: "The cost thereof shall be paid out of the appropriations made for the expenses of the commission."

Amendment lost.

Amendment No. 29

On page 3, of the printed bill, strike out all of section 13 [1], and insert in lieu thereof the following:

"SEC. 13. The commission under the Arizona workmen's compensation act of 1912 [Act providing relief for injured wage earners] shall be held to have jurisdiction for the purpose of such assessment of a less wage than the employee was paid shall be excluded, and every employee so added pursuant to this section shall be entitled to all the benefits of the compensation act added hereby, and the employer shall pay to the state treasurer as a compensation act added hereby, and the employer shall pay to the state treasurer as a compensation act added hereby, and the employer shall pay to the state treasurer as a

and industries in which women and minors are employed in the State of California, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm or corporation employing labor in this state:

1. To furnish to the commission, at its request, any and all reports or information which the commission may require to carry out the purposes of this Act, such reports and information to be verified by the oath of the person, or a member of the firm, or the president, secretary or manager of the corporation furnishing the same, if and when so requested by the commission or any member thereof.

2. To allow any member of the commission, or its secretary, or any of its duly authorized experts or employees, free access to the places of business or employment of such person, firm, or corporation, for the purpose of making any investigation authorized by this Act, or to make inspection of, or excerpts from, all books, reports, contracts, payrolls, documents, or papers of such person, firm or corporation, relating to the employment of labor and payment therefor by such person, firm or corporation.

3. To keep a register of the names, ages and residence addresses of all women and minors employed.

(c) For the purposes of this Act, a minor is defined to be a person of either sex under the age of eighteen years.

SEC. 4. The commission may specify times to hold public hearings, at which times employers, employees, or other interested persons, may appear and give testimony as to the matter under consideration. The commission or any member thereof shall have power to subpena witnesses and to administer oaths. All witnesses subpenaed by the commission shall be paid the fees and mileage fixed by law in civil cases.

In case of failure on the part of any person to comply with any order of the commission or any member thereof, or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission, to compel obedience in the same manner by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before said court. The commission shall have power to make and enforce reasonable and proper rules of practice and procedure, and shall not be bound by the technical rules of evidence.

SEC. 5. If, after investigation, the commission is of the opinion that, in any occupation, trade or industry, the wages paid to women and minors are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudical to the health, morals or welfare of the workers, the commission may call a conference, hereinafter called "wage board," composed of an equal number of representatives of employers and employees in the occupation, trade or industry in question, and a representative of the commission to be designated by it, who shall act as the chairman of the wage board. The members of such wage board shall be allowed five dollars per diem and necessary traveling expenses while engaged in such conferences. The commission shall make rules and regulations governing the number and selection of the members and the mode of procedure of such wage board, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of such wage board. The proceedings and deliberations of such wage board shall be made a matter of record for the use of the commission, and shall be admissible as evidence in any proceedings before the commission. On request of the commission, it shall be the duty of such wage board to report to the commission its findings, including therein:

1. An estimate of the minimum wage adequate to supply to women and minors engaged in the occupation, trade or industry in question, the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The number of hours of work per day in the occupation, trade or industry in question, consistent with the health and welfare of such women and minors.

3. The standard conditions of labor in the occupation, trade or industry in question, demanded by the health and welfare of such women and minors.

SEC. 6. (a) The commission shall have further power, after a public hearing had upon its own motion or upon petition, to fix:

1. A minimum wage to be paid to women and minors engaged in any occupation trade or industry in this state, which shall not be less than a wage adequate to supply to such women and minors the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in this state; *provided*, that the hours so fixed shall not be more than the maximum now or hereafter fixed by law.

3. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this state.

(b) Upon the filing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to in subsection (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in each of the cities of Los Angeles and Sacramento and in the city and

The commission, or any party aggrieved, by a decree entered upon the review of a determination, may appeal thereto within the time and in the manner provided for an appeal from the orders of the said superior court.

SEC. 13. Any employee receiving less than the legal minimum wage applicable to such employee shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for such lesser wage.

SEC. 14. Any person may register with the commission a complaint that the wages paid to an employee for whom a minimum rate has been established are less than such rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage of not less than the living wage.

SEC. 15. The commission shall biennially make a report to the governor and the state legislature of its investigations and proceedings.

SEC. 16. There is hereby appropriated generally out of the moneys of the state treasury, not otherwise appropriated, the sum of fifteen thousand dollars to be used by the commission in carrying out the provisions of this Act, and the governor is hereby directed from time to time to draw his warrants on the general fund in favor of the commission for the moneys expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

SEC. 17. The commission shall not act as a board of arbitration during a strike or lock-out.

SEC. 18. (a) Whenever this Act, or any part or section thereof, is interpreted by a court, it shall be liberally construed by such court.

(b) If any section, subsection, or subdivision of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases is declared unconstitutional.

SEC. 19. The provisions of this Act shall apply to and include women and minors employed in any occupation, trade or industry, and whose compensation for labor is measured by time, piece or otherwise.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

During second reading of the bill, the following amendment was offered by the committee.

On page 1, Section 1, line 1, after the word "of" and before the word "thousand", strike out the word "four" and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 1, after the word "of", and before the word "thousand", strike out the word "sixteen" and insert in lieu thereof the word "seven".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill 1220—An Act to permit municipal corporations and counties to declare certain property sold for nonpayment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 7, line 29, of the printed bill, after the word "aforesaid", change the period to a comma and insert the following: "and a copy thereof filed with the county auditor."

Amendment adopted.

AMENDMENT No. 2.

On page 8, line 29, of the printed bill, after the word "aforesaid", change the period to a comma and insert the following: "and a copy thereof filed with the county auditor."

Amendment adopted.

AMENDMENT No. 3.

On page 9, line 20, of the printed bill, after the word "thereof", insert the following: "or the municipal corporation."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill 1624—An Act to add a new section to the Civil Code of the State of California, to be numbered 2347, relating to the liability of parents and guardians for the negligence of their minor children or wards.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 4, after the word "child", strike out the remainder of the printed bill and insert in lieu thereof the following:

"A parent or guardian by whom there exists the legal custody of such minor child or ward, and who has the right and is charged by law with the duty of exercising such custody, shall be liable for any damages caused by the negligence of such child in the use or operation of any motor vehicle, as defined by the code of the state of California, when such use or operation is with the permission, express or implied, of such parent or guardian."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways; for the charge supervision and control thereof by the Department of Engineering of the State of California, and State Engineer; and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating connecting or other railroad lines or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, Section 3, commencing with and including the word "It" strike out all of lines 1, 2 and 3 and strike out the words "and the" on line 4, and insert in lieu thereof the following: "Upon such time as the state shall own said railroad tracks or state rail highways, all such rail highway construction under the provisions of this Act shall".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 3, line 9, strike out, at the end of the sentence, the words "and rolling stock", and insert a period (.) after the word "Engineer" on said line.

Amendment adopted.

AMENDMENT No. 3.

On page 2, Section 6, lines 29 and 30, strike out the words "state engineer with the approval of the department of engineering", and insert in lieu thereof the words "railroad commission".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignment of claims for wages.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, strike out all of the title after the word "to", in line 3 thereof, and insert in lieu thereof the following: "assignments of or orders for wages or salaries."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4 of printed bill, after the figures "955", strike out all of the bill and insert in lieu thereof the following: "No assignment of, or order for wages or salary shall be valid unless made in writing by the person by whom the said wages or salary are earned and no assignment of, or order for, wages or salary made by a married person shall be valid unless the written consent of the husband or wife of the person making such assignment or order is attached to such assignment or order; and no assignment or order for wages or salary of a minor shall be valid unless the written consent of a parent or the guardian of such minor is attached to such order or assignment. No assignment of, or order for, wages or salary shall be valid unless at the time of the making thereof, such wages or salary have been earned. Any power of attorney to assign or collect wages or salary shall be revocable at any time by the maker thereof."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill 1297—An Act authorizing and empowering the regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 508—An Act to amend Section 372 of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1621—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto, and making an appropriation therefor; and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

On motion of Senator Gates, Senate Bill No. 1621 was passed on file.

Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3938, relating to the county boundary between Tuolumne and Mariposa counties.

During second reading of the bill, the following amendments were offered by Senator Curtin:

Amend the title by inserting, after the words "thirty-nine hundred thirty-eight", the following: "of the Political Code".

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 666—An Act to amend Section 4161 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 796—An Act to appropriate the sum of $250,000 for the acquisition of land and the erection, construction, equipment and furnishing of an armory thereon in the city of Oakland for the use of the National Guard of the State of California.

During second reading of the bill the following amendments were offered by the Committee on Military Affairs:

AMENDMENT No. 1

On page 1, lines 1 and 2, of the title, strike out the words "two hundred and fifty thousand dollars for the acquisition of land and" and insert in lieu thereof the words "one hundred and fifty thousand dollars for"; also strike out the third and fourth lines of the title the words "armory, and paid in true thereof the words "upon a site to be donated or given to the State of California."

Amendment lost.

AMENDMENT No. 2

On page 1, strike out all of Section 1 and insert in lieu thereof the following:

"SECTION 1. The sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be paid to the adjutant general of the State of California, or his duly authorized agent, to be expended by him as follows: For the construction, equipping and furnishing of an armory at the city of Oakland, California, to be used by the national guard of the State of California for national guard purposes, said buildings to be constructed upon a site to be donated or given to the State of California. The adjutant general shall have full control in accordance with the governing laws of the State of California, and the same shall be done by contract, and shall be let to the lowest responsible bidder, who shall furnish all plans, specifications and bond for the purpose. The board to be appointed by the adjutant general."

Amendment lost.

AMENDMENT No. 3.

On page 1 strike out all of Section 2 and insert in lieu thereof the following:

"SEC. 2. The controller of the state is hereby authorized and directed, to draw his warrants in accordance with law on payments for the amounts herein appropriated in such sums and at such times as may be requested by the above-named officer or agent, and the state treasurer is hereby directed to pay the same."

Amendment lost.

The following amendments were offered by the Committee on Finance:

AMENDMENT No. 1.

Strike out all of the title and insert the following: "An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California by the city of Oakland for the use of the national guard of the State of California."

Amendment adopted.

AMENDMENT No. 2

Strike out all of Section 1 and insert in lieu thereof the following:

"SEC. 1. The sum of one hundred thousand dollars or so much thereof as may be necessary is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be paid to the adjutant general of the State of California, or other person duly authorized, to be expended by him as follows: For the construction, equipment and furnishing of an armory at the city of Oakland, California, to be used by the national guard of the State of California for national guard pur-

poses, said buildings to be constructed upon a site to be donated or given to the State of California. The adjutant general shall cause said armory to be erected in accordance with the building laws of the State of California, and the state engineer shall furnish all plans, specifications, and data for the purpose, the same to be approved by the adjutant general."

Amendment adopted.

AMENDMENT No. 3.

Strike out all of Section 2, and insert in lieu thereof the following:

"SEC. 2. The controller of the state is hereby authorized and directed to draw his warrants in accordance with law in support for the amount hereby appropriated in such sums and at such times as may be approved by the state board of control and the state treasurer is hereby directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1044—An Act to add a new section to the Political Code, to be known and numbered as section forty-one hundred fifty-three *a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out all of line 5 of the title after the word "marriage", and all of lines 6 and 7 of said title, and all of line 8 of said title down to and including the word "classes".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 4, of the printed bill, after the word "state", insert the following: "whenever the judge shall in writing notify and require him to so appear and defend".

Amendment adopted.

AMENDMENT No. 3.

Strike out all the remainder of said Act beginning with the word "for", on page 2, line 24.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 84—An Act to amend Section 26 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to Whittier State School and the Preston State School of Industry, and manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1.

On page 1, of the printed bill, strike out all of line one and insert in lieu thereof the following:

An Act to amend the title and an Act entitled "An Act concerning illegitimate and delinquent school children, providing for their education and maintenance and for the care, trial and punishment of their parents, creating the office of Superintendent of Public Schools and the Public Welfare Bureau of Industry, and the powers of such officers, boards and bureaus, establishing a truancy bureau and the powers of such bureau, providing for the appointment of truancy officers, providing for the duties of such officers, providing for the establishment of parental schools, providing for the establishment of parental schools, providing for the establishment of parental schools

is wayward and addicted to vicious habits, and is in danger of being brought up to lead an idle and dissolute or immoral life; or

(2) Who knowingly associates with thieves or other vicious or immoral persons; or

(3) Who is found living or being in a house of prostitution or assignation, knowing at the time that such house is a house of prostitution or assignation; or

(4) Who habitually visits, without parent or guardian, any billiard room or pool room, or any saloon, or place where any spiritous, vinous or malt liquors are sold, bartered or given away; or

(5) Who is incorrigible, that is, who is beyond the control and power of his parents, guardian or custodian by reason of the vicious conduct or nature of said person; or

(6) Who is an habitual truant within the meaning of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of said Act," approved March 24, 1903, and any Act or Acts amending or superseding the same, and who is not placed in a parental school under the provision of said Act, or who being over the age of fifteen years refuses to attend public or private school as directed by his parents, guardian or custodian; or

(7) Who habitually uses intoxicating liquor as a beverage; or, who habitually smokes cigarettes; or, who habitually uses opium, cocaine, morphine or other similar drug, without the direction of a competent physician; or

(8) Who from any cause of personal depravity is in danger of growing up to lead an idle and dissolute, or immoral life.

SEC. 4. Within the meaning of this Act the words "delinquent person" shall include any person who violates any law of this state, or any ordinance of any town, city, county or city and county of this state, defining crime, and which involves moral turpitude.

SEC. 5. The superior court in every county of this state shall exercise the jurisdiction conferred by this Act, and, while sitting in the exercise of its said jurisdiction, shall be known and referred to as the "juvenile court," and is hereinafter so referred to. In counties having more than one judge of the superior court, the judges of such court shall annually designate one or more of their number whose duty it shall be to hear all cases coming under this Act; *provided*, that no judge shall be designated to serve in such capacity for less than one year; and that no judge shall be designated to serve in such capacity who has already or shall hereafter have served for three consecutive years, until an interval of one year has elapsed. *provided, however*, that nothing in this section contained shall be construed in conflict with that portion of Article VI, Section 6, of the Constitution of the State of California, applying to the city and county of San Francisco. The orders and findings, if any, of the superior court, in all cases coming under the provisions of this Act, shall be entered in a book to be kept for that purpose and known as the "juvenile court record," and the court when acting under this Act shall be called the "juvenile court." All cases coming under the provisions of this Act shall be heard at a special or separate session of the court, and no other matter shall be heard at such session, nor shall there be permitted to be present at such session any person on trial or awaiting trial, or under accusation of crime, who does not come under the provisions of this Act.

SEC. 6. Any person may file with the clerk of the superior court a petition showing that there is within the county, or residing therein a neglected, dependent or delinquent person, and praying that the superior court deal with such person as provided in this Act. Such petition shall be verified and shall contain a statement of facts constituting such neglect, dependency or delinquency, as defined in this Act, and the names and residence, if known to the petitioner, of the parents or guardian of said neglected, dependent or delinquent person. There shall be no fee for filing such petition.

SEC. 7. Upon the filing of the petition provided for in Section 6 hereof, a citation shall issue, requiring the person or persons having the custody or control of the alleged neglected, dependent or delinquent person, or with whom such alleged neglected, dependent or delinquent person may be, to appear with said alleged neglected, dependent or delinquent person at a time and place stated in the citation. Service of such citation must be made at least twenty-four hours before the time stated therein for such appearance. The parents or guardians of said alleged neglected, dependent or delinquent person, if residing within the county in which the court sits, and if their places of residence be known to the petitioner, or if there be neither parent nor guardian so residing, or if their places of residence be not known to the petitioner, then some relative of said alleged neglected, dependent or delinquent person, if any there be residing within said county, and if his residence and relationship to such alleged neglected, dependent or delinquent person be known to petitioner, shall be notified of the proceedings by service of citation requiring him or them to appear at the time and place stated in such citation. In any case the judge may appoint some suitable person to act in behalf of said alleged neglected, dependent or delinquent person, and may order such further notice of the proceedings to be given as he may deem proper. If any person, cited as herein provided, shall fail, without reasonable cause, to appear and abide by the order of the court, or to bring said alleged neglected, dependent or delinquent person, if so required in the citation, such failure shall constitute a contempt of said court and may be punished as pro-

vided for in other cases of contempt of court. In case such contempt can not be corrected by the party against whom it may be done, and in any case in which it shall be made to appear to the court that such contempt will probably be continued, a warrant of arrest shall issue on the order of the court, either against the person so guilty, or the person having the custody of such prisoner or prisoners, or delinquent person, or such other person as may be necessary, dependent or delinquent person, or such person to whom the said alleged neglected, dependent or delinquent person may be so awarded; the said alleged neglected, dependent or delinquent person himself, or any or all such persons, or, in lieu of or in addition to the warrant above provided, a warrant of arrest may be issued against the said alleged neglected, dependent or delinquent person immediately. On the return of the warrant or other process, or any such custodian or such person, the court shall proceed to hear and dispose of the case in a summary manner. Until the final disposition of any case the said alleged neglected, dependent or delinquent person may be returned to the possession of the parent having custody of such person, or may be kept upon the order of the court, or upon security given, provided by the court, or may be held otherwise, as the court may direct.

SEC. 8. When any alleged neglected person under the age of twenty-one years shall be found by said court or judge to be a neglected person within the meaning of this Act, the court shall have such order as relates to the permanent care and custody of such neglected person, which may be made applicable to persons of the age of said neglected person; provided, however, that no such neglected person shall be placed in the care of any county home, association, society, corporation, school or institution, unless there are dependents or delinquents assigned. When any alleged dependent or delinquent person under the age of twenty-one years shall be found by said court or judge to be dependent or delinquent, within the meaning of this Act, the court may make an order committing said dependent or delinquent person to the care of such reputable person as may be willing to receive such person, or to any association, society or corporation willing to receive it, embracing in its objects the purpose of caring for or procuring homes for dependent or delinquent children, or to the care of the probation officer, as other proper and dependent or delinquent person to provide up his or her home or in lieu other home provided for the benefit of the home and, if said dependent or delinquent person be a girl of an age to bring shame or disgrace to the Pioneer School of Industry or if under sixteen years of age to the Whittier State School during her minority. And if a girl, over the age of the Whittier State School or to any similar state institution for girls which may hereafter be established, however that such commitments under this act or either the Pioneer School of Industry or the Whittier State School shall permit the transfer of any girl from one institution to the other upon the agreement thereto by the superintendents of both of such institutions. Accompanying the commitment papers the court shall transmit to the superintendent of such institution a record of all the facts in the possession of the court, touching the history of the person committed, including a statement of the mental and physical condition.

Should it develop, either at the time of such commitment or after having become an inmate thereof, that any dependent or delinquent person who has been committed to either of such institutions, is an improper person to be there retained, or not amenable or susceptible of reformation under the discipline of the school to which such person may be committed as to render his or her continued retention in the interests of the school, the superintendent may, with the consent of the board of trustees of such institution, return such dependent or delinquent person to the committing court. And in the event of such return, the transportation of such dependent or delinquent person shall be made in the same manner and the compensation therefor of same shall be paid for as is provided for in the execution of an order of commitment to such institution. After making any of the above mentioned orders the court may, from time to time, change or modify the same, or set aside the same, or release such dependent or delinquent person to such prison or institution, and for such time as the court may deem fit, but not beyond the time when such person shall attain the age of twenty-one years.

SEC. 9. The judge of the superior court to act for such county, or any and every of the state, and in counties where there is more than one judge of the said court, the judges of the superior court in said county shall, by order entered in the minutes of the court, appoint seven citizens of good moral character, not more than four of whom shall be of the same sex, and of most one of whom shall have been members, to be known as the "probation committee," and shall fix the time for entering in such appointment. Six (or as possible three shall not be appointed more than one member of such probation committee from the same calling, business or profession. The clerk of said court shall immediately notify each person appointed on said committee, and thereupon said person shall appear before the judge of the superior court to whom has been assigned all proceedings under this Act and qualify by taking an oath which shall be entered in said records, that he will support faithfully the duties of a member of such probation committee.

SEC. 10. The members of such probation committee shall hold office for four years and until their successors are appointed and qualify; provided, that of those first appointed, one shall hold office for one year, two for two years, two for three

years, and two for four years, the terms for which the respective members shall hold office to be determined by lot as soon after their appointment as may be. When any vacancy occurs in any probation committee by expiration of the term of office of any member thereof, his successor shall be appointed to hold office for the term of four years; when any vacancy occurs for any other reason, the appointee shall hold office for the unexpired term of his predecessor.

SEC. 11. The juvenile court or the judge thereof may at any time, and upon request of the county board of supervisors, shall require said probation committee or probation officer to examine into the qualifications and management of any society, association or corporation, other than a state institution, receiving, or applying for, any neglected, dependent or delinquent person under this Act, and to report thereon to the court. It shall be the duty of each probation committee to prepare each year one or more reports in writing on the qualifications and management of all societies, associations and corporations, except state institutions, applying for or receiving any neglected, dependent or delinquent person under this Act from the courts of their respective counties, and in such report said committee may make such suggestions or comments as to them may seem fit; such report to be filed as a public document with the clerk of the juvenile court appointing such committee. The probation committee shall also make to the court an annual report to be filed as a public document prior to the first day of December, copies of which shall be filed with the county board of supervisors and the state board of charities and corrections. It shall be the duty of the probation committee to exercise a friendly supervision and visitation over the neglected, dependent or delinquent person when so directed by the court, to furnish the court information and assistance whenever required, and, from time to time, to advise and recommend to the court any change or modification of the order made in the case of a neglected, dependent or delinquent person as may be for the best interests of such person. Upon request of the probation officer, any member of the probation committee shall investigate the case of any alleged neglected, dependent or delinquent person coming under the provisions of this Act, and render a report thereon to the probation officer. The probation committee shall also have the control and management of the internal affairs of any detention home or branch detention home heretofore or hereafter established by the county board of supervisors; and it shall be the duty of said board of supervisors to provide for the payment of such employees as may be needed in the efficient management of such detention home or branch detention home or homes.

SEC. 12. Members of the probation committee shall serve without compensation, but shall be allowed their reasonable traveling expenses as approved by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasury for the specified amount of such expenses. All orders by the juvenile court judge upon the county treasury shall be filed in duplicate with the county board of supervisors.

SEC. 13. There shall be appointed, as hereinafter provided, a probation officer in every county, and he may appoint as many deputies as he may desire; *provided, however*, that such deputies shall not have authority to act until their appointment shall have been approved by the majority vote of the probation committee, and by the judge of the juvenile court. The term of office of such deputies shall expire with the expiration of the term of office of the probation officer making such appointments, but either the probation officer, or the probation committee by a majority vote of the judge of the juvenile court, may at any time in his or their discretion, revoke and terminate any such appointment. Such deputies, except as hereinafter provided, shall serve without compensation. Every probation officer and every assistant probation officer receiving an official salary shall, at the time that he files his oath of office, file with the county clerk of the county his official bond approved by the judge of the juvenile court. The judge of the juvenile court shall have authority by an order entered in the minutes of said court to determine and fix the amount of bonds of the probation officer of the county and of his assistants. If said bonds, or any of them, are furnished by any surety company licensed to transact business in the State of California, the premium thereon shall be paid out of the county treasury.

SEC. 14. The offices of probation officer and assistant probation officer are hereby created. The probation officers and assistant probation officers to serve hereunder in any county shall be nominated by the probation committee in such manner as the judge of the juvenile court in the respective counties shall direct, and the appointment of such probation officers and assistant probation officers shall then be made by the judge of the respective juvenile courts. The term of office of the probation officers and assistant probation officers shall be two years from the date of their said appointments. All probation officers and assistant probation officers receiving a salary of seventy-five dollars or more per month shall devote their entire time and attention to the duties of their offices, and no such probation officer or assistant probation officer, while holding such office and receiving salary therefor, shall be a candidate or seek the nomination for any other public office or employment, and no person shall be appointed to and receive the salary attached to such office of either probation officer or assistant probation officer who is related to the

Sec. 143. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 144. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 145. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 146. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 147. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 148. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 149. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 150. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 151. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 152. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 153. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 154. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 155. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 156. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 157. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 158. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 159. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 160. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 161. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 162. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 163. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 164. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 165. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 166. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 167. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 168. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 169. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 170. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 171. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 172. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 173. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 174. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 175. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 176. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 177. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 178. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 179. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 180. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 181. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 182. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 183. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 184. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 185. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 186. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 187. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 188. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 189. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 190. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 191. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 192. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 193. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 194. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 195. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 196. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 197. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 198. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

Sec. 199. In each of the counties of the eleventh, twelfth, thirteenth, [illegible] there shall be one constable.

Sec. 200. In counties of the [illegible] there shall be one [illegible] officer, whose salary shall be [illegible] dollars per month.

SEC. 14*l*. In counties of the thirty-fifth class there shall be one probation officer who shall maintain an office in the court house at the county seat. The salary of said probation officer shall be one hundred dollars per month.

SEC. 14*m*. In each of the counties of the fifteenth class there shall be one probation officer. The salary of said probation officer shall be eighty dollars per month.

SEC. 14*n*. In each of the counties of the sixteenth, nineteenth, twenty-second, twenty-third, thirty-second and thirty-eighth classes there shall be one probation officer. The salary of each of said probation officers shall be fifty dollars per month.

SEC. 14*p*. In counties of the thirty-fourth class there shall be one probation officer. The salary of said probation officer shall be eighty dollars per month.

SEC. 14*q*. In counties of the thirty-first class there shall be one probation officer. The salary of said probation officer shall be sixty dollars per month.

SEC. 14*r*. In each of the counties of the twenty-first, thirty-ninth and forty-second classes, there shall be one probation officer. The salary of each of said probation officers shall be fifty dollars per month.

SEC. 14*t*. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 14*u*. In each of the counties of the forty-fourth, fiftieth, fifty-second, and fifty-fifth classes, there shall be one probation officer. The salary of each of said probation officers shall be ten dollars per month.

SEC. 14*v*. In each of the counties of the fifty-seventh and fifty-eighth classes there shall be one probation officer. The salary of each of said probation officers shall be five dollars per month.

SEC. 14*x*. In every other county than those heretofore expressly enumerated the salary of the probation officer shall be thirty-five dollars per month.

SEC. 15. The salaries of all probation officers and assistant probation officers shall be paid out of the county treasury of the county for which they are appointed, respectively, in the same manner as the salaries of the county officers. The probation officers and assistant probation officers and deputy probation officers in all counties of the state shall be allowed such necessary incidental expenses incurred in the performance of their duties as required by any laws of the State of California as may be authorized by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specific amount of such expenses. The probation officer and the clerk of the juvenile court shall each keep a classified list of expenses and file a duplicate copy with the county board of supervisors.

SEC. 16. It shall be the duty of the clerk of any court before which an alleged neglected, dependent or delinquent person is brought under the provisions of this act, before hearing, to notify the probation officer of the county thereof.

SEC. 17. The probation officer shall inquire into the antecedents, character, family history, environment and cause of dependency or delinquency of every alleged neglected, dependent or delinquent person brought before the juvenile court, and shall make his report in writing to the judge thereof; it shall also be the duty of said probation officer, to be present in court in order to represent the interests of the neglected, dependent or delinquent person when the case is heard, and to furnish to the court such information and assistance as it may require and to make such report at such time; and to take charge of said neglected, dependent or delinquent person before and after the hearing as may be ordered. Whenever any person is declared neglected, dependent or delinquent under the provisions of this Act, and is placed in or committed to the care and custody of the probation officer, the case may be transferred to the juvenile court of any county of this state, in which such person resides or to which such person shall remove, and said court shall thereafter have entire jurisdiction over said case. Every probation officer, assistant probation officer and deputy probation officer shall have the powers of a peace officer. At any time the probation officer may bring any neglected, dependent or delinquent person placed in or committed to his care before the court for such further or other action as the court may deem proper. Before any neglected person is replaced, or any dependent or delinquent person is recommitted, the probation officer shall inquire into the reasons assigned for such action and shall be present in court in order to represent the interests of such person. Every probation officer shall have the powers of a school attendance officer, in such portions of the county, in which such probation officer has been appointed, as are not otherwise provided with a school attendance officer, and shall exercise such powers when not inconsistent with his other duties. Every probation officer, within fifteen days after the thirtieth day of June, and within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document a report to the judge of the juvenile court of the county in which such probation officer is appointed, and shall furnish to the county board of supervisors and to the secretary of the state board of charities and corrections of this state a copy thereof. Such report without giving names shall state separately the exact number of neglected, dependent and delinquent persons, segregating male and female, who have been committed by such juvenile court to the care and custody of such probation officer, and the exact number of such persons who are wards of such

specified, he shall forthwith certify to the juvenile court of his county (a) that said person (quoting him) is charged with such crime (stating its nature), (b) that such person appears to be under the age of eighteen years, giving name of town where known, and (c) the substance of information against such person on such charge by reason of his age, with the date of such information, and immediately thereupon all proceedings against the said person on such charge shall be suspended until said juvenile court shall have disposed as hereinafter provided of the question as to whether such person is a delinquent child, and the court so suspending the proceedings shall forthwith issue such writs or take such other steps as may be necessary to bring such person before said juvenile court for the purpose of such disposition.

SEC. 28. Whenever a delinquent or complaint shall be filed in any court other than a superior court, charging a person with a crime and it shall be ascertained in the judge justice or assistant before whom such person is brought upon the original charge, in manner the case of ordinary pleas and trials, that such person is apparently under the age of eighteen years, said judge, justice or assistant shall immediately suspend all proceedings against such person on said charge and examine into the age of such person, and if from such examination it shall appear to the satisfaction of said judge, justice or assistant that such person is under the age of

Amendment offered by Senator Wilson of Hampden

Amend by striking out the words "he shall forthwith certify to the juvenile court of his county (a) that said person (quoting him) is charged with such crime (stating its nature), (b) that such person appears to be under the age of eighteen years, giving name of town where known, and (c) the substance of information against such person on such charge by reason of his age, with the date of such information, and immediately thereupon all proceedings against the said person on such charge shall be suspended until said juvenile court shall have disposed as hereinafter provided of the question as to whether such person is a delinquent child, and the court so suspending the proceedings shall forthwith issue such writs or take such other steps as may be necessary to bring such person before said juvenile court for the purpose of such disposition." and inserting in place thereof the following: "he shall forthwith certify to the juvenile court of his county that said person appears to be under the age of eighteen years, giving name of town where known, and the substance of information against such person on such charge by reason of his age, with the date of such information, and thereupon all proceedings against the said person on such charge shall be suspended until said juvenile court shall have disposed as hereinafter provided of the question as to whether such person is a delinquent child, and the court so suspending the proceedings shall forthwith issue such writs or take such other steps as may be necessary to bring such person before said juvenile court for the purpose of such disposition."

Which was adopted.

Thereupon, on motion of Senator Wilson of Hampden, the bill was further amended by striking out the words "he shall forthwith certify to the juvenile court of his county (a) that said person (quoting him) is charged with such crime (stating its nature), (b) that such person appears to be under the age of eighteen years, giving name of town where known, and (c) the substance of information against such person on such charge by reason of his age, with the date of such information, and immediately thereupon all proceedings against the said person on such charge shall be suspended until said juvenile court shall have disposed as hereinafter provided of the question as to whether such person is a delinquent child, and the court so suspending the proceedings shall forthwith issue such writs or take such other steps as may be necessary to bring such person before said juvenile court for the purpose of such disposition." and inserting in place thereof the following: "he shall forthwith certify to the juvenile court of his county that said person appears to be under the age of eighteen years, giving name of town where known, and the substance of information against such person on such charge by reason of his age, with the date of such information, and thereupon all proceedings against the said person on such charge shall be suspended until said juvenile court shall have disposed as hereinafter provided of the question as to whether such person is a delinquent child, and the court so suspending the proceedings shall forthwith issue such writs or take such other steps as may be necessary to bring such person before said juvenile court for the purpose of such disposition."

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Thereupon, on motion of Senator Wilson of Hampden, the bill was further amended by striking out the words "he shall forthwith certify to the juvenile court of his county that said person appears to be under the age of eighteen years, giving name of town where known, and the substance of information against such person on such charge by reason of his age, with the date of such information, and thereupon all proceedings against the said person on such charge shall be suspended until said juvenile court shall have disposed as hereinafter provided of the question as to whether such person is a delinquent child, and the court so suspending the proceedings shall forthwith issue such writs or take such other steps as may be necessary to bring such person before said juvenile court for the purpose of such disposition." and inserting in place thereof the following: "he shall forthwith certify to the juvenile court of his county that said person appears to be under the age of eighteen years, giving name of town where known, and the substance of information against such person on such charge by reason of his age, with the date of such information, and thereupon all proceedings against the said person on such charge shall be suspended until said juvenile court shall have disposed as hereinafter provided of the question as to whether such person is a delinquent child, and the court so suspending the proceedings shall forthwith issue such writs or take such other steps as may be necessary to bring such person before said juvenile court for the purpose of such disposition."

Which was adopted.

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Which was adopted.

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Which was adopted.

within the meaning of this Act, such order shall be made as is meet in the premises, as in this Act provided. If upon said hearing said court shall determine that a delinquent person is not a fit and proper subject to be dealt with under the reformatory provisions of this Act, said court may dismiss the petition hereunder and direct that such delinquent person be prosecuted under the general law. No delinquent or delinquent person under eighteen years of age shall be prosecuted for crime until the matter has first been submitted to the juvenile court by petition as herein provided, or by certificate of the lower court as provided in section eighteen hereof.

SEC. 20. Whenever any person over the age of eighteen years and under the age of twenty one years is accused of a felony, and the indictment or information has been filed in the superior court of the county wherein the crime was committed charging said person with the commission of said felony, the judge may, in his discretion, with the consent of the accused, or upon his request, arrest said proceeding at the time of arraignment or at any time previous to the impanneling of a jury, except where the crime charged is a capital offense, and may proceed to investigate the charge against the defendant, and all the facts and circumstances necessary to determine the proper disposition to be made of said person, and shall determine whether said person shall be dealt with as a delinquent under the provisions of this Act. If the court is satisfied upon such investigation that said person should be declared a delinquent and should be dealt with under this Act, it may make such order as herein provided for the disposition of delinquent persons. If such person thereafter grows not to be amenable to the discipline of the state school to which he may be committed, and the trustees thereof shall determine that said person should be committed to a state penitentiary, such person shall be returned to the custody of the sheriff of the county in which the crime was committed, and thereafter proceedings shall be had upon the indictment or information commencing at the point at which proceedings were arrested and said person shall be tried for the offense alleged in the information, and if convicted shall be sent to the penitentiary for such time as the court may determine, or otherwise dealt with in accordance with the law for dealing with persons convicted of a felony. If no request is made by the defendant for proceedings under this section, or if the defendant desires a trial by jury, or if the judge declines to consent to the application of the defendant for proceedings under this section, said cause shall proceed in the ordinary manner up to the verdict of guilty or not guilty as the case may be. If said person is convicted, the court may thereafter receive such evidence as may be offered, pending the question as to whether or not said person should be dealt with as a delinquent in the manner hereinbefore provided in case of the application and consent of the accused before trial, and may make such order of probation or commitment to said state schools, and may from time to time modify said probation orders, as is herein provided in the case of persons adjudged delinquent. If such person during the period of his commitment to said state institution, proves to be incorrigible, or not amenable to the discipline of such institution, and it shall be deemed advisable in the judgment of the trustees of such institution that said person be sent to the penitentiary, then said person shall be returned to the superior court in which the verdict was rendered, for sentence, and thereupon the court shall pronounce judgment.

SEC. 21. In the case of a person alleged to be delinquent within the meaning of this Act, the juvenile court may, pending the hearing, at any time before the person is adjudged delinquent or otherwise disposed of, order that said person be detained in any detention home provided for that purpose by any county or it may be otherwise temporarily provided for as to the court may seem fit in any manner provided herein for the care of a person after the termination of his delinquency.

SEC. 22. If the court find a person to be dependent or delinquent, then the court may commit such person to the care and custody of the probation officer and may allow the said person to remain in the home of said person, subject to the visitation of a probation officer, and said person shall report to the probation officer as often as may be required, and be subject to be returned to the court for further proceedings whenever such action may appear necessary or desirable, or the court may commit the person to the care and custody of the probation officer, to be placed in a suitable family home subject to the supervision of said probation officer and the further order of the court; or it may order the probation officer to board out the person in some suitable family home to case provision is made by voluntary contribution or otherwise for the payment of the board of said person until suitable provision may be made for said person in a home without such payment; or the court may commit said person for such time until such person arrives at the age of twenty one years as to the court may seem fit, to the care and custody of some association, society, or corporation that will receive it, embracing within its object the care of dependent or delinquent children, or the court may commit said person to a state school as hereinbefore provided, or to such other state institution as may be authorized by law to receive it; *provided, further*, that should the legislative body of the county provide a suitable place for the detention of dependent or delinquent persons which they are hereby authorized and required to do, such dependent or delinquent persons may be committed thereto after the adjudication of dependency or delinquency for a definite period to be specified in such order, at the end of which time said person shall be brought before the court for further order of court. The court may thereafter set aside, change or modify said order and provide for a further detention in said

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or delinquent under the provisions of this Act shall in no case be deemed to be a conviction of crime.

SEC. 26. No court, judge, magistrate or peace officer shall commit a person under sixteen years of age to any jail or prison, before trial and conviction, but if any such person is not released pending such hearing, he may be committed to the care and custody of a sheriff, constable or other peace officer, who shall keep such person in a detention home or some other suitable place outside of the enclosure of any jail or prison, as the court may direct. When any person under sixteen years of age shall be sentenced to confinement in an institution to which adult convicts or prisoners are sentenced or confined, it shall be unlawful to confine such person in the same room, yard or enclosure with such adult convicts or prisoners, or to permit such person to come or remain in contact with such adult convicts or prisoners.

SEC. 27. It shall be the duty of the legislative body of every county, or city and county, immediately upon this Act becoming effective, to provide and thereafter maintain, at the expense of such county, or city and county, or a part thereof approved by the judge of the juvenile court, a suitable house or place to be known as the "detention home" of said county, or city and county, for the detention of dependent and delinquent persons. Such detention home must not be in, or connected with, any jail or prison, and shall be conducted in all respects as nearly like a home as possible and shall not be deemed to be or treated as a penal institution. Such legislative body must also provide for a suitable superintendent and matron to have charge of such detention home, and for such other employees as may be needed in the efficient management of such detention home, and provide for the payment, out of the general fund of the county, or city and county, of suitable salaries for such superintendent and matron, and such other employees, such superintendent, matron and other employees to be appointed by said legislative body, upon the nomination of the probation committee and approval of the judge of the juvenile court. The superintendent of the detention home shall keep a classified list of expenses, and file a duplicate copy with the county board of supervisors. The superintendent, matron or other employee of such detention home may, at any time, be removed by the probation committee, in its discretion.

SEC. 28. Any person who shall commit any act or omit the performance of any duty, which act or omission causes or tends to cause, encourage or contribute to the dependency or delinquency of any person under the age of twenty one years as defined by any law of this state, or any person who shall, by any act or omission, threats or commands or persuasion, endeavor to induce any such person, under twenty one years of age, to do or to perform any act or follow any course of conduct, or to so live as would cause or manifestly tend to cause any such person to become, or to remain a dependent or delinquent person, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and the superior court, sitting as juvenile court, shall have original jurisdiction of all such misdemeanors; but no person shall be tried on the charge of contributing to the dependency and delinquency of any person under the age of twenty-one years, before the same judge who has heard or before whom is pending the case of the person under the age of twenty one years to whose dependency or delinquency such person is alleged to have contributed.

SEC. 29. This Act shall be liberally construed to the end that its purpose may be carried out, to wit: That the care, custody and discipline of a neglected, dependent or delinquent person as defined in this Act shall approximate as nearly as may be that which should be given by his parents, and in all cases where it can be properly done, the neglected, dependent or delinquent person as defined in this Act shall be placed in an approved family, with people of the same or similar religious belief, and become a member of the family, by legal adoption or otherwise, or if placed in the care of, or committed to, an association, society, corporation, school or institution, then to one of the same or similar religious belief. No neglected, dependent or delinquent person as defined in this Act shall be taken from the custody of his parent or legal guardian, without the consent of such parent or guardian, unless the court shall find such parent or guardian to be incapable of providing, or to have failed or neglected to provide proper maintenance, training and education for said person; and in no case unless the parent or guardian has been duly notified to be present in court before or at the time of placement or commitment or recommitment, or unless said person if dependent or delinquent has been tried on probation in said custody, and has failed to reform. In this Act words used in any gender shall include all other genders, and the word "county" shall include "city and county," the plural shall include the singular and the singular shall include the plural.

SEC. 30. An appeal to the district court of appeal shall lie from any decision and judgment of the juvenile court. The party appealing shall serve on the opposite party and file a notice of such appeal within fifteen days from the day of rendition of the judgment from which the appeal is taken. It is hereby made the duty of the judge of the juvenile court when such an appeal is taken, to find the facts of the case based upon a preponderance of evidence in the form of a special finding

and the appellate court must pass upon the sufficiency of the evidence to support the judgment rendered. In case the party dissatisfied considers the sufficiency of the evidence to warrant the findings made by the court, such evidence should be presented as a bill of exceptions prepared by the appellant within fifteen days after the entry of record shall have been served on the adverse party and filed as provided by law. The opposite party shall within ten days thereafter, and within a limited time fixed thereafter by the judge, propose amendments which appellant shall be entitled to have the judge settle and allow. Within the time fixed for the presentation of bills of exceptions, the appellant shall prepare the same and serve a copy on the opposite party and also on the attorney general, and for the purpose thereof the [illegible] shall be served on [illegible] thereof. Within ten days after the filing of the bill of exceptions, the appellee may propose amendments thereto, which shall be settled by the judge and allowed as in the case of the bill of exceptions proposed by the appellant. Within the time allowed by the judge for the settlement of the bill of exceptions, the attorney general may file with the clerk of the court a statement of the points on which he intends to rely on the appeal, and the appellant shall be entitled to have the bill of exceptions corrected so as to include such statement. At the hearing of the appeal the appellant shall be confined to the points so specified by the attorney general, unless the court shall for good cause shown allow the appellant to rely on other points. The decision of the appellate court in reversing or affirming the judgment and sufficiency of the evidence to support the findings. Appeals from the appellate court shall have precedence in the order in which they appear in the docket of the supreme court. The jurisdiction and duties of such courts shall be governed by the laws now in force governing appeals from the district courts to the supreme court, so far as the same are applicable thereto.

SEC. 31. This Act shall supersede all provisions of the Act entitled "An Act to establish a state reform school for juvenile offenders and to define an appropriation therefor," approved March 17, 1903, and all amendments thereto, and all provisions of the Act entitled "An Act to establish a school of industry and to provide for the maintenance and management of same, and to define an appropriation therefor," approved March 17, 1903, and all amendments thereto, relating to the work of reformation in the institutions therein named; but shall not affect appeals or be of anything concerning the management of said institutions heretofore commenced.

SEC. 32. An Act entitled "An Act defining and providing for the suitable punishment and treatment of incendiaries and abettors thereof; preventing the carrying and display of arms with unlawful intent; regulating the employment of convict labor; providing for the suppression of combinations and conspiracies; providing for the suppression of riots; providing for the appointment of commissioners to investigate the conditions of penitentiaries, reformatories and other penal institutions; providing for the appointment of boards of prison inspectors and prescribing their duties; providing for the appointment of boards of parole and prescribing their duties; providing for the appointment of boards of pardons and prescribing their duties; providing for the appointment of boards of visitors and prescribing their duties; providing for the appointment of boards of trustees and prescribing their duties; providing for the appointment of boards of managers and prescribing their duties; providing for the appointment of boards of directors and prescribing their duties; providing for the appointment of boards of commissioners and prescribing their duties; providing for the appointment of boards of supervisors and prescribing their duties; providing for the appointment of boards of control and prescribing their duties; providing for the appointment of boards of regents and prescribing their duties; providing for the appointment of boards of governors and prescribing their duties; providing for the appointment of boards of inspectors and prescribing their duties; providing for the appointment of boards of examiners and prescribing their duties; providing for the appointment of boards of [illegible] and prescribing their duties; providing for the appointment of boards of [illegible] and prescribing their duties; providing for the appointment of boards of [illegible]

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission; by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission, to provide for its organization; define its powers and duties and provide for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act

SPECIAL ORDER SET.

Senator Tyrrell moved that the further consideration of Senate Bill No. 905, and proposed amendments, be made a special order for Wednesday, April 23, 1913, at three o'clock and thirty minutes p.m.

Motion carried.

SECOND READING OF BILLS.

On motion of Senator Wright, the Senate took up the consideration of the second reading of bills, ordered on file this day, as follows: Senate Bills Nos. 1728, 1536, 1515, 1761, 1563, 1588, 1727, 1689, 484, 450, 443, 160, 47, 199, 189, 187, 151, 150, 254, 241, 406, 184, 983, 664, 591, 727, 868, 638, 995, 1343, 1331, 1264, 1252, 1013, 1192, 1587, 1389, 1586, and 1132.

Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1515—An Act to appropriate the sum of $361 to pay the claims of the State Board of Health.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 3, strike out the words "three hundred and sixty one dollars", and insert in lieu thereof the following: "three hundred and fifty eight dollars and fifty cents".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1764—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Bill read second time, ordered engrossed and on the last third reading.

Senate Bill No. 1765—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard in or near the city of Sacramento, and appointing a committee to make such purchase and appropriating $7,500 therefor.

Bill read second time, ordered engrossed and on the last third reading.

Senate Bill No. 1685—An Act making an appropriation of $25,000 for purchasing machinery and equipment for the State Printing Office.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

After [illegible], to be numbered Section 3, to read as follows:

"Sec. 3. The sum hereinabove in several subsections is hereby appropriated out of the moneys received and the state treasury for the purposes hereinabove specified, and the same is available for [illegible] two years."

Amendment adopted.

AMENDMENT NO. 2.

Add a new section to be numbered Section 4, to read as follows:

"Sec. 4. This Act [illegible] and is exempted from the appropriations [illegible] of Article XIII of the Constitution of the State of California [illegible]."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

During second reading of the bill, the following amendment was offered by the committee:

After the word "fall", in line 1, Section 3, page 2, strike out all of the words "dollars", and insert in lieu thereof the following: "thirty thousand".

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1087—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability therefor.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, Section 2, line 8 after the word "the" and before the word "moneys" insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 484—An Act appropriating money for the construction of said buildings at the state prison at Folsom and for construction of a wall around said prison.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 1, after the word "and" and before the word "thousand", strike out the word "ninety", and insert in lieu thereof the word "thirty-five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 450—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 443—An Act making an application to repay to L. H. Boggs, moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 160—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 47—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 151—An Act to appropriate the sum of $11,433.82 out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 150—An Act to amend Section 739 of the Political Code, relating to the salaries of officers connected with the Supreme Court.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 254—An Act establishing a state mining department, creating the office of state mining inspector, providing for the appointment of a state mining inspector who shall be ex officio State Mineralogist, and for the appointment of deputy inspectors, geologist,

curator and other employees of such department, fixing their salaries and prescribing their duties, providing for an exhibit at the Panama-Pacific Exposition, providing for the protection of mines, quarries, machinery and other appliances used in connection therewith, and for the examination of the competency of persons employed in mining or mining operations and quarries, and also providing for the better protection of persons employed in mines and mining operations, creating it the duty of persons in charge of mines, mining operations and quarries to give notice of accidents occurring in mines and quarries, making an appropriation for the purpose of carrying out the provisions of this Act, and repealing an Act entitled "An Act to provide for the establishment, maintenance and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1907, and all Acts amendatory thereof and supplementary thereto or in conflict herewith.

During second reading of the bill the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 254

An Act creating a state mining bureau, creating the office of state mineralogist, fixing the salary and prescribing the powers and duties appertaining to the office of mineralogist, and employees of said bureau, making it the duty of persons in charge of mines and quarries to make certain reports, providing for the examination of mining machinery, hoisting apparatus and the appointment of inspectors, providing and fixing penalties for violations of the provisions of this Act, making an appropriation for the establishment, maintenance and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1907, and all Acts amendatory thereof and supplemental thereto or in conflict herewith.

The people of the State of California do enact as follows:

SECTION 1. There is hereby created and established a state mining bureau. The chief officer of said bureau shall be the state mineralogist, whose office is hereby created.

SEC. 2. It shall be the duty of the governor of the State of California, and he is hereby empowered to appoint a citizen and resident of said state, learned in practical and scientific knowledge of mining, to the office of state mineralogist. Said commissioner [sic] shall hold his office at the pleasure of the governor. He shall be a duly executive officer. He shall keep and subscribe the same oath of office as state officers. He shall receive for his services a salary of three hundred dollars ($300) per month, to be paid in the same time and in the same manner as the salaries of other state officers. He shall also receive his necessary traveling expenses when traveling on the business of his office.

He shall give bond for the faithful performance of his duties in the sum of ten thousand dollars ($10,000), said bond to be approved by the governor of the State of California.

SEC. 3. Said state mineralogist shall employ competent geologists, field assistants qualified specialists and other employees who are necessary in the conduct of the plans and operations of the bureau and fix their compensation. The said employees shall be allowed their traveling expenses while traveling on the business of said department and shall hold office at the pleasure of said state mineralogist.

SEC. 4. It shall be the duty of said state mineralogist to make, catalogue and

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying, improving and deepening the channel of San Rafael Creek.

During second reading of the Bill the following amendment was offered by the committee:

Add two new sections to be numbered Section 2 and Section 3, respectively, and to read as follows:

Sec. 2. None of the moneys herein appropriated shall be available until the City of San Rafael shall have appropriated and expended, with the same limitations the sum or sums expended thereon by the said City, the proportion of cost to be paid thereby pursuant to this Act, when moneys the same hereafter is authorized to receive and

place to the credit of the fund for the money hereby appropriated and all of said moneys shall then be available for the purposes mentioned in this Act.

SEC. 4. The state controller is hereby directed to draw his warrant on the state treasurer from time to time on the total of the moneys mentioned in this Act, and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, lines 1 and 2, strike out the words "thirteen thousand one hundred and eighteen and 21-100", and insert in lieu thereof the following: "fifteen thousand three hundred thirty-seven and 26-100".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 2, lines 10 and 11, strike out the words "thirteen thousand one hundred and eighteen and 21-100", and insert in lieu thereof the following: "fifteen thousand three hundred thirty-seven and 26-100".

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 2, line 12, strike out the words "person or persons authorized by law to receive the same", and insert in lieu thereof the following: "directors of the state agricultural society".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 184—An Act to amend section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No 1.

On page 2, line 8, of the printed bill, after the "comma" following the word "assistants", insert the words "plant pathologist".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 16, of the printed bill, after the comma following the word "assistants", insert the words "plant pathologist".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 23, strike out the word "chief", and insert the word "field".

Amendment adopted.

AMENDMENT No. 4

On page 2, line 28, strike out the word "chief", and insert the word "field"

Amendment adopted

AMENDMENT No. 5

On page 2, line 37, of the printed bill strike out the word "their" and insert in lieu thereof the word "right"

Amendment adopted

AMENDMENT No. 6

On page 4, line 16, of the printed bill, after the word "state" insert the word "state"

Amendment adopted

Bill read second time, and ordered to print, engrossed and third reading

Senate Bill No. 283—An Act to amend Section 170 of the Code of Civil Procedure, relating to justices of the peace

During second reading of the bill, the following amendment was offered by the committee:

On page 3, line 5, of the printed bill, after the word "aforesaid", insert the word "shall"

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading

Senate Bill No. 664—An Act to grant relief to persons [illegible] convicted of a felony in the State of California.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 2, of the title of the printed bill, strike out the words "grant relief", and in lieu thereof insert the words "provide pardons"

Amendment adopted.

AMENDMENT No. 2

On page 1, line 2 of the title of the printed bill, strike out the words "[illegible]" and in lieu thereof insert the word "persons"

Amendment adopted

AMENDMENT No. 3

On page 1, line 2, of the printed bill, strike out the words "or offense".

Amendment adopted.

AMENDMENT No. 4

On page 1, line 3 of the printed bill, strike out the words "be a necessary preliminary", and in lieu thereof insert the words "therefore on a motion made at the time

Amendment adopted.

AMENDMENT No. 5

On pages 1 to 3, strike out all of lines 4 to 24, inclusive, on page 1, and all of pages 2 and 3, of the printed bill, and in lieu thereof insert the following: "duly hereafter on a motion of the court or an accusation or indictment of the district attorney of conviction be dismissed or discharged but the person from the crime with which he was charged was either not committed at all, or if committed, was not committed by him or who shall hereafter be granted a pardon for the commission of that crime for either of the foregoing reasons, or who, being innocent of the crime with which he was charged for either of the foregoing reasons shall have served the time for which he was imprisoned, may, under the conditions hereinafter provided, present a claim against the state to the state board of control for the pecuniary injury sustained by him through such erroneous conviction and imprisonment"

SEC. 2. Such claim, accompanied by a statement of the facts constituting the claim, verified in the manner provided for the verification of complaints in civil actions, must be presented by the claimant to the board of control within a period of six months after judgment of acquittal or discharge given, or after pardon granted, or after release from imprisonment, and at least four months prior to the next meeting of the legislature of this state; and no claim not so presented shall be considered by the board of control.

SEC. 3. Upon presentation of any such claim, the board of control shall fix a time and place for the hearing of the claim, and shall mail notice thereof to the claimant and to the attorney general of this state at least fifteen days prior to the time fixed for such hearing.

SEC. 4. On such hearing the claimant shall introduce evidence in support of the claim, and the attorney general may introduce evidence in opposition thereto. The claimant must prove the facts set forth in the statement constituting the claim, including the fact that the crime with which he was charged was either not committed at all, or, if committed, was not committed by him, the fact that he did not, by any act or omission on his part, either intentionally or negligently, contribute to the bringing about of his arrest or conviction for the crime with which he was charged, and the pecuniary injury sustained by him through his erroneous conviction and imprisonment.

SEC. 5. If the board of control shall be satisfied from the evidence that the crime with which the claimant was charged was either not committed at all, or, if committed, was not committed by the claimant, and that the claimant did not, by any act or omission, either intentionally or negligently, contribute to the bringing about of his arrest or conviction, and that the claimant has sustained pecuniary injury through his erroneous conviction and imprisonment, it shall, with the sanction of the governor of this state, report the facts of the case and its conclusions to the next legislature of this state, with a recommendation that an appropriation be made by the legislature for the purpose of indemnifying the claimant for such pecuniary injury, but the amount of the appropriation so recommended shall not exceed, in any case, the sum of five thousand dollars ($5,000).

SEC. 6. The board of control shall make up its report and recommendation and shall give to the controller of this state a statement showing its recommendations for appropriations under the provisions of this Act, as provided by the law in cases of other claimants against this state for which no appropriations have been made.

SEC. 7. The board of control is hereby authorized to make all needful rules and regulations consistent with the law for the purpose of carrying into effect the provisions of this Act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 591—An Act to add a new section to the Civil Code to be numbered Section 149, relating to the recording of a notice of pendency of action in actions for divorce.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, in line 2, of the title, of the printed bill, after the word "Code", insert the words "of the State of California".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 3 and 4, of the title, of the printed bill, strike out the words "recording of a", in line 3, and all of line 4 thereof, and insert in lieu thereof the following: "creating of a lien during the pendency of actions for divorce by filing a notice of *lis pendens*, and providing methods for the release thereof".

Amendment adopted.

AMENDMENT No. 3.

On page 1, lines 4 and 16, of the printed bill, strike out all of lines 4 to 16, inclusive, and in lieu thereof insert the following:

"SEC. 149. In actions for divorce, where an adjudication of property rights is asked for either in the complaint or answer or in a cross-complaint which may be filed therein, the plaintiff, at the time of the issuance of summons or at any time within ten days thereafter, or the defendant at the time of filing said answer or within ten days thereafter, or the cross-complainant, at the time of the filing of said cross-complaint or at any time within ten days thereafter, may record in the office of the county recorder of any county in the state where any property in-

[illegible]

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 727—An Act to amend Section 2200 of the Political Code of the State of California, relating to salaries of the members of the State Board of Examination and the secretary thereof.

Bill read second time, ordered engrossed and on the file for third reading.

Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain lands of the State, and authorizing the execution of a contract for such services.

Bill read second time, ordered engrossed and on the file for third reading.

Senate Bill No. 885—An Act making an appropriation to reimburse the directors of the State Board of Agriculture for moneys paid for traveling expenses during the sixty-third and sixty-fourth fiscal years.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

Strike out of lines 1 and 2 the words and figures "eight hundred eighty-five and 37/100" and insert in lieu thereof the following: "two thousand thirty-five and 52/100

Amendment adopted

AMENDMENT No. 2

In line 4, strike out the word "reimburse", and insert in lieu thereof the words "pay the claim of"

Amendment adopted.

AMENDMENT No. 3

In line 4, strike out the word "the" and all of lines 5 and 6, and insert in lieu thereof the following: "against the State of California".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

During second reading of the bill the following amendment was offered by the committee:

On page 1, line 6, of Section 2, after the word "the" and before the word "interest", insert the word "usual"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1331—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Bill read second time, ordered engrossed on file for third reading.

Senate Bill No. 1264—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1252—An Act reappropriating $964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1013—An Act appropriating the sum of $10,000 to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of $5,000 therefor," approved April 5, 1911.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1192—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 1, strike out the words "thirty-seven", and insert in lieu thereof the words "forty-three".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1587—An Act to amend Section 528 of the Political Code relating to the printing of laws and journals.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, lines 5 and 6, of the printed bill, strike out the following: "free ten copies to the state library, and one copy to each state officer", and insert in lieu thereof the following: "the same as provided in Section 410 of the Political Code".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1389—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section four thousand one hundred forty-seven of the Revised Code of the State of Colorado is hereby amended to read as follows:

4147. In counties of the fourteenth class, the county officers shall receive as compensation for the services rendered of them by law or by virtue of their office the following salaries, to-wit:

1. The county clerk, four thousand two hundred dollars per annum; provided that in cases where a grand duplicate of values is required by law to be made, the county clerk shall receive in addition to his regular salary the sum of twelve hundred dollars per annum.

2. The county treasurer, three thousand dollars per annum, and shall receive and collect said deputy clerk hire therein provided. The salary of each deputy clerk is hereby fixed at twelve hundred dollars per annum, said salary to be paid at the same time and in the same manner as the salaries of county officers are paid.

3. The sheriff, six thousand dollars per annum.

4. The assessor, three thousand two hundred dollars per annum. The assessor shall also be allowed one assistant to be appointed by the assessor at a salary of seventy-five dollars per month, to be paid at the same time and in the same manner as the salaries of county officers are paid.

5. The coroner, one thousand dollars per annum.

6. The surveyor, one thousand dollars per annum.

7. The county judge, thousand per annum, and the fees and costs in criminal cases as heretofore provided by law. The assessor shall also be allowed the following deputies to be appointed by him, viz.: Between the first Tuesday in March and the fifteenth day of April, each year, if the assessor shall deem it necessary, he may appoint one deputy assessor at a salary of seventy-five dollars per month, to be paid at the same time and in the same manner as the salaries of county officers are paid.

8. The assessor shall also be allowed one assistant to be appointed by the assessor at a salary of seventy-five dollars per month, to be paid at the same time and in the same manner as the salaries of county officers are paid.

9. The treasurer, one thousand dollars per annum.

10. The county judge, three thousand dollars per annum, and the fees and costs in criminal cases as heretofore provided by law. The assessor shall also be allowed the following deputies to be appointed by him, viz.: Between the first Tuesday in March and the fifteenth day of April, each year, if the assessor shall deem it necessary, he may appoint one deputy assessor at a salary of seventy-five dollars per month, to be paid at the same time and in the same manner as the salaries of county officers are paid.

11. The superintendent of schools, one thousand dollars per annum, and his actual traveling expenses while visiting schools not to exceed one hundred and fifty dollars per annum; provided, that the said superintendent of schools shall appoint one deputy superintendent of schools, whose office of deputy superintendent of schools is hereby created, and such deputy shall receive compensation for his or her services the sum of seventy-five dollars per month, to be paid in equal monthly installments on the same warrant, at the same time and out of the same fund as the salaries of other county officers are paid.

12. The surveyor, such fees as are now or may be hereafter allowed by law.

13. In counties of this class the township officers shall receive the following compensation, to wit:

(a) In townships having a population of forty-five hundred, or more, each justice of the peace shall receive a salary of one thousand seven hundred dollars per month, and each constable a salary of ninety dollars per month.

(b) In townships having a population of one thousand, or more, and less than forty-five hundred, each justice of the peace shall receive a salary of fifty dollars per month and each constable a salary of sixty dollars per month.

(c) In townships having a population of two thousand seventy-five, or more, and less than two thousand, each justice of the peace shall receive a salary of forty dollars per month, and each constable a salary of fifty dollars per month.

(d) In townships having a population of eighteen hundred, or more, and less than two thousand seventy-five, each justice of the peace shall receive a salary of thirty dollars per month, and each constable a salary of forty dollars per month.

(e) In townships having a population of seven hundred fifty, or more, and less than eighteen hundred, each justice of the peace shall receive a salary of twenty dollars per month, and each constable a salary of thirty-five dollars per month.

(f) In townships having a population of less than seven hundred fifty each justice of the peace shall receive a salary of ten dollars per month, and each constable a salary of twenty-five dollars per month.

The above named salaries shall be in full compensation for all services of said

justices of the peace and constables in criminal cases: *provided*, that each constable shall be allowed and paid the actual expense of transporting prisoners, after conviction, to the county jail, which said expense shall be audited and allowed by the board of supervisors and paid out of the county treasury.

Said justices of the peace and constables may receive and retain for their own use such fees as are now or may hereafter be allowed by law for and services rendered by them in civil actions.

The salaries of township officers as herein provided for shall be paid in the same manner, at the same time, and out of the same fund that county officers are paid.

For the purposes of this subdivision the population of the several incorporated townships is hereby determined to be the population of said townships as shown by the federal census taken in the year A. D. nineteen hundred and ten.

14. Each member of the board of supervisors, twelve hundred dollars per annum, and mileage when acting as road commissioner, twenty-five cents per mile one way; *provided*, the amount of mileage shall not exceed the sum of three hundred dollars in any one year.

15. Members of the board of education, each the sum of five dollars per day for actual service, together with mileage at ten cents per mile.

16. In counties of this class grand jurors and trial jurors in criminal cases in the superior court shall each receive for each day's attendance the sum of three dollars, and the mileage allowed by law.

17. Sections eight, eleven, thirteen and sixteen hereof shall become operative as soon as this Act takes effect and shall apply to incumbents in office.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1586—An Act to amend Section 529 of the Political Code, relating to printing.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1132—An Act to provide for an Irrigation Commission and for the organization and supervision thereby of irrigation districts; for the organization and government of such irrigation districts, for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

During second reading of the bill, the following amendments were offered by the committee:

SENATE COMMITTEE AMENDMENTS TO SENATE BILL NO. 1132.

AMENDMENT No. 1.

On page 1, amend title by striking out all after "An Act", and insert in lieu thereof the following:

"Providing for the organization of water districts by the board of supervisors of the different counties of the state upon petition therefor by the landowners, providing for the notice required and conduct thereof by the landowners thereof and the board of supervisors of the county in which the same are located; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers, providing for the approval of said bonds by the state superintendent of banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power."

Amendment adopted.

AMENDMENT No. 2

On page 1, line 1, of the printed bill after the words and figures "Section 1." insert the following: "That the territory of the State of Texas is hereby divided into [illegible]

The location of [illegible] is a matter of [illegible] and [illegible] are [illegible] [illegible] [illegible]

meeting, unless, prior thereto, by-laws shall have been adopted and filed with the secretary of the district by the written assent of the holders of title or evidence of title, including such aforesaid possessory rights, to a majority in area of the lands embraced in said district. The records of the United States land office for the district in which said lands are located; the records of the state land office; and the records in the office of the county recorder of the county in which said lands are situated shall be conclusive evidence of ownership for the purposes of this section. The by-laws shall provide for: the manner of calling, and the time, place and manner of conducting, all elections and the manner of giving notice thereof; the mode of voting in person or by proxy; the qualifications and duties of officers, the tenure of their office, the time and manner of their appointment or election; their compensation; the place at which the principal business of the district is to be transacted and the mode of changing the same; the mode of amending or repealing the by-laws and suitable penalties for the violation of the by-laws not to exceed in any one case two hundred dollars for any one offense. The by-laws may be repealed or amended, or new by-laws may be adopted by the assent of two thirds of the total vote of the district given either in writing or by ballot cast at an election of the district. The by-laws in their original form, and any repeal thereof, or amendment or addition thereto, must, together with the approval of the board of supervisors and the resolution of the directors, or the written assent thereto or a memorandum of the returns of the election at which the assent was given, be certified by a majority of the directors and the secretary of the district and must be filed for record with the county recorder of each county in which any of the lands contained in said district are located and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said district. Until so recorded, no by-law, addition thereto, amendment or repeal thereof, can be enforced against any person not having actual notice of the same.

SEC. 5. The officers of the district shall be a board of five directors, a secretary, and an assessor all of whom shall, except as herein otherwise provided, be elected by ballot, except the secretary who shall be appointed by the board of directors. No person shall be qualified to hold any of said offices, except that of secretary, unless he is a holder of title or evidence of title, including such aforesaid possessory rights, to lands contained in the district. Each appointee to office or all elected shall forfeit his office unless within ten days after he has notice of his election, or appointment or before the expiration of ten days from the commencement of his term of office, when no such notice is given, he shall have filed for record with the county recorder of each county in which any of the lands contained in said district are located, a written acceptance of his office which shall be recorded in a book kept for the purpose of recording instruments and writings relating to the district. If any office shall become vacant by forfeiture, death, resignation, or from any other cause, the same shall be filled by appointment—by the board of directors in case of vacancy in the office of secretary, and by the board of supervisors of the county in which the district was organized in all other cases. Until such time as their salaries shall have been fixed by the adoption of by-laws, the officers of the district shall receive the following compensation for their services: the secretary and assessor such sum each as shall be fixed by the board of directors; and the directors five dollars each for each directors' meeting attended or for each day's service rendered as a director by order of the board of directors, together with any expenses incident to such service, except expenses incurred in traveling between his place of residence and the place at which directors' meetings are held.

SEC. 6. The board of directors shall choose from among its members a president; shall appoint the secretary of the district; shall select and maintain an office for the district in the principal place of business thereof and shall hold regular meetings therein at such time and place as may be agreed upon by resolution adopted, and shall hold therein such other meetings as, from time to time, may be deemed advisable; *provided*, that no meetings, except regular meetings, shall be valid unless prior thereto each director shall have filed with the secretary his written consent to the same, or unless the president, or three members of the board of directors, shall have called the same by giving each of said directors five days' written notice thereof, or unless said directors shall have authorized the same by resolution adopted at a former meeting and shall have caused five days written notice thereof to be given by the secretary to each director not joining therein. A majority of the board of directors shall constitute a quorum for the transaction of business. The vote of a majority of those present at any meeting where a quorum is had shall be necessary to determine any proposition or resolution presented. The secretary shall keep a record of all the proceedings had at meetings of the board of directors. The books, maps, papers, contracts, records and other documents pertaining to the affairs of the district shall be filed in the office of the district with the secretary and must be open to inspection at all times by any persons interested.

SEC. 7. It shall be the duty of the board of directors to manage and conduct the affairs of the district and to that end it shall, in the name of the district, have power to plan, construct, maintain and keep in repair the irrigation works necessary or proper to supply the lands contained therein with sufficient water for irrigation

purposes; to acquire by purchase, condemnation or other legal means all water rights, lands, properties or rights as reasonably necessary or proper therefor; to lease or sell for a reasonable consideration any property, or rights therein, belonging to the district and no longer necessary to the use and purposes of said corporation; provided, however, all other provisions for compensation for the district under the provisions of this Act, in respect to the franchises and property of all corporations, municipal corporations and other governmental agencies to which and the duties and powers specified therein, the exercise, modification and delegation of power, or by agreement, all persons, governmental or otherwise, or any of the district's contracts or powers to carry out the provisions of this Act, or to enforce, maintain, protect or preserve the rights, privileges and franchises created by or granted to the district hereunder; to establish, print and distribute among the land owners of the district reasonable rules and regulations for the distribution of water; to enter, for the above purposes, either in behalf of or by agents or employees, on such lands and premises in the district, or adjacent thereto, as may be necessary or proper to fully carry out the purposes of this Act; provided, however, that the board of directors shall not let, or enter into, a contract for the construction of irrigation works and shall incur no obligation, except the same be necessary or proper to carry out the provisions of this Act, until all of the bonds provided for shall have been issued and sold by the district, and no bonds of the district shall be issued or executed in pursuance of this Act, nor shall any bonds be issued until subscriptions for the total amount of bonds authorized have been paid and the money derived therefrom as provided in section eighteen hereof.

SEC. 8. Between thirty and ninety days after the organization of the district and between said dates annually thereafter, the board of directors must file with the clerk of said board an engineering report showing the lands which have been irrigated during the preceding year, the lands which are then irrigable, and an estimate of the costs required for the district to discharge the general bonding obligations of the district and the obligations thereof that will mature or become due or payable during the ensuing year, and the estimated amount of money necessary to be raised by the district for the ensuing year for the payment of such obligations, and for the purposes of the district, and for the operation and maintenance of the irrigation works and the other necessary expenses of the district, and the estimated amount of water necessary for the irrigation of the lands in the district during the ensuing year, and the estimated amount of water which will be required for the irrigation of each of the several tracts of land

and charge in the assessment book in a place provided therefor in the record of each parcel or tract of land assessed the amount of the tax due thereon and shall file each said separate part of the assessment book with the county tax collector of the county in which the lands therein assessed are located and thereafter the charges therein taxed shall be due and payable to the county tax collector of the county in which the lands on which they are taxed are situated. The various orders of the board of supervisors made at the hearing shall be final and when indorsed on or attached to the assessment book shall be conclusive evidence that the assessment was made and the tax levied in accordance with the law; *provided, however*, that any person interested in lands of the district and aggrieved by the decision of the board of supervisors may, in order to have said assessment, or the tax levied thereon, corrected, modified, or annulled, institute an action therefor in the superior court of the county in which said district was organized. No action to determine the validity in any respect of any assessment, or tax levied thereon, shall be maintained unless the same shall have been commenced within thirty days after the assessment book, or each separate part thereof, is filed with said county tax collector as above provided, and no objection to the assessment shall be considered by said board of supervisors or allowed in any other action, or proceeding, unless such objection shall have been made in writing, verified and presented to the clerk of the board of supervisors in the manner herein required.

SEC. 9. From and after the filing of the assessment book, or separate part, thereof, with said county tax collector, as provided in section eight of this Act, the charges therein taxed upon any tract or parcel of land within the county for which he is the tax collector and any penalties added thereto as hereafter provided shall constitute a lien thereon and shall impart notice thereof to all persons.

SEC. 10. Within ten days after each tax shall have become due and payable, the assessor shall publish in some newspaper of general circulation published in the county in which the district was organized, a notice stating that the same became due and payable on (inserting date) to the county tax collector of the county in which the lands on which the charge therefor is a lien are located and that unless paid within six calendar months from said date the same will become delinquent, an additional charge of ten per cent thereof added thereto and the delinquent property sold at public auction. The tax must be paid in United States gold coin, and the tax collector must mark the date of payment in the assessment book opposite the name of the person paying, and must give to such person a receipt, specifying the property taxed, the amount of the charge thereon and the amount paid, and thereafter must pay the moneys so received to the county treasurer of said county who must pay the same to the county treasurer of the county in which said district was organized, and he shall place the same to the credit of the district. As soon as possible after the tax shall become delinquent the assessment book and each separate part thereof shall be returned to the secretary of the district and the board of directors thereof shall publish once a week for three weeks in some newspaper of general circulation published in the county in which said district was organized a notice containing: a description of the delinquent property; the name, if known, and, if unknown, stating that fact, of the person to whom it is assessed; the amount of the taxes and penalties due thereon; and a statement that the delinquent property will be sold therefor in front of the court house of said county on a date therein stated, which must be not less than twenty-one or more than twenty-eight days from the first publication, unless an error is made in the publication and discovered prior to the sale, in which case the notice shall be republished in the same manner, specifying the sale for a date not less than twenty-one or more than twenty-eight days from the first republication.

SEC. 11. At the time and place stated in said notice or at such other time (written notice whereof has been posted at the place of sale) to which the board of directors may have postponed it, not exceeding thirty days in all from the original date of sale, that person is the purchaser who will immediately pay in gold coin of the United States the delinquent tax and the penalty thereon for the smallest portion of the delinquent property, or in case an undivided interest is taxed, then the smallest portion of the interest. In case there is no purchaser in good faith for the same the whole amount of the delinquent property shall, for the amount of the tax and penalty thereon, be struck off to the district as the purchaser. A certificate of sale shall be executed in duplicate by the board of directors, one of which shall be delivered to the purchaser or to the district, if the property shall have been struck off to the district, and the other of which shall be recorded in the office of the county recorder of the county in which the property sold is located. The certificate shall be dated the day of the sale and shall specify—the description of the property sold; the name, if known, and if not, stating that fact, of the person to whom it was assessed; the fact that it was sold for the amount of the tax and penalty thereon, giving the amount and year of said tax; and the date on which the purchaser will be entitled to a deed. The recorder upon receiving the certificates of sale must, when he records the same, enter, in a book provided for that purpose and kept with the book provided for the purpose of recording instruments and writings relating to the district, a description of the land sold, corresponding with the description in the certificate, the date of sale, the name of the purchaser, and the amount paid. The entries in said book shall be numbered consecutively on the margin thereof and a corresponding number shall be

for the election to be executed and delivered to the county treasurer of the county in which said district was organized.

SEC. 14. Bonds of the district, when issued, shall be payable in gold coin of the United States in twenty series as follows, five per cent of the whole amount of said bonds at the expiration of eleven years and at the expiration of each succeeding year to and including the expiration of thirty years from the date of execution thereof; they shall be of the denomination of not less than one hundred dollars nor more than one thousand dollars each; and they shall be signed by the president of the board of directors and attested by the county auditor of the county in which the district was organized. Each bond must be made payable at a given time for its entire amount and not for a percentage; shall bear interest at a rate not in excess of seven per cent per annum, payable semiannually on the dates therein named at the office of said county treasurer upon the presentation and surrender of the proper coupons therefor, and the principal thereof shall be payable when due upon the presentation and surrender thereof to said county treasurer by the holder of the same. Each issue shall be numbered consecutively and the bonds of each issue shall be numbered consecutively and bear date at the time of their issue. Coupons for each installment of interest shall be attached to the bonds and shall be numbered the same as the bonds, and attested by the facsimile signature of the county auditor of the county in which said district was organized.

The bonds shall be substantially in the following form:

Issue _____ No._____. For value received, _____ Water District situated in the county of _____, State of California, promises to pay the holder hereof at the office of the treasurer of said county, on the _____ day of _____, 19____, the sum of _____ dollars in gold coin of the United States with interest in like gold coin at the rate of _____ per centum per annum, payable at the office of said treasury semi-annually, on the _____ day of _____ and the _____ day of _____ in each year, on presentation and surrender of the interest coupons hereto attached. This bond is issued pursuant to an election held by said district on the _____ day _____, 19____, authorizing its issuance, and by authority of an Act entitled (specifying the title and date of approval of this Act).

In witness whereof, the said district, by its board of directors, has caused this bond to be signed by the president of said board and attested by the auditor of said county, with his seal of office attached, this _____ of _____, 19____.

_____
President of said Board.

Attest:

_____
Auditor of _____county."

The interest coupons shall be substantially in the following form:

No. _____.

The treasurer of _____ county, State of California, will pay the holder hereof, on the _____ day of _____, 19____, at his office in _____, _____ dollars, gold coin of the United States, out of the funds of _____ Water District for interest on bond numbered _____ of said district.

Attest:

_____
County Auditor."

The county treasurer of the county in which said district was organized shall, when he receives the same, place the said bonds to the credit of the district and he shall, in a book provided for that purpose, keep a record of said bonds and of the payment thereof and the interest thereon. When filed with said county treasurer, as above provided, the bonds of the district and the interest thereon shall be and remain until paid a lien on the lands of the district, and a lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue.

SEC. 15. As soon as said bonds shall have been delivered to said county treasurer, the board of directors, or any board of title, or evidence of title, including such adverse and possessory rights, to lands contained in the district, may, in order to determine that said bonds are a legal obligation of the district, institute a proceeding therefor in the superior court of the county in which the district was organized by filing with the clerk of said county a complaint setting forth that on a day therein named bonds of said district were delivered to the said treasurer stating the amount of such bonds, and praying that such bonds be adjudged to be a valid legal obligation of such district. The summons in such proceeding shall be served by publishing a copy thereof once a week for four weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located. Within thirty days after the last publication thereof shall have been completed and proof thereof filed with the court, any person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of said bonds. If no answer shall be filed within said time, the court must render judgment as prayed for in the complaint. If an answer be filed the court shall proceed as in other civil cases. Said proceeding is hereby declared to be a proceeding *in rem* and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California.

SEC. 16. For the purpose of completing the irrigation works and of acquiring the lands, property, property rights, water and water rights appurtenant or supplemental thereto and to supply the lands contained in the district with additional water for irrigation purposes, or for the purpose of making additions to said irrigation district or for the purpose of paying for said works and lands of lands previously made, the district may, when it is necessary and proper therefor, issue additional bonds in the same manner as is hereinbefore provided for the original issue of bonds.

SEC. 17. The board of directors shall provide, and may annually for the sale of said bonds or for the exchange thereof under the terms and conditions of this Division. Said board shall in no event sell or exchange, or dispose of, any of said bonds for less than the par value thereof plus the accrued interest thereon. Said sale of said bonds to said or exchange and shall said treasurer collect and all the water across the said property thereof, within the said area or any part thereof in favor of the State of California or their use, unless said be of their application and payment of the total amount of said bond taken part thereof, such bonds shall have been registered as provided in section eighteen of this Act. If the sale of said bonds was prior to the board of directors the county treasurer of the county in which the district was organized shall transfer the bonds purchased to the purchaser upon receiving the purchase price, and the moneys received therefrom shall be placed to the credit of the district, and in a similar manner bonds of the State of California shall may be received for bonds of the district shall be placed to the credit thereof to be paid to the board of directors from time to time, however, for less than par value thereof.

SEC. 18. When approved as provided in the preceding section the bonds of any district issued in pursuance of this Act shall be printed, lithographed or engraved in order as nearly full and correct as may be for the performance of duty as to the bonds, banking institutions, commercial companies and bond companies and, when necessary duly authorized by the board, the president, secretary, attorney and special administrative. When requested thereof by the holder of or purchaser of the board of directors of any water district formed hereunder, the governor upon refusal and support the approving engineer, who, with the said engineer appointed by said board of directors and two such engineers nominated by said board, shall constitute to the governor and said board of directors shall constitute a board of investigation or examination whether or not the said board of directors of said district has complied with the provisions of this Act in the issuance of said bonds and whether or not the said bonds are valid obligations of said district. Said board of investigation or examination shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses and the production of papers, books, records and documents before it, and may examine any officer of said district, and any witness whom it believes to have information concerning the validity of said bonds, and shall report in writing to the governor and said board of directors its findings as to the validity of said bonds. Said report, when approved by the governor and said board of directors, shall be conclusive as to the validity of said bonds, and thereafter no court shall have jurisdiction to inquire into the validity of said bonds, and said bonds shall be incontestable for any cause whatsoever. Said bonds, when so approved by the governor and said board of directors, shall be delivered to the purchaser thereof and the proceeds of the sale thereof paid over to the treasurer of said district, and shall be by him placed to the credit of said district, and shall be paid out only upon the warrants of the board of directors of said district, countersigned by the president and secretary thereof, for the purposes for which said bonds were issued. Said bonds shall be payable at the office of the treasurer of said district, or at the office of the county treasurer of the county in which said district is situated, or at such other place as may be designated in said bonds, and shall bear interest at a rate not exceeding six per cent per annum, payable annually or semi-annually, as may be provided by said board of directors. Said bonds shall be payable in not more than forty years from their date, and shall be redeemable at the option of said district after ten years from the date of their issue, on any interest paying date, upon giving notice of such intention to redeem for such period, not less than thirty days prior to the date fixed for such redemption, in such manner as may be provided by said board of directors. Said bonds shall be signed by the president of the board of directors and countersigned by the secretary thereof, and the coupons thereto attached shall be signed by the secretary of said board of directors, and the seal of said district shall be affixed to each bond. In case any officer whose signature or a facsimile of whose signature shall appear on any of said bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery.

SEC. 19. Whenever there remains of the funds in the treasury of the board of directors of any district formed hereunder, after the completion of the irrigation works and the payment of all indebtedness incurred in the construction thereof, any surplus funds, such surplus funds shall be applied to the payment of the bonds issued by said district, and the board of directors shall call in such bonds for payment in the order of their number, and shall give notice of such call by publication in a newspaper published in the county in which the principal office of the district is situated, or if no newspaper is published in said county, then in a newspaper published in the county nearest to the district, for a period of not less than thirty days prior to the date fixed for the payment of said bonds, and shall designate in said notice the bonds called for payment, and the place where they will be paid. Interest on said bonds shall cease from the date designated for their payment, if sufficient funds are provided for the payment thereof, and if upon presentation payment is refused, the bonds shall continue to draw interest until paid.

SEC. 20. Whenever the funds of any district, including moneys of the proceeds necessary to complete the construction of the irrigation works or to acquire the

all the lands contained in the district with sufficient water for irrigation purposes and in addition thereto to pay every obligation of the district that is due and payable or that will become due and payable or that it is probable will become due and payable before the expiration of two years from the date on which the next preceding tax of the district was levied, the board of directors may direct the treasurer of the county in which said district was organized to pay with said excess (specifying the amount thereof) such an amount of the said bonds of the district as said excess sum of money will redeem at the lowest value at which they may be obtained for liquidation, in no case for more than the par value thereof.

SEC. 21. The county treasurer of the county in which the district was organized shall receive to the credit of the district and in trust for the uses and benefits thereof all the funds thereof, and all such funds or moneys belonging to the district, or to which the district is entitled, shall, when received, except as herein otherwise provided, be paid by the person so receiving them to the said treasurer. The said treasurer shall establish for the district two funds, to wit, a bond fund and a general fund, and shall apportion the moneys of the district to said funds, as follows: to the bond fund that portion of the moneys received from the collection of taxes or from the sale of property for delinquent taxes which bears the same proportion to the total amount so received from the collection of taxes or from the sale of property for delinquent taxes as that portion of the estimate of the board of directors (on which said tax was based) which is required for the payment of bonds and of the interest on bonds bears to the whole amount of said estimate; to the general fund, the balance of all moneys or funds so received. In case lands of the district, when sold for delinquent taxes, are struck off to the district as the purchaser, the tax collector of the county in which said lands are located shall, in making his accounting with the treasurer of said county, furnish a statement of the lands so sold to the district and of the amount for which the same were sold, and said treasurer shall deliver the same to the treasurer of the county in which said district was organized and said last named treasurer shall thereupon estimate that portion of said amount belonging to the bond fund and said charge the general fund with said portion and shall pay the same from the general fund into the bond fund. The moneys placed in the bond fund shall be used for the payment of bonds and of the interest thereon, and, until the total bonded indebtedness of the district is discharged, shall not be used for any other purposes. The funds of the district shall not exist for the payment of bonds and the interest thereon, be paid out by the treasurer of the county in which said district was organized, unless a warrant therefor shall have been drawn and executed, by the board of directors and approved by the board of supervisors of said county. Such warrants are, and shall be considered as contracts in writing for the payment of money, and the period prescribed for the commencement of an action based thereon, or connected therewith, is and shall be the term of four years from the date of their issuance. In any proceedings for a writ of mandate to compel the board of directors to issue a warrant, the court must determine the controversy in the manner provided for determining controversies to either said orders, and shall compel said to issue for such sum as may be found to be due.

SEC. 22. Except as herein otherwise provided, every holder of title or evidence of title (including the aforesaid possessory rights) to land contained in said district, and no other, shall be qualified and entitled to vote either in person or by proxy at any election held by said district. Each person entitled thereto shall have one vote for each dollar's worth of land, the title to which is held by him as above provided. The next preceding assessment book of said district shall, for the purposes of this section, be conclusive evidence of ownership and of the value of the property so owned.

SEC. 23. The [illegible] provided, all elections held under the provisions of this Act shall be called, held and conducted at the time, place and in the manner provided by the by-laws of the district: *provided, however*, that no such election shall be valid unless the place at which the same is held is at the principal place of business of the district and unless notice thereof shall first have been given in the following manner: by publication thereof once a week for at least two weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located. The said notice of election shall state the time, place and purposes thereof. At least ten days before any election, the board of directors must appoint from among those persons qualified and entitled to vote at said election an inspector and two judges, who shall constitute a board of election, and three alternates who shall, in the order in which they are appointed, fill any vacancies on said board if any members elect or do not appear at the opening of the polls. Each member of such board of election, or his successor, must, before entering upon his duties as such, take an oath or affirmation as such member of the board of election, which may be administered by any officer authorized to administer oaths or by any land holder in the district. The inspector is chairman of the election board and shall appoint the necessary clerks, and if during the progress of the election any judge or clerk shall cease to act, he shall appoint his successor. The polls shall be kept open for the reception of votes from ten o'clock a.m. until five o'clock p.m., when the same must be closed. The election board shall, before the opening of the polls, post in a conspicuous place thereat a list of all persons entitled to vote at said

of like character belonging to any district organized under this Act shall not be taxed for state and county or municipal purposes.

SEC. 27. In case of condemnation proceedings, the board of directors shall proceed in the name of the district under the provisions of Title VII, Part III of the Code of Civil Procedure.

SEC. 28. No officer of the district shall in any manner be interested, directly or indirectly, in any contract awarded or to be warded, or in the profits to be derived therefrom; and for any violation of this provision such officer shall be deemed guilty of a misdemeanor and such conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

SEC. 29. It is hereby expressly provided that all waters distributed for irrigation purposes shall be apportioned ratably to each land owner upon the basis of the ratio which the last assessment of such owner for district purposes within said district bears to the whole acreage assessed upon the district. When the equitable rules and regulations for the distribution of water have been provided by the board of directors and published once a week for two weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located, any violation thereof shall be and is hereby declared to be a misdemeanor, and the person committing the same shall, upon conviction thereof, be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars.

SEC. 30. No supervisor, recorder, tax collector, treasurer, auditor or clerk of any county shall receive any fee for any service required to be performed by him under the provisions of this Act; *provided, however*, that the tax collector of each county in which any of the lands contained in the district are located, during the time for the collection of the taxes of the district, may require the board of directors to provide and pay for a deputy tax collector whose duty it shall be to care for the matters relating to the collection of the said taxes of the district.

SEC. 31. If at any time after the organization of any district hereunder, the boundaries of the county in which the same was organized shall be so changed or modified as to exclude therefrom all of the lands contained in said district, then in that event the records and documents of said district in the possession and care of the board of supervisors of said county, together with a certified copy of the proceedings had by the district under the jurisdiction of said board of supervisors, shall be transferred and filed with the clerk of the board of supervisors of the county in which the greater portion of the lands contained in said district are located. All proceedings, petitions, orders or other documents which have been filed with the recorder of the county in which said district was organized, and which, or a certified copy thereof, have not been recorded in the county to which said district is transferred, shall be certified to by said county recorder and filed for record with the county recorder of the county to which said district has been transferred, and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said district. The treasurer and the auditor of the county in which said district was organized shall draw their warrant upon said treasurer for all of the funds of such district in the treasury of said county and the said treasurer shall pay such warrant and said funds, together with all unsold bonds of the district and the bond record kept by him, shall be transferred by him to the treasurer of the county to which the district has been so transferred. From and after the transfer in the manner above specified the board of supervisors of the county to which the district is transferred shall have and exercise all of the jurisdiction, power and authority over said district as was theretofore exercised by the board of supervisors of the county wherein such district was originally formed and thereafter any act or duty which is herein required to be done by the board of supervisors or any officer of the county in which said district was organized shall be performed by the corresponding board of supervisors or other officials of the county to which said district has been transferred, and in general the said district shall thereafter conduct and manage its affairs through its proper officials and in connection with the proper officials of each county in which any of the lands contained in said district are located as though said district was originally organized in the county to which it was transferred.

SEC. 32. An action may be brought by the attorney general in the name of the people of this state, upon his own information, or that of a private party, for the dissolution of any district formed hereunder for a non-user of its corporate powers. In such action the complaint and summons shall be personally served upon said district by delivery of a copy thereof to either the president of the board of directors or the secretary of the district. When service has been made upon the defendant and an appearance has been entered on behalf of the defendant served, the court, upon the application of any of the parties, shall thereupon enter an order fixing a day for a hearing, which shall not be less than twenty-five days from the date of the order and shall, also, enter an order directing notice by publication to be given by the clerk to all persons interested in said district either as the owners of land or interests in land in said district or as creditors of said district, or otherwise, requiring them to be and appear on the day fixed for the hearing and show cause, if any they have, why the district named in the complaint as defendant

should not be dissolved. The notice shall be published in some newspaper of general circulation published in said county in which any of the lands included in said district are located, for a period of not less than twenty days. On the day fixed for a hearing, or some day prior thereto to which the same may be continued, the court may proceed with the hearing, and proof having been made of the service of the notice by publication for the length of time required by the order, any person interested in the district may appear and present any matter pertinent to the question whether the petition for the dissolution of the district and the petitioners should be allowed to file an amended petition for the dissolution of the district and their names be stricken from the list of such persons so subscribing thereto, or whether the district should be dissolved in accordance with the prayer of the petition. If upon the hearing of such petition it be determined by the court that the dissolution of the district is not for the best interests of the owners of the lands included therein, or that all the debts and liabilities incurred by the district cannot be paid thereby, or that sufficient provision has not been made for the payment of all the debts and liabilities incurred by the district, the petition shall be denied, and the court may, by order, direct the manner in which such debts and liabilities shall be paid, and may continue the hearing from time to time for that purpose. If it appears to the court that the dissolution of the district will be for the best interests of the owners of the lands included therein, and that sufficient provision has been made for the payment of all the debts and liabilities incurred by the district, the court shall make an order dissolving the district, and declaring that the same is dissolved, and that the corporate existence thereof shall cease, except for the purpose of winding up the affairs of the district and paying its debts and liabilities. The court shall also make such orders and decrees as may be necessary to protect the rights of all persons interested.

SEC. 23. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 24. This Act shall be known and may be cited as the [illegible] Act of 1913.

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

[illegible]

The following bills, etc., were introduced:

By Senator Owens: Senate Concurrent Resolution No. 40—Approving a certain amendment to the charter of the city of Richmond, in Contra Costa County, in the State of California, which was duly ratified by the qualified electors of said city at a special election held therein for that purpose on the 8th day of April, 1913.

Resolution referred to Committee on Municipal Corporations.

By Senator Rush: Senate Concurrent Resolution No. 41—Approving four certain amendments to the charter of the city of Vallejo, in the county of Solano, State of California, which was duly ratified by the qualified electors of the said city of Vallejo at the general municipal election held therein on the 15th day of April, 1913.

Resolution referred to Committee on Municipal Corporations.

By Senator Boyce: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX, a new section to be numbered 17½, relating to the conditions of labor and welfare of employees.

Constitutional amendment referred to Committee on Labor and Capital.

[illegible]

The following reports of standing committees were received and read:

[illegible]

Senate Chamber, Sacramento, April 22, 1913.

Mr. President: Your Committee on [illegible] to whom was referred Assembly Bill No. [illegible] An Act to regulate and license the sale and [illegible] of [illegible] and to provide for the [illegible] and [illegible] of such [illegible] and [illegible] and [illegible] and

for consumption, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practical method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

Also, Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and other infectious diseases in and from the dairy herds of the State; to establish uniform standards and uniform rules and regulations governing the production, manufacture and marketing of dairy products, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Agriculture.

JONES, Chairman.

Assembly Bills Nos. 535 and 536, ordered re-referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act and for dissolving the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

JONES, Chairman.

Assembly Bill No. 1463 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JONES, Chairman.

Assembly Bill No. 418 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic livestock from contagious and infectious diseases, to provide for the appointment and duties of the officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6, and 7 thereof by adding a new section thereto to be known and numbered as Section 6½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Agriculture.

JONES, Chairman.

Assembly Bill No. 573 ordered re-referred to Committee on Agriculture.

MEMORIAL

The following memorial was presented by Senator Beban:

To the President of the Senate and Speaker of the House, California General Assembly:

GENTLEMEN: The Chinese Consolidated Benevolent Associations (The Chinese Six Companies), the Chinese Merchants' Association and Chamber of Commerce, beg, respectfully to present against the [illegible] before your honorable bodies.

The Chinese now in California are here by virtue of treaties that guarantee them the common rights of man as enjoyed under the laws or rights of your State Constitution. We have prospered, and desire to promote wider and more abundant trade and commercial relations between this State and China. We have participated in the

great movement that has caused China to lessen the rigours of past customs by the adoption of a progressive form of government. We believe that the aims, objects in our government will promote the happiness and prosperity of the Chinese people, and China's welcome their trade with the western nations.

As declared California, we protest that the Chinese are aliens of such class cannot be secured by legislation that hereafter may tend to work the extinction infinitely, and shame us before the nations.

Your proposed legislation touching the property of our countrymen to acts a blow here, and to encourage by the commonwealth to treat them with contempt, and we assert that it is unfriendly and inhospitable on the part of the peoples' republic of the hands of the greatest republic of the world.

The very fact of our resident foreigners should suggest to us the need of justice of the people of California. It is said by friendly among the great and powerful nations that California will establish itself, but rather by a just respect for the rights of those who have no protection, except the protection of humanity and by the principles of Christian equity.

We respectfully ask that this protest be made of record, and that your honorable bodies will give it careful consideration and that action be taken by which you have the power so to do.

CHINESE CONSOLIDATED BENEVOLENT ASSOCIATION,
By YEE TONG FUEY, President.
By GEE KONG SAM, Secretary.

CHINESE CHAMBER OF COMMERCE,
By TOM YOCK, President.
By M. S. YUEN, Secretary.

CHINESE MERCHANTS ASSOCIATION,
By CHOY YUNG TAI, President.
By H. S. WAI, Secretary.

THIRD READING OF ORDERED BILLS.

On motion of Senator Hayes, the Senate took up the consideration of the third reading file of Senate Bills.

Senate Bill No. 122—An Act to amend section 710 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 122 passed by the following vote:

AYES—Senators Anderson, Boden, Bunkers, Burnham, Black, Brown, Bulcraft, Campbell, Carr, Cartwright, Chandler, Cobb, Curtin, Finn, Flint, Gerdes, Hayes, Hans, Jones, Juilliard, Leon, Mary, Regan, Reed, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Owens as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On line 6, page 1, of the printed bill, strike out the word "Solano" and the words "Contra Costa".

AMENDMENT No. 2.

On line 7, page 1, of the printed bill, strike out the period (.) after the words "San Francisco", and insert in lieu thereof a comma (,) and the following: "and not including Mare Island Straits, the Straits of Carquinez, or the Sacramento or San Joaquin rivers".

AMENDMENT No. 3.

Strike out all of Section 3 of the printed bill.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 52, with instructions to amend, respectfully reports the same back, amended as per instructions.

OWENS, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At five o'clock and forty-five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS — RESUMED.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 804 was passed on file.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof."

In the absence of the author, Senate Bill No. 526 was passed on file.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

In the absence of the author, Senate Bill No. 1724 was passed on file.

Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the taxation of public ser-

vice and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 16, 18, 21, 22 and 23, and adding thereto two new sections, to be numbered 23a and 23b, all relating to revenue and taxation.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1088 passed by the following vote:

Ayes—Senators Anderson, Baker, Barnes, Berger, Bond, Bryan, Bryan, Butler, Carr, Cartwright, Caswell, Cattle, Dies, Estes, Gaston, Henry, Jones, Lattimore, Love, Rugeley, Ryan, Stevenson, Swanson, Thompson and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1089—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for the collection, and to direct the disposition of its proceeds; to provide for the enforcement of laws created by this Act and for suits to quiet title against claims of law arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for the collection, and to direct the disposition of its proceeds; to provide for the enforcement of laws created by this Act and for suits to quiet title against claims of law arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection, and to direct the disposition of the proceeds," approved March 23, 1907, and all amendments thereto and to repeal all Acts and parts of Acts in conflict with this Act," approved March 23, 1907, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1089 passed by the following vote:

Ayes—Senators Anderson, Avis, Berry, Berger, Bond, Bryan, Butler, Caraway, Carr, Cartwright, Caswell, Cattle, Dies, Estes, Gaston, Henry, Jones, Lattimore, Love, Mott, Rugeley, Stephens, and Thompson—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1177—An Act to amend Section 638 of the Penal Code, relating to unlawful acts and fines.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1177 passed by the following vote:

Ayes—Senators Anderson, Avis, Baker, Bedell, Barnes, Bond, Bryan, Bryan, Butler, Carr, Cartwright, Caswell, Cattle, Dies, Estes, Gaston, Henry, Jones, Lattimore, Mott, Rugeley, Stephens, and Thompson—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was passed on file to retain its place.

Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

On motion of Senator Finn, Senate Bill No. 1009 was passed on file to retain its place.

SENATOR BUTLER IN THE CHAIR.

At six o'clock p.m., Senator Butler, of the Thirty-first District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3897 and 3898 of the Political Code of the State of California and to add to said Political Code two new sections, to be designated as Sections 3773 and 3785*b*, all relating to property sold to the State for delinquent taxes, and providing for its disposal by sale and redemption.

Read third time.

MOTION TO REFER TO COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Strobridge as a special committee of one to amend as follows:

AMENDMENT No. 1.

Amend the title by inserting between lines 3 and 4 thereof the following: "three thousand seven hundred and eighty-seven,".

AMENDMENT No. 2.

On page 5 of the printed bill, after line 9, insert the following:

SEC. 5. Section three thousand seven hundred and eighty-seven of the Political Code is hereby amended to read as follows:

3787. Such deed, duly acknowledged or proved, is (except as against actual fraud) conclusive evidence of the regularity of all other proceedings, from the assessment by the assessor, inclusive, up to the execution of the deed. Such deed conveys to the State the absolute title to the property described therein, free of all incumbrances, except any lien of taxes levied for municipal purposes, and except when the land is owned by the United States, or this State, in which case it is prima facie evidence of the right of possession, accrued as of the date of the deed to the State.

AMENDMENT No. 3.

On page 5 of the printed bill, in line 10, amend by striking out the figure "5", and in lieu thereof inserting the figure "6".

AMENDMENT No. 4.

On page 7 of printed bill, in line 20, amend by striking out the figure "6", and in lieu thereof insert the figure "7".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, APRIL 22, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1085, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(post-file).

Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 49 passed by the following vote:

AYES—Senators Anderson, Beban, Bigelow, Boynton, Breed, Brown, Bryant, Butler, Cassidy, Cartwright, Caminetti, Chan, Cogswell, Curtin, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Leak, Mott, Regan, Rush, Strobridge, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 881—An Act to provide for the assimilation of inmates of state hospitals for the insane, the Sonoma State Home of convicts in the state prisons, and of idiots, and repealing an Act entitled "An Act to permit assimilation of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1901.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 881 passed by the following vote:

AYES—Senators Birdsall, Boynton, Breed, Bryant, Burnett, Chan, Cogswell, Cutten, Curtin, Flint, Gates, Gerdes, Jones, Juilliard, Leak, Mott, Rush, Strobridge, and Thompson—21.

NOES—Senators Anderson, Beban, Brown, and Regan—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

On motion of Senator Curtin, Senate Bill No. 1362 was passed on file.

Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1723 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Cassidy, Cartwright, Chan, Cogswell, Curtin, Flint, Gates, Gerdes, Juilliard, Leak, Mott, Regan, Rush, Strobridge, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

On motion of Senator Bryant, Senate Bill No. 516 was passed on file to retain its place.

Committee Substitute for Senate Bill No. 1311—An Act to add a new section to the Political Code, to be known as Section 1617*b* of said code, relating to the sale or leasing of school property by boards of trustees of common school districts and by boards of education in city school districts.

In the absence of the author, Committee Substitute for Senate Bill No. 1311 was passed on file.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1568 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Rush, Shanahan, Strobridge, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Com. Sub. for Senate Bill No. 629—An Act to amend Section 2185*c* of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

On motion of Senator Strobridge, Committee Substitute for Senate Bill No. 629 was passed on file.

Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1627 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Rush, Shanahan, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California, relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 708 passed by the following vote:

Ayes—Senators Anderson, Boyce, Brown, Downey, Flint, Gates, Gerdes, Inman, Lee, Leland, Lewis, Mott, Rush, Saunders, Stephens, Thompson and Wright—16.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 709—An Act to amend section one thousand two hundred and forty-eight of the Code of Civil Procedure of the State of California relating to the removal or restoration of railroad, street, or interurban railway tracks on property sought to be taken under Title VII, Part III, of the Code of Civil Procedure.

Read third time at a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 709 passed by the following vote:

Ayes—Senators Anderson, Boyce, Brown, Downey, Flint, Gates, Gerdes, Inman, Lee, Leland, Lewis, Mott, Rush, Saunders, Stephens, Thompson and Wright—16.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1201—An Act to add a new section to the Penal Code to be numbered Section 1203a, relating to "indeterminate sentences."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1201 passed by the following vote:

Ayes—Senators Anderson, Boyce, Brown, Downey, Flint, Gates, Gerdes, Inman, Lee, Leland, Lewis, Mott, Rush, Saunders, Stephens, Thompson and Wright—16.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BENSON IN THE CHAIR.

At six o'clock and forty minutes p. m. Hon. A. E. Benson, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS (CONTINUED).

Senate Bill No. 704—An Act to amend Section 1270 of the Code of Civil Procedure of the State of California, relating to the classification of the actions and rights in lands subject to be taken for public use.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 704 passed by the following vote:

Ayes—Senators Anderson, Boyce, Brown, Downey, Flint, Gates, Gerdes, Inman, Lee, Leland, Lewis, Mott, Rush, Saunders, Stephens, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1440.—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

In the absence of the author Senate Bill No. 1440 was passed on file.

Senate Bill No. 747—An Act to amend Section 667 of the Penal Code of the State of California.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 747 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Caminetti, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gibson, Gleeson, Jones, Leahy, Lee, Mott, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court.

In the absence of the author Senate Bill No. 1296 was passed on file.

Senate Bill No. 509—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the superior court or a judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

On motion of Senator Finn, Senate Bill No. 509 was passed on file.

Senate Joint Resolution No. 34—Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate joint resolution extending the presidential term to six years, and limiting the President to one single term.

In the absence of the author, Senate Joint Resolution No. 34 was passed on file.

Senate Joint Resolution No. 17—Relative to appointment of a committee to draft bills abolishing all offices not now held by Bull Moosers and providing for a commission of five to perform the duties formerly performed by one person.

In the absence of the author, Senate Joint Resolution No. 17 was passed on file.

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 672a, relating to the taking of trout by using salmon or trout roe or eggs.

On motion of Senator Finn, Senate Bill No. 962 was passed on file.

Senate Bill No. 524—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Shanahan, as a special committee of one, to amend as follows:

Strike out of Section 1 all of said section beginning with the word "provided" on line 6 of printed bill to the end of said section and inserting in lieu thereof the

following: "And no pupil shall be required to attend other than that one of the schools, or other such other time as may be fixed for the daily opening session, without the consent of the parent or guardian of such pupil, but this limit shall not apply to pupils who have been absent from school, or who, for truancy or any other misconduct, may be required to attend school under such further rules and regulations as may be prescribed by the trustees or other governing body, such parent or guardian of such pupil refusing or the time limited for the purpose to indicate such assent or dissent to the determination of such trustees or governing body."

Motion carried.

REPORT OF ENGROSSING COMMITTEE.

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

Mr. President: Your special committee of one to whom was referred Senate Bill No. 744, with instructions to amend, respectfully reports that same has been amended as per instructions.

SHANAHAN, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS.

Senate Bill No. 1479—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1479 passed by the following vote:

AYES—Senators Anderson, Wilbur, Bennett, Boynton, Brandt, Breed, Campbell, Cash, Cartwright, Cobb, Curtin, Finn, Flint, Irving, Gerdes, Jones, Leonard, Lyon, Mott, Rush, Shanahan, Thompson and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the rate of interest, and sale of school bonds.

In the absence of the author, Senate Bill No. 1263 was passed on file.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

On motion of Senator Cobb, Senate Bill No. 1411 was passed on file.

Senate Bill No. 1639—An Act providing for the construction by counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1639 was passed on file.

Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII. of Title II. of Part IV. of Division First, of said Civil Code, relating to mortgage insurance companies.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1419 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Hewitt, Jones, Juilliard, Lyon, Mott, Rush, Shanahan, Strobridge, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II of Title II of Part IV of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code, forming part of said Chapter II, and to add to said Civil Code a new chapter, to be known as Chapter VII of Title II of Part IV of Division First of said Civil Code, relating to title insurance companies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1478 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Carr, Cartwright, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Rush, Shanahan, Strobridge, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 258—An Act in relation to fences and other structures erected to annoy, and for the abatement of nuisances.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 258 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Rush, Shanahan, Strobridge, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CARR IN THE CHAIR.

At six o'clock and fifty-five minutes p. m., Senator Carr of the Thirty-sixth District, in the chair.

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 789 passed by the following vote:

AYES—Senators Anderson, Boyle, Bulkley, Burnett, Bush, Butler, Cartwright, Carr, Cartwright, Cobb, Curtis, Finn, Flint, Gaylord, Inman, Jackson, Lyon, Mott, Rush, Sharkey, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 790 passed by the following vote:

AYES—Senators Anderson, Boyle, Bulkley, Burnett, Bush, Butler, Chamberlain, Carr, Cartwright, Cobb, Curtis, Finn, Flint, Gaylord, Inman, Jackson, Lyon, Mott, Rush, Sharkey, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 791 passed by the following vote:

AYES—Senators Anderson, Boyle, Bulkley, Burnett, Bush, Butler, Chamberlain, Carr, Cartwright, Cobb, Curtis, Finn, Flint, Gaylord, Inman, Jackson, Lyon, Mott, Rush, Sharkey, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS (DAY OF ORDER).

On motion of Senator Thompson, the Senate took up the consideration of the second reading of Assembly bills.

Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

During second reading of the bill, the following amendment was offered by the Committee:

On page 1, section 1, line 1, after the word "of" and before the word "thousand" strike out the word "fifteen" and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1297—An Act to amend Section 3655 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization of and government of irrigation dis-

tricts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof, relating to the period of redemption and to certain proceedings respecting the validity of deeds to purchasers upon delinquent sales.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the state for seven years; and for the administration of the estates of such absent persons.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 12, of the printed bill, strike out the words "and said" and insert in lieu thereof the word "The".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 4, of the printed bill, strike out the comma after the word "court" and insert in lieu thereof a period, and also strike out the word "and" in said line 4.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 4, of the printed bill, strike out the small letter "u" in the word "upon" and insert in lieu thereof a capital "U".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 7, of the printed bill, insert a comma after the word "petition" and add the following: "setting forth such facts, and praying for the issuance of letters of administration upon his estate,".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 9, of the printed bill, strike out the following: "setting forth such facts,".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 11, of the printed bill, change the semicolon to a period.

Amendment adopted.

AMENDMENT No 7.

On page 1, lines 11 and 12, of the printed bill, strike out the following: "and praying for the issuance of letters of administration upon his estate;".

Amendment adopted.

AMENDMENT No. 8.

Transpose lines 3 and 4 in the title of said printed bill.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties

and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, line 3, after the word "duties", strike out the period and insert in lieu a semicolon

Amendment adopted.

AMENDMENT No. 2

On page 2, line 3, beginning with the word "such", strike out all the words up to and including the word "counties", in line 8, and insert in lieu thereof the following: "provided, however, That the aforementioned, as hereby empowered to employ 54 additional stenographers for emergency purposes."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases or approval of lands heretofore made by the state, or tide or submerged lands.

Bill read second time, and ordered to file for third reading.

ADJOURNMENT.

At seven o'clock p.m., on motion of Senator Wright, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 23, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Black, Boynton, Bulkley, Burnett, Caminetti, Campbell, Carpy, Cartwright, Chipman, Cogswell, Cutten, Dennett, Finn, Flint, Gates, Gerdes, Gibson, Hans, Harris, Hayes, Holohan, Inman, Lanagan, Leon, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Stetson, Tyrrell, Walker, Wallace, Welch and Wright—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dorr Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 22, 1913, the further reading was dispensed with, on motion of Senator Rush.

COMMUNICATIONS.

The following communications were received:

THE WHITE HOUSE,
WASHINGTON, D. C., April 23, 1913.

The President of the Senate, Sacramento, Cal.:

We find it so difficult from this distance to understand fully the situation with regard to the sentiments and circumstances lying back of the pending proposition con-

cerning the ownership of land in the State, that I venture to inquire whether it would be agreeable to the Legislature to have the Secretary of State visit Sacramento for the purpose of counseling with the members of the Legislature and co-operating with them in the framing of a law which would meet the views of the people of the State, and yet leave untouched the international obligations of the United States.

WOODROW WILSON.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced by Senator Boynton:

WHEREAS, The President of the Senate of the State of California has this day received from the President of the United States the following telegram:

THE WHITE HOUSE,
WASHINGTON, D. C., April 23, 1913.

The President of the Senate, Sacramento, Cal.:

We find it so difficult from this distance to understand fully the situation with regard to the sentiments and circumstances lying back of the pending proposition concerning the ownership of land in the State, that I venture to inquire whether it would be agreeable to the Legislature to have the Secretary of State visit Sacramento for the purpose of counseling with the members of the Legislature and co-operating with them in the framing of a law which would meet the views of the people of the State, and yet leave untouched the international obligations of the United States.

WOODROW WILSON.

Now, therefore, be it

Resolved by the Senate of the State of California, That while this Senate respectfully maintains the right of the Legislature of the State of California to legislate on the subject of land ownership within the State, it will be entirely agreeable to this Senate to have the Secretary of State of the United States visit Sacramento for the purposes indicated in the President's telegram; and be it further

Resolved, That in view of the probable early adjournment of the Legislature the Secretary of the Senate be, and he is hereby, instructed to transmit forthwith these resolutions by telegraph to the President.

Senator Wright moved to strike from the resolution the following words:

"While this Senate respectfully maintains the right of the Legislature of the State of California to legislate on the subject of land ownership within the State,".

The question being on the motion of Senator Wright.

The roll was called, and the motion lost by the following vote:

AYES—Senators Campbell, Curtin, Juilliard, Owens, Sanford, Shanahan, and Wright—7.

NOES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Haus, Hewitt, Jones, Kehoe, Larkins, Lyon, Regan, Rush, Strobridge, and Thompson—28.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until one o'clock p.m.

TIME OF RECESS EXTENDED.

At one o'clock p.m., on motion of Senator Kehoe, the hour of recess was extended until one o'clock and thirty minutes p.m.

Senator Campbell moved to amend the resolution as follows:

After the comma after the word "state," in line 23 of the resolution, insert the following: "under the constitutional guarantees and limitations respecting treaty rights,".

TIME OF RECESS EXTENDED.

At one o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until two o'clock p.m.

The question being on the amendment of Senator Campbell.

The roll was called and amendment lost by the following vote:

AYES—Senators Campbell, Cobb, Curtis, Grant, Hatfield, Owens, Shepherd, Stephens, and Wright—9.

NOES—Senators Anderson, Ayer, Belshaw, Bryant, Caminetti, Chandler, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hare, Harris, Hayes, Holohan, Jones, Kehoe, Larkins, Lyon, Mott, Regan, Roseberry, Saylor, Strobridge, and Thompson—20.

TIME OF RECESS EXTENDED

At two o'clock p.m., on motion of Senator Thompson, the hour of recess was extended until two o'clock and ten minutes p.m.

The question being on the adoption of the resolution

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ayer, Belshaw, Bryant, Caminetti, Chandler, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hare, Harris, Hayes, Holohan, Jones, Kehoe, Larkins, Lyon, Mott, Regan, Roseberry, Saylor, Strobridge, Thompson, and Wright—23.

NOES—Senators Campbell, Cobb, and Curtis—3.

[illegible]

I voted for the amendment to the resolution under consideration because I believe that either all the amendments if adopted would relieve the constitutional objection that should not be made in connection with the resolution and exercise control of Democratic Whips. I voted for the resolution, as the final passage notwithstanding the defect of the amendment because to have voted otherwise would have been representing myself in opposition to the proposed Code of Mr. Perry, the Secretary of State, which I strongly favor.

T. W. H. SHEARER.

QUESTION OF PERSONAL PRIVILEGE.

Senator Kehoe addressed the Senate on a question of personal privilege.

SPECIAL ORDER RESET

On motion of Senator Brown, the further consideration of Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights, and the laying of bets or wagers upon the result thereof—was made a special order at eleven o'clock a.m., Thursday, April 24, 1913.

RECESS

At two o'clock and ten minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate at recess until three o'clock and thirty minutes p.m.

RECONVENED

At three o'clock and thirty minutes p.m. the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY

On motion of Senator Thompson, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Also: Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

Also: Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 892, 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 849*a*, 850*b*, 858*b* and 872*a* thereof, relating to proceedings in justices' courts.

Also: Assembly Bill No. 817—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school systems of the State of California, of the 24th day of January, the date of the discovery of gold in California, by James W. Marshall.

Also: Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 8 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 862 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1192 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 817 read first time, and referred to Committee on Education.

Assembly Bill No. 209 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a commission to determine the amount to be expended for furnishing and equipping said buildings and accepting a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

Also: Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth.

Also: Assembly Bill No. 1633—An Act appropriating money for the purchase of additional land for the San Diego State Normal School.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1325 and 1494 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1633 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2084—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Also: Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Also: Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Also: Assembly Bill No. 2055—An Act making an appropriation to pay the heirs of Mrs. M. Dow against the State of California.

Also: Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 4457.

J. F. MALLORY, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

Assembly Bill No. 2084 read first time and referred to Committee on Commerce and Navigation.

Assembly Bill No. 770 read first time and referred to Committee on Judiciary.

Assembly Bills Nos. 1255 and 2055 read first time and referred to Committee on Finance.

Assembly Bill No. 1404 read first time and referred to Committee on Banking.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1470—An Act to amend Sections 3, 4, 5, 6, 10 and 12 of "An Act to provide for the preservation of property of and for public park or public ornamental purposes by condemnation and for the acquirement of possession thereof by the commissioners of public parks in case the expense of acquiring such land is assessed upon the property benefited thereby to be included Section [illegible] relating to condemnation.

Also: Assembly Bill No. 530—An Act to consolidate [illegible] the cities of San Francisco, Los Angeles, and Sacramento under the control and management of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of the Commissioner and Conciliators and creating an appropriation for the carrying thereof.

Also: Assembly Bill No. 1062—An Act regulating the hours of employment in underground mines or any underground workings, whether for the purpose of construction, sinking, excavation or in connection with mining purposes or drainage, or in smelting and reduction works.

Also: Assembly Bill No. 1108—An Act to amend Sections 2580, 2581, 2586, 2587 and 2589 of the Political Code, relating to the support and maintenance of veterans' homes and thereof officers.

Also: Assembly Bill No. 224—An Act to amend Section 557 of the Penal Code, relating to the salary of superior judges.

J. F. MALLORY, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

Assembly Bill No. 1470 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 530 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1062 read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 1108 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 224 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 507—An Act supplying Sections 1 and 2 of an Act entitled "An Act to regulate interests in school of the State by reference to the erection, completion, alteration, repair or appurtenances of any state, or county building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the state in relation to erections and buildings, approved March 28, 1870,'" approved March 22, 1909.

Also: Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering to provide for the employment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts

a felony and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1909, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a débris commissioner, and to make an appropriation, to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof, and by adding three new sections, to be numbered Sections 9*a*, 9*b* and 9*c*, relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor.

Assembly Bill No. 507 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 930 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Also: Senate Bill No. 1487—An Act authorizing board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

Also: Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 53, 1487 and 1522 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered 1314, and relating to the nomination of guardians by persons who may afterward become insane or incompetent.

Also: Senate Bill No. 138—An Act to amend Sections 1763 and 1764 of the Code of Civil Procedure, in relation to the appointment of guardians of insane and incompetent persons.

Also: Senate Bill No. 631—An Act to amend Section 817 of the Penal Code, relating to peace officers.

Also: Senate Bill No. 683—An Act to amend Section 271*a* of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Also: Senate Bill No. 687—An Act to amend Section 1183 of the Civil Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 137, 138, 631, 683 and 687 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 21—An Act to provide relief to all persons having claims against the State for damages to their property by oil, gas or petroleum having entered or hereafter to enter the same, because of injury to, destruction of water therein, providing penalties for the collection thereof, and repealing an Act entitled "An Act to provide relief to all persons having claims against the State for damages to their property by the operation or extraction of mineral oils," approved March 20, 1909.

Also: Concurred in Senate amendments to Assembly Bill No. 1036—An Act to amend Sections 4704 and 4705 of the Political Code of the State of California, relating to prisoners and diseases.

Also: Concurred in Senate amendments to Assembly Bill No. 1197—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of insurance," approved March 1, 1909, by amending Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13a, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 31, 33, 34, 35, 37, 43, 44, 47, 48, 49, 50, 51, 52, 54, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138 and 140, thereof, and by amending Sections 26, 27, 32, 100, 102, 103 and 104 thereof, and by adding new sections thereto to be numbered Sections 45a, 45b, 54, 57, 95, 95a, 101a, 101b, and 140a, and by repealing Section 135 thereof, and adding a new section thereto, relating to the amendment, revision, and relating to the definition and regulation of the business of insurance.

I. P. MALLORY, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1000—An Act to provide for the free treatment of persons exposed to certain very quick dangers that is will be a hardship for them to pay for necessities connected with contracting the dangers of the State Board of Health to provide funds and appropriating for the payment by counties of physicians appointed to administer such treatment.

Also: Concurred in Senate amendments to Assembly Bill No. 1017—An Act to prevent the importation into the State of California of horses, mules, asses or cattle which are affected with any infectious or contagious disease, or generally for the inspection of such animals before they are brought into the State, to repeal an Act entitled "An Act to prevent the importation of such cattle for the purpose of breeding purposes affected with pleuropneumonia into the State of California," approved March 7, 1911, to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Also: Concurred in Senate amendments to Assembly Bill No. 1101—An Act to amend an Act entitled "An Act to provide for the payment to the owner or assignee or either of horses and cattle of the proceeds of bonds of the official bonds which given by surety companies," approved March 20, 1909.

Also: Concurred in Senate amendments to Assembly Bill No. 1171—An Act providing for the building of a bridge across the Colorado River and making an appropriation therefor.

I. P. MALLORY, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

SPECIAL ORDER CONTINUED

On motion of Senator Wright, the consideration of Senate Bill No. 965, set for three o'clock and thirty minutes p.m. this day, was continued until five o'clock p.m.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1055—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1055 was passed on file.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 236 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Mott, Rush, Shanahan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended April 1, 1911.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 237 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Mott, Rush, Shanahan, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1587—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

On motion of Senator Thompson, Assembly Bill No. 1578 was ordered to the foot of the third reading file.

Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 958 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Brown, Bryant, Butler, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Juilliard, Kehoe, Mott, Owens, Rush, Shanahan, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR GATES IN THE CHAIR.

At three o'clock and fifty minutes p.m., Senator Gates, of the Thirty-fourth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 1 was ordered to the foot of the third reading file.

Assembly Bill No. 946—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any towns in any incorporated city when the same thereof will not exceed the cost of one thousand dollars, and providing for the payment of such cost and expenses thereof.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 946 passed by the following vote:

AYES—Senators Avey, Bills, Bunkell, Crowe, Evans, Hannah, Caldwell, Carr, Cogswell, Cole, Curtis, Dan, Flint, Gates, Gerdes, Hayes, Jones, Kent, Owens, Rush, Shanahan, Stetefeldt, Thompson and Wyllie—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Caldwell gave notice that he would, on the next legislative day, move to reconsider the vote whereby Assembly Bill No. 224 was passed.

PRESENTATION OF FLORAL OR BOTANICAL SPECIMENS.

On request of Senator Jones, the privilege of the floor of the Senate Chamber, for this day, was extended to Dr. J. G. Dawson, of Siskiyou County, and Col. D. A. Smith, of San Francisco.

THIRD READING OF BILLS—(CONTINUED).

Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to structures and buildings,' approved March 28, 1876,'" approved March 22, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1949 passed by the following vote:

AYES—Senators Avey, Bills, Bunkell, Burnett, Evans, Hannah, Caldwell, Carr, Cogswell, Cole, Curtis, Dan, Flint, Gates, Gerdes, Hayes, Jones, Kent, Owens, Rush, Shanahan, Stetefeldt, Thompson and Wyllie—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

113—ASC

Assembly Bill No. 560—An Act to amend Section 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing and time of service of jurors.

On motion of Senator Thompson, Assembly Bill No. 560 was passed on file.

Assembly Bill No. 556—An Act to add Section 1716 of the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

On motion of Senator Finn, Assembly Bill No. 556 was passed on file.

Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district and providing for the payment thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 954 passed by the following vote:

AYES—Senators Avey, Beban, Beason, Birdsall, Boynton, Bryant, Butler, Cannetti, Campbell, Carr, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Larkins, Mott, Owens, Rush, Shanahan, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1420—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business, and to the capital stock of insurance companies.

Also: Senate Bill No. 904—An Act to establish the Yolo and Lake highway; to define its course; to provide for its survey and construction; and to make an appropriation therefor.

Also: Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Also: Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

Also: Senate Bill No. 1705—An Act providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission" and making an appropriation to carry out the purposes of this Act.

Also: Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Also: Senate Bill No. 644—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Also: Senate Bill No. 609—An Act to repeal Section 661 of the Code of Civil Procedure of the State of California, relating to records on appeal from orders granting or refusing a new trial.

Also: Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

Also: Senate Bill No. 1734—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

Also: Senate Bill No. 641—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered nine hundred and fifty-one, relating to the preparation and service of records on appeal.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills examined Senate Bill No. 621—An Act making an appropriation to pay the claim of Duane Ross against the State of California.

Also Senate Bill No. 1050—An Act [illegible] money for paving and grade the viaduct at Agnew State Hospital.

Also Senate Bill No. 5—An Act defining and limiting the right of [illegible] of corporations a majority of the issued and outstanding shares of stock of which is held or owned by aliens ineligible to citizenship under the naturalization laws of the United States, to acquire title to, hold or lease real property in the State of California, providing for the period of time and under what circumstances any lease real property in the State of California, providing for the payment of property escheated, vested or held by any alien or any such corporation, to the State of California, and providing for [illegible] and for the suspension of the provisions and remedies [illegible] Act.

And report that the same have been correctly engrossed.

CRANE, Chairman.

THIRD READING OF BILLS— (CONTINUED).

Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter, any street in any incorporated city or town, lying adjacent to or upon the property of such county and providing for the payment thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 955 passed by the following vote:

AYES—Senators Boyce, Brown, Cornell, Downing, Flint, Rolfe, Thompson, Caminetti, Carr, Caswell, Curtin, Finn, Gerdes, Hyde, Inman, Leake, Lewis, Lukens, Wolfe, Owens, Roseberry, Shoemaker, Stetson, Tyrrell and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1896—An Act to amend Section 714 of the Penal Code of the State of California, relating to the peremption of actions.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1896 passed by the following vote:

AYES—Senators Boyce, Brown, Cornell, Downing, Flint, Rolfe, Thompson, Caminetti, Carr, Caswell, Curtin, Finn, Gerdes, Hyde, Inman, Leake, Lewis, Lukens, Wolfe, Owens, Roseberry, Shoemaker, Stetson, Tyrrell and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 491—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees instead of establishing a separate county free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 490 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Curtin, Flint, Gates, Gerdes, Hans, Juilliard, Owens, Rush, Shanahan, Strobridge, and Wright—21.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At four o'clock and ten minutes P.M., Senator Thompson of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 555—An Act ratifying and confirming proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

On motion of Senator Thompson, Assembly Bill No. 555 was passed on file.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

On motion of Senator Owens, Assembly Bill No. 416 was passed on file.

Assembly Bill No. 308—An Act to amend Section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of six additional Superior Court judges in counties of the first class and providing for their compensation.

Read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 308 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Curtin, Flint, Gates, Gerdes, Hans, Juilliard, Larkins, Mott, Owens, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure of the State of California, relating to the extension of time in which an act is to be done.

Read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 886 passed by the following vote:

AYES—Senators Beban, Benson, Bledsoe, Boynton, Breed, Brown, Burke, Caminetti, Campbell, Cogswell, Flint, Gates, Gerdes, Jones, Judkins, Larkins, Mott, Owens, Regan, Rush, Shanahan, Stetson, Thompson, Tyrrell, and Wright—25.

NOES—None.

Read third time.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660 of the Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to motions on appeal.

On motion of Senator Jones, Assembly Bill No. 888 was passed on file.

Assembly Constitutional Amendment No. 84—Relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

On motion of Senator Boynton, Assembly Constitutional Amendment No. 84 was passed on file.

ASSEMBLY CONCURRENT RESOLUTION No. 39

Relative to the payment of expenses incurred by the joint committee appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm.

WHEREAS, Pursuant to Assembly Concurrent Resolution No. 11, the following named members of the Senate and Assembly were authorized and empowered to make certain investigations relative to the expediency of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County, namely, Lieutenant-Governor Wallace Aitkens, W. C. Wall, member from Fifteenth Assembly District, secretary; E. K. Strobridge, employee of the Senate Committee on Finance; B. F. Rush, chairman of the Senate Committee on Hospitals and Asylums; A. Caminetti, member from Fourth Senatorial District; J. E. Cram, chairman of the Assembly Committee on Hospitals and Asylums; W. F. Chandler, employee of the Assembly Committee on Ways and Means; T. D. Johnston, chairman of the Assembly Committee on State Prisons and Parks, and J. W. Stetson, member of the Nineteenth Assembly District; and

WHEREAS, By the terms of said resolution, the said committee were to be allowed actual expenses necessarily incurred in the performance of their duties; and

WHEREAS, Said resolution also provided for the payment of said expenses in connection with personal conferences attended by the committee, which bills are [illegible] to be charged against the Contingent Fund of the Assembly, and one half against the Contingent Fund of the Senate; [illegible]

Lieutenant-Governor Wallace Aitkens, Stockton, Cal.	$25 00
Stockton Daily Independent, Stockton, Cal.	22 00
Stockton Evening and Sunday Record, Stockton, Cal.	27 00
Western Union Telegraph Company, [illegible] bill	1 67
[illegible] paid Robert	
J. E. Cram	15 00
B. F. Rush	15 00
J. W. Stetson	15 00
A. Caminetti	15 00
A. J. Wallace	15 00
E. K. Strobridge	15 00
W. F. Chandler	15 00
C. C. Young	15 00
T. D. Johnston	15 00
Assembly [illegible] W. C. Wall	10 00
[illegible]	
[illegible]	$250 67

Resolved by the Senate, the Senate concurring, That the Controller be and he is hereby authorized and directed to draw his warrant, one half upon the appropriation for the contingent expenses of the Assembly and one half upon the appropriation for the contingent expenses of the Senate, in favor of the said W. C. Wall for the sum of one hundred and sixteen dollars and sixty-seven cents, and the State Treasurer is hereby directed to pay the same.

The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. 26 adopted by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Curtin, Flint, Gerdes, Jones, Juilliard, Larkins, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272*a*, relating to the selling, giving away, relinquishing or disposing of children.

On motion of Senator Flint, Assembly Bill No. 513 was passed on file.

Assembly Bill No. 514—An Act to amend Section 271*a* of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 514 passed by the following vote:

AYES—Senators Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Gerdes, Hans, Jones, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 653*e*, relating to blacklisting.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1118 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Jones, Juilliard, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804*b*, relating to the cancellation of erroneous assessments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1394 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Juilliard, Mott, Owens, Regan, Rush, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, trestlework and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 649 passed by the following vote:

Ayes—Senators Beban, Benson, Bennett, Boynton, Breed, Brown, Butler, Chellew, Cogswell, Cory, Cosgrove, Crane, Curtin, Finn, Flint, Gerdes, Hagel, Hatfield, Mott, Owens, Rogers, Rush, Saunders, Stetson, Thompson, Tyrrell, and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 730—An Act to amend Section 3561 of the Political Code of the State of California, relating to the way upon to alter, discontinue or lay out roads.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 730 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Bennett, Boynton, Brown, Butler, Breed, Chellew, Cogswell, Cosgrove, Cory, Curtin, Crane, Finn, Flint, Gerdes, Hagel, Hatfield, Lewis, Mott, Owens, Rush, Saunders, Stetson, Thompson, Tyrrell, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished [illegible] and irrigation districts on request.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1297 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Boynton, Breed, Brown, Bennett, Cogswell, Cosgrove, Cory, Crane, Curtin, Finn, Flint, Gerdes, Hagel, Hatfield, Lewis, Mott, Owens, Rush, Saunders, Thompson, Tyrrell, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 779—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties

of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 599 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Juilliard, Larkins, Mott, Owens, Rush, Shanahan, Thompson, Tyrrell, and Wright—26.

NOES—None.

Title read and approved

Bill ordered transmitted to the Assembly.

Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization of and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof, relating to the period of redemption and to certain proceedings respecting the validity of deeds to purchasers upon delinquent sales.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 693 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Caminetti, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases, or approval of leases, heretofore or hereafter made by the State, of tide or submerged lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 847 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Bryant, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Juilliard, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 10, 17, 42, 56, 57, 59 and 86 thereof.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 196 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Bleasdale, Boyle, Brown, Burke, Chamberlain, Cory, Cogswell, Cosgrove, Crow, Dills, Flint, Gates, Hans, Hewitt, Hoffman, Lanagan, Leavitt, Lewis, Owens, Rigdon, Roseberry, Rush, Saunders, Stephens, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Weeks, Wolfe and Wright—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—LIST OF AMENDMENTS.

On motion of Senator Tyrrell, the Senate took up for consideration, Senate Bill No. 312, out of order.

Senate Bill No. 312—An Act to amend Section 412 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Boyle as a special committee of one, to amend Senate Bill No. 312 as follows:

AMENDMENT No. 1.

On page 2, line 28, after the semicolon insert "and also for any such year as may be necessary to enable such person to be in the county who shall be a qualified elector of such precinct, the time necessary to enable such person to travel from his residence to the polling place of such precinct and return to his residence by the most direct route, and for such reasonable length of time as may be necessary to cast his vote at such election;"

AMENDMENT No. 2.

On page 3, line 20, strike out the word "twelve", and in lieu thereof insert the word "fifteen".

AMENDMENT No. 3.

On page 4, line 18, strike out the comma following the word "deputies".

AMENDMENT No. 4.

On page 6, line 2, strike out the period, and in lieu thereof insert a semicolon, and the following: "provided, further, that from and after the first Monday after the first day of January, 1915, all commissions and fees received or permitted by law to be retained by any officer mentioned in subdivision 1 of this section, shall be collected by the treasurer, without any allowance to any officer, for services rendered by the performance of any official duty, except as otherwise provided by the board of supervisors, and shall be paid into the general fund of said county quarterly."

AMENDMENT No. 5.

On page 7, line 20, strike out the semicolon and in lieu thereof insert the following: "and necessary traveling expenses in the performance of the duties of his office;"

AMENDMENT No. 6.

On page 8, line 3, strike out the word "three", and in lieu thereof insert the word "four".

AMENDMENT No. 7.

On page 8, line 4, strike out the word "twenty", and insert in lieu thereof the word "twenty-".

AMENDMENT No. 8.

On page 8, line 5, strike out the word "four".

AMENDMENT No. 9.

On page 8, line 9, after the word "or", insert "a".

AMENDMENT No. 10.

On page 8, line 14, strike out the word "five", and in lieu thereof insert the word "four".

AMENDMENT No. 11.

On page 8, line 16, strike out the word "month", and in lieu thereof insert the word "annum".

AMENDMENT No. 12.

On page 8, line 19, after the word "deputies", insert the following: "for a period not to exceed six months in any one year,".

AMENDMENT No. 13.

On page 8, line 20, strike out the word "twelve", and insert in lieu thereof the word "one".

AMENDMENT No. 14.

On page 8, line 21, strike out the word "annum", and in lieu thereof insert the word "month".

AMENDMENT No. 15.

On page 8, line 24, strike out the word "ten" and in lieu thereof insert the word "six".

AMENDMENT No. 16.

On page 9, line 7, strike out the word "or".

AMENDMENT No. 17.

On page 9, line 7, after the word "block-books", insert the following: "or assessment rolls".

AMENDMENT No. 18.

On page 9, line 9, after the word "plats", insert a comma and strike out the word "or".

AMENDMENT No. 19.

On page 9, line 10, after the word "books", insert the following: "or assessment rolls".

AMENDMENT No. 20.

On page 10, line 36, before the word "one", insert the following: "one autopsy physician and surgeon whose salary is hereby affixed at the sum of eighteen hundred dollars per annum, who shall perform all autopsies and inspection in all cases required by the coroner, except that where the distance from county seat exceeds twenty miles the coroner may subpoena a physician or surgeon to perform such autopsy or to inspect the body."

AMENDMENT No. 21.

On page 11, line 17, after the word "the", insert the words "autopsy physician and surgeon,".

AMENDMENT No. 22.

On page 14, line 26, strike out the comma and the balance of the line, and in lieu thereof insert a period.

AMENDMENT No. 23.

On page 11, strike out all of lines 27, 28, 29, 30 and 31.

AMENDMENT No. 24.

On page 14, line 4, strike out the words "or perquisites".

AMENDMENT No. 25.

On page 14, line 14, strike out the words "ten hundred eighty", and in lieu thereof insert the words "twelve hundred".

AMENDMENT No. 26.

On page 15, line 14, after the word "salaries" insert the following: "to be paid each month and in the same manner and out of the same fund as other county officers are paid, which shall be in full for all services rendered by them in criminal cases; in townships having a population of more than fifty thousand, one hundred and fifty dollars; in townships having a population of fifteen thousand and less than fifty thousand, one hundred and twenty-five dollars; in townships having a population of less than fifteen thousand, eighty-five dollars. In addition to the compensation received in criminal cases, each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil cases; *provided*, that in counties of this class constables shall be and they are hereby allowed such expenses as are actually and necessarily incurred by

them in conveying prisoners to and from the county jail; said amounts to be presented and presented as a claim against the county and to be audited and allowed by the board of supervisors and paid out of the county treasury in the manner as are other claims; *provided, further*, that term and after the first Monday after the first day of January, 1915, constables shall receive the following salaries:

AMENDMENT No. 27

On page 15, line 18, strike out the word "four" and in lieu thereof insert the word "seventy-five".

AMENDMENT No. 28

On page 15, line 20, strike out the word "fifteen" and in lieu thereof insert the word "twenty", and strike out the word "fifty" and in lieu thereof insert the word "seventy-five".

AMENDMENT No. 29

On page 15, line 22, strike out the word "fifteen" and in lieu thereof insert the word "twenty".

AMENDMENT No. 30

On page 16, line 15, after the word "each" insert the words "per year".

AMENDMENT No. 31

On page 16, line 16, after the word "each" insert the words "per year".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 23, 1913

MR. PRESIDENT: Your special committee of one to whom was referred Senate Bill No. 316, with instructions to amend, respectfully reports the same back, amended as per instructions.

EELLS, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

[illegible]

Senator Rush moved that Senate Bill No. 1218, with the committee substitute and amendments submitted by the Committee on Drainage, Swamp and Overflowed Lands and Finance, be re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

Motion carried.

Senate Bill No. 1218, with proposed substitute and amendments, ordered re-referred to Committee on Drainage, Swamp and Overflowed Lands.

CONSIDERATION OF BILL—OUT OF ORDER

On motion of Senator Finn, the Senate took up for consideration, Assembly Bill No. 69, out of order.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody; to regulate the practice of chiropody in the State of California; to provide penalties for the violation of the provisions of this Act; to create a board of examiners of chiropody; to define its duties and to authorize it to carry out the purposes of the Act.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 69 passed by the following vote:

AYES—Senators Anderson, Ayer, Finn, Power, Rickard, Rush, Evans, Fergusson, Ryan, Caminetti, Cobb, Flint, Gates, Jackson, Lyon, Mott, Owens, Regan, Reed, Tyrrell and Wright—21.

NOES—Senators Rominger, Stetson and Thompson—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At five o'clock and five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Lyon, the Senate took up the consideration of Assembly Bill No. 374, out of order.

Assembly Bill No. 374—An Act to amend Section 1 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and April 14, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 374 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Gates, Hans, Juilliard, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking, authentication, and filing of transcript of testimony and recognizances in coroner's inquests, and providing for the appointment of a shorthand reporter for such purposes and for fees in payment therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying procedure for levying a tax for the purposes of the Act and for disbursing the same.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof.

Bill read second time and ordered on file for third reading.

THIRD READING OF INTRODUCED BILLS

Assembly Bill No. 1380—An Act making an appropriation for furniture, carpets, fixtures and other necessaries for the use of the Supreme Court and for the clerk of the Supreme Court.

Bill read third time on its previous day.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Ashe, Boyle, Brown, Caldwell, Emerson, Finnigan, Harris, Harrison, Hayes, Hewitt, Leavitt, Lee, Lewis, Lyon, Mott, Owens, Rigdon, Rush, Saunders, Stetson, Tarbox, Thompson, Wallace, Walters, Welch, Wolfe and Wright—27.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1380 passed by the following vote:

Ayes—Senators Ashe, Boyle, Brown, Caldwell, Emerson, Finnigan, Harris, Harrison, Hayes, Hewitt, Leavitt, Lee, Lewis, Lyon, Mott, Owens, Rigdon, Rush, Saunders, Stetson, Tarbox, Thompson, Wallace, Walters, Welch, Wolfe and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 671—An Act making an appropriation to pay the expenses of the State Banking Department.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Ashe, Boyle, Brown, Caldwell, Emerson, Finnigan, Harris, Harrison, Hayes, Hewitt, Leavitt, Lee, Lewis, Lyon, Mott, Owens, Rigdon, Rush, Saunders, Stetson, Tarbox, Thompson, Wallace, Walters, Welch, Wolfe and Wright—27.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

Ayes—Senators Ashe, Boyle, Brown, Caldwell, Emerson, Finnigan, Harris, Harrison, Hayes, Hewitt, Leavitt, Lee, Lewis, Lyon, Mott, Owens, Rigdon, Rush, Saunders, Stetson, Tarbox, Thompson, Wallace, Walters, Welch, Wolfe and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 2, line 8, after the word "the" and before the word "current" insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 247—An Act making an appropriation of $434.53, to pay the claim of Alice J. Miller against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 248—An Act appropriating the sum of $3,212.94 to pay the claim of J. Harry Russell.

During second reading of the bill, the following amendment was offered by the committee.

On page 1, section 1, line 4, after the word "Russell" strike out the period and insert in lieu thereof the words "against the State of California".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a State Printing Office.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all after "Sec. 2", and insert in lieu thereof the following: "The moneys hereby appropriated shall not be available until there shall have been deeded to the State of California a site sufficiently large and convenient to the capitol building, as approved by the Superintendent of State Printing and the State Engineer. Upon the acquisition of said site, without cost to the state, the State Engineer shall proceed to the construction of such building in accordance with the plans for the same approved by the Superintendent of State Printing".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 3, after the word "Palmer" and before the word "for", insert the following: "against the State of California".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 7, after the word "the" and before the word "current" insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 2, line 7, after the word "the" and before the word "current" insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 2, line 8, before the word "warrant" and after the word "the" insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1173—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 2, line 9, after the word "the" and before the word "counties" insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1473—An Act to make an appropriation for maintenance of the state road from Mayer's Station to McConney's.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 2, line 9, after the word "the" and before the word "counties" insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1475—An Act making an appropriation for maintenance of the Emigrant Gap state road.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 2, line 6, after the word "the" and before the word "counties", insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1847—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Bill read second time and ordered to 5b for third reading.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Joint Resolution No. 18—Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California, for investigations and surveys by the California Débris Commission under the provisions of an Act of Congress, approved March 1, 1893, to aid in the preparation and making of a report on a project for the relief from floods in the San Joaquin Valley and the delta of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

Also: Senate Bill No. 1019—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code of the State of California, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Also: Senate Bill No. 719—An Act to add a new section to the Penal Code, to be numbered 308a, relating to the posting in their stores of a copy of Section 308 of the Penal Code, by dealers in tobacco and providing a penalty for a failure to so post.

Also: Senate Bill No. 597—An Act to amend Section 631 of the Code of Civil Procedure of the State of California, relating to waiver of trial by jury.

Also: Senate Bill No. 596—An Act to amend Section 1027 of the Code of Civil Procedure of the State of California, relating to costs on appeal.

Also: Senate Bill No. 1297—An Act authorizing and empowering the Regents of the University of California to condemn certain lands, [illegible] and [illegible] for the use of said university.

Also: Senate Bill No. 1586—An Act to amend Section 529 of the Political Code relating to printing.

Also: Senate Bill No. 1013—An Act appropriating the sum of $10,000 to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of $5,000 therefor," approved April 5, 1911.

Also: Senate Bill No. 1252—An Act reappropriating $964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Also: Senate Bill No. 1264—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Also: Senate Bill No. 1331—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Also: Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Also: Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the state, and authorizing the execution of a contract for such services.

Also: Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof.

Also: Senate Bill No. 150—An Act to amend Section 739 of the Political Code, relating to the salaries of officers connected with the supreme court.

Also: Senate Bill No. 151—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one hundredths dollars out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Also: Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Also: Senate Bill No. 160—An Act to prevent the introduction, and provide for

the investigation and suppression of contagious or infectious diseases and appropriating money to be used for such purpose.

Also: Senate Bill No. 448—An Act granting application to repay to L. H. Boggs moneys paid into the state treasury for state lands which said lands were not conveyed to said L. H. Boggs.

Also: Senate Bill No. 450—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company a corporation against the State of California.

Also: Senate Bill No. 1568—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard of California and the City of Sacramento, and appropriating a sum sufficient to make such purchase and authorizing seven thousand five hundred dollars therefor.

Also: Senate Bill No. 1701—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Also: Senate Bill No. 1702—An Act to provide for the payment of and the claim of J. W. Kynoch against the State of California.

Also: Senate Bill No. 1705—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento and making an appropriation therefor.

Also: Senate Bill No. 1706—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license so providing, limiting the number of such licenses so granted, which may be issued, and therefor regulating the traffic in such liquor.

Also: Senate Bill No. 1707—An Act to amend Section 4246 of the Political Code of the State of California, relating to vacancies and how to fill same in the office of the Secretary of State.

Also: Senate Bill No. 1734—An Act appropriating money for the support and maintenance of the state prison at Folsom.

Also: Senate Bill No. 1735—An Act to amend Section 1054 of the Code of Civil Procedure relating to a continuance of cause for preference.

And report that the same have been correctly engrossed.

GRANT, Chairman.

PRESIDENT WALLACE IN THE CHAIR.

At five o'clock and fifty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, APRIL 23, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Senate of the House of Representatives by the Secretary of War on June 27, 1911, providing the approval of plans of preservation given the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of ascertaining the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved February 24, 1911, also creating a drainage district to be known as Sacramento Drainage District, providing for the management and control of said district and the making of assessments and issuing of bonds thereby, and defining the powers of certain reclamation, levee, drainage and protection districts thereon, and providing an appropriation to pay the expenses of the State Engineer also making said bonds receivable as investments of or security for public money and trust funds and to make such corrections subsidiary and amendatory thereto, to the Committee on Drainage, Swamp and Overflowed Lands and Finance, have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute offered by the Committee on Drainage, Swamp and Overflowed Lands be adopted and that the bill be re-referred to the Committee on Finance.

BENSON, Chairman.

MOTION.

Senator Thompson moved that the report of the committee be adopted.

Motion carried.

Senate Bill No. 1218 ordered re-referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1188—An Act to amend Section 3493*a* of the Political Code of the State of California, relating to the validating of uncancelled certificates of purchase and patents heretofore issued for swamp and overflowed lands—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENSON, Chairman.

Senate Bill No. 1188 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 724—An Act to amend the Civil Code, Part IV, Title I, Chapter II, Article I, relative to corporate stock and stockholders, by adding a new section thereto, to be numbered 323*a*.

Also: Senate Bill No. 1233—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Also: Senate Bill No. 1702—An Act amending the Civil Code so as to prohibit one corporation from buying, taking, acquiring or holding the shares of stock of another corporation.

Also: Senate Bill No. 1703—An Act amending Section 286 of the Civil Code so as to limit the formation of corporations to one purpose.

Also: Senate Bill No. 1704—An Act amending the Civil Code so as to prohibit the issuance by a corporation of more than one kind of shares of capital stock.

Have had the same under consideration, and respectfully report the same back, without recommendation.

KEHOE, Chairman.

Senate Bills Nos. 724, 1233, 1702, 1703 and 1704 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

Also: Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 159*c*, relating to sending by mail, or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Also: Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Also: Assembly Bill No. 1508—An Act to amend Section 295 of the Civil Code of the State of California, relative to oath of office, to subscription of stock and payment of 10 per cent.

Have had the same under consideration, and respectfully report the same back, without recommendation.

KEHOE, Chairman.

Assembly Bills Nos. 597, 1232, 1296 and 1508, ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California, relating to powers of railroad corporations—have had the same under consideration, and respectfully report the same back, with amendments and recommend that the amendments be adopted, and bill pass out without recommendation.

KEHOE, Chairman.

Senate Bill No. 103 ordered on file for second reading.

ON ELECTIONS

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Elections to whom was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 24 of Article I thereof, and relating to a property qualification to vote at elections creating [publication]

Also: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1 of Article II of the constitution in relation to the rights of suffrage.

Have had the same under consideration, and respectfully report the same back and recommend that they be not adopted.

HEWITT, Chairman.

Senate Constitutional Amendments Nos. 26 and 27 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Elections to whom was referred Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 6 of Article IV thereof, relative to permanent and temporary disability and repealing Section 27 of Article IV of said Constitution, relating to temporary disability and the formation thereof, have had the same under consideration, and respectfully report the same back with amendments and recommend that it be adopted as amended.

HEWITT, Chairman.

Senate Constitutional Amendment No. 4 ordered on file.

ON EDUCATION

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Education to whom was referred Assembly Bill No. 1024—An Act to provide for the maintenance of a public library, supply plant equipment, park plan fees, and improvements by exchange, water, heating and electrical systems on the premises of the union normal school at Chico, California, and making an appropriation therefor, have had the same under consideration, and respectfully report the same back and recommend that it be amended and re-referred to the Committee on Finance.

AVEY, Chairman.

Assembly Bill No. 1024 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 1096—An Act to amend Section 1566 of the Political Code, relating to the powers and duties of normal school boards—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

AVEY, Chairman.

Assembly Bill No. 1096 ordered on file for second reading.

ON FINANCE

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, classifying the streams of plans of reclamation along the Sacramento River and its tributaries or some thereof, and lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, and creating a drainage district to be known as Sacramento Drainage District, providing for the management and control of said district and the making of improvements and issuing of bonds therein, also defining the powers of certain corporations, boards, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer, also making said bonds redeemable as investments

of or security for public money and trust funds and by banks—have had the same under consideration, and respectfully report the same back, with committee substitute, and recommend that the substitute be adopted, and that the bill do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1218 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 499—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Also: Senate Bill No. 1471—An Act to amend Section 635½ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the Sixth District.

Also: Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered 636½, and to prevent the use or possession of lompara nets, paranzella nets, trawl or drag nets, and providing the penalty therefor.

Also: Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HANS, Chairman.

Senate Bills Nos. 499, 1471, 1472 and 1119 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Also: Assembly Bill No. 1289—An Act to amend Section 626*k* of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

HANS, Chairman.

Assembly Bills Nos. 747 and 1289 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class, San Benito County.

Also: Assembly Bill No. 399—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

Also: Assembly Bill No. 963—An Act to amend Sections 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BREED, Chairman.

Senate Bill No. 943 ordered on file for second reading.

Assembly Bills Nos. 399 and 963 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1040—An Act to provide for the construction of a building in Alameda County for the use of all the officers of this State for the purpose of transacting business at the county seat of the aforesaid county, and to make an appropriation for the construction of said building and for the purchase of the same.

Also: Senate Bill No. 1041—An Act to provide for the purchase of land or lands and buildings in Alameda County for the use and as a site for building and maintaining adequate accommodations for the transaction of the business of the several courts of this State, and to create and appropriate to pay an issue of public bonds and certificates for the purchase of said lands and buildings.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be referred to Finance committee.

FREED, Chairman.

Senate Bills Nos. 1040 and 1041 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1046—An Act to repeal an Act entitled "An Act to regulate the election of public officers and candidates," approved March 7, 1911.

Also: Senate Bill No. 1264—An Act to amend an Act entitled "An Act to provide a system of public improvement bonds to municipal corporations for the use of street work and improvements within municipalities and for the payment of such bonds," approved February 27, 1907, by adding thereto four new sections, to be numbered 10½ to 13, inclusive.

Also: Senate Bill No. 1272—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, avenues, drives and roads and the payment for the same, and for the assessment of a portion of the cost thereof upon the property benefited thereby, and providing a method for the payment of such bonds," approved March 18, 1885, by adding thereto six new sections, to be numbered 10 to 15, inclusive.

Also: Senate Bill No. 1276—An Act to amend an Act entitled "An Act to provide for work in and upon streets, lanes, alleys, avenues, drives and roads, and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for constructing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the payment and payment of street assessment bonds," approved March 18, 1885, by adding thereto [illegible] thereof, and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections, to be numbered 10 to 15, inclusive.

Also: Assembly Bill No. 1272—An Act to amend the Political Code of the State of California by adding a new section thereto, to be number 2048, relating to county government.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BREED, Chairman.

Senate Bills Nos. 1093, 1291, 1272, 1276 and Assembly Bill 1272 ordered on file for second reading.

ON LABOR AND CAPITAL:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles, and the penalty for violation thereof, and repealing all acts and parts of acts in conflict therewith—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

LYON, Chairman.

Assembly Bill No. 249 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1385—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, canneries, packing-houses and places of amusement, and to provide for the enforcement thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

LYON, Chairman.

Senate Bill No. 1385 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code relating to navigable streams and public ways—have had the same under consideration, and respectfully report the same back, with a committee substitute, and recommend that the substitute be adopted.

BROWN, Chairman.

Senate Bill No. 1758 ordered on file for second reading.

INTRODUCTION OF CONCURENT RESOLUTION.

The following concurent resolution was introduced:

By Senator Avey: Approving a certain amendment to the charter of the city of San Bernardino, in the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913.

Resolution referred to Committee on Municipal Corporations.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were received:

By Senator Owens: Permission to introduce a Senate bill—An Act conveying certain lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

By Senator Wright: Permission to introduce a Senate bill—An Act to add a new section to the Political Code to be numbered Section 1003*b*, relative to eligibility to election and appointment to office.

Requests referred to Committee on Introduction of Bills.

CONSIDERATION OF SPECIAL ORDER—SECOND READING OF BILLS.

Senate Bill No. 905—An Act to promote the general welfare of the people of this state by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission; by creating a "state compensation insurance fund" to insure employees against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers and agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization; define its powers and duties and provide for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act and also re-

pealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read second time.

RECESS

At six o'clock and five minutes p.m., on motion of Senator Wright, the President declared the Senate at recess until eight o'clock p.m.

RECONVENED

At eight o'clock p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF BILLS

On motion of Senator Boynton, the consideration of the special order now pending was temporarily continued, and the Senate took up the consideration of the third reading file of Senate appropriation bills.

Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity Humboldt state road.

In the absence of the author, Senate Bill No. 1340 was passed on file.

Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

In the absence of the author, Senate Bill No. 1656 was passed on file.

Senate Bill No. 592—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. MacKenzie, Chief of Engineers, C. C. McKinstry, Major Corps of Engineers, and Thomas H. Jackson, Captain Corps of Engineers of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for said work.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Boynton moved a call of the Senate.

Motion carried.

Time, eight o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Benson, Boynton, Bryant, Burke, Chipman, Carr, Cogswell, Cohn, Flint, Gerdes, Juilland, Metz, Sanford, Shumway, Thompson, and Wright.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eight o'clock and twenty minutes p.m., Senators Tyrrell, Jones, Brown, Avey, and Lyon were brought to the bar of the Senate, and,

on motion of Senator Boynton, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eight o'clock and twenty five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boynton.

The roll of absentees was called, and Senate Bill No. 592 passed by the following vote:

AYES—Senators Avey, Benson, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Jones, Juilliard, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 509 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Shanahan, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 904—An Act to establish the Yolo and Lake highway; to define its course; to provide for its survey and construction; and to make an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 904 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1661 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1662 passed by the following vote:

Ayes—Senators Anderson, Ams, Bledsoe, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Caswell, Colton, Flint, Felix Gerdes, Gerdes, Jones, Lafferty, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1705—An Act providing for the purchase and proper marking and improvement of the site of the discovery of gold, on the banks of the American River, in Coloma, El Dorado County, California, creating the "Gold Discovery Landmark Commission," and making an appropriation to carry out the purposes of this Act.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1705 passed by the following vote:

Ayes—Senators Anderson, Ams, Bledsoe, Boynton, Breed, Brown, Bryant, Butler, Campbell, Caswell, Colton, Flint, Felix Gerdes, Gerdes, Jones, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

On motion of Senator Caminetti, Senate Bill No. 876 was passed on file.

Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

On motion of Senator Caswell, Senate Bill No. 226 was passed on file.

Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the state prison at Folsom.

On motion of Senator Rolfe, Senate Bill No. 1754 was passed on file.

Senate Bill No. 1013—An Act appropriating the sum of ten thousand dollars to defray the expenses during the sixty-fifth and sixty-sixth fiscal years of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purpose of any Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1013 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Cogswell, Conn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1563—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating seven thousand five hundred dollars therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1563 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Cogswell, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 868—An Act making an appropriation to pay the claim of the firm of Shelton, Thompson & Clay, of New York City, against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 868 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Sanford, Strobridge, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1252—An Act reappropriating $964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

On motion of Senator Gates, Senate Bill No. 1252 was passed on file.

Senate Bill No. 1264—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1264 passed by the following vote:

AYES—Senators Anderson, Avey, Barbeau, Beatty, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Sanford, Strobridge, Thompson, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1331—An Act to appropriate the sum of $50.02 to pay the claims of the State Board of Health.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1331 passed by the following vote:

AYES—Senators Anderson, Avey, Barbeau, Beatty, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Jones, Juilliard, Larkins, Lyon, Sanford, Strobridge, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets fronting the property belonging to Stockton State Hospital in the city of Stockton.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1343 passed by the following vote:

AYES—Senators Anderson, Avey, Barbeau, Beatty, Boynton, Brown, Bryant, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Gerdes, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Sanford, Strobridge, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 150—An Act to amend Section 739 of the Political Code, relating to the salaries of officers connected with the Supreme Court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 150 passed by the following vote:

AYES—Senators Anderson, Avey, Barbeau, Beatty, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Jones, Juilliard, Larkins, Lyon, Mott, Sanford, Strobridge, Thompson, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 151—An Act to appropriate the sum of $11,423.82 out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 151 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Lyon, Mott, Rush, Sanford, Strobridge, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 727 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Lyon, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for State Printing Office.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section setting forth the urgency features of this bill be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Mott, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—28.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1761 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1536 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Gerdes, Jones, Juilliard, Larkins, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 187 passed by the following vote:

Ayes—Senators Anderson, Ayer, Brandt, Burnett, Frank Bruce, Burke, Chamberlain, Campbell, Cobb, Curtin, Gaedes, Jones, Juilliard, Lewis, Mott, Regan, Rush, Sanford, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 189 passed by the following vote:

Ayes—Senators Anderson, Boynton, Brandt, Burnett, Bruce, Burke, Chamberlain, Campbell, Caminetti, Cobb, Flint, Gates, Gaedes, Jones, Juilliard, Lewis, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 109—An Act appropriating money for repairing the old Manual Training building, the old Training School building, and the old Domestic Science building at San Jose State Normal School.

On motion of Senator Benson, Senate Bill No. 109 was passed on file.

Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1728 passed by the following vote:

Ayes—Senators Anderson, Baker, Benson, Boynton, Brandt, Burnett, Bruce, Burke, Caminetti, Campbell, Cobb, Flint, Gaedes, Jones, Juilliard, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 160—An Act to prevent the introduction and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purposes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 160 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Flint, Gates, Gerdes, Jones, Juilliard, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 443—An Act making application to repay to L. H. Boggs moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 450—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 450 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Finn, Flint, Gerdes, Jones, Juilliard, Larkins, Mott, Owens, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGES OF FLOOR OF SENATE EXTENDED.

On request of Senator Juilliard, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Col. A. W. Bradbury of San Francisco.

On request of Senator Shanahan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended Mr. Harr Wagner of San Francisco.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

The following constitutional amendment was introduced:

By Senators Boynton, Carr, Cartwright, Campbell, Gates, Owens, Cohn, and Avey: Senate Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 23, and 23*a* of Article IV thereof, relating to the legislative department.

Constitutional amendment referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER)

The following resolution was introduced:

By Senator Strobridge:

Resolved, That William O'Brien be transferred from position of janitor at $3.00 per day, to the position of committee clerk at $4.00 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution was adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cartwright, Campbell, Carr, Crist, Curtin, Gerdon, Inman, Juilliard, Lawrence, Mott, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—24.

NOES—None.

CONSIDERATION OF SPECIAL ORDER—(POSTPONED)

The Senate resumed the consideration of the special order, the second reading of Senate Bill No. 903.

SENATOR THOMPSON IN THE CHAIR.

At nine o'clock and fifteen minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

RESOLUTION

The following resolution was introduced:

By Senator Wright:

Resolved, That Senate Bill No. 903 be and the same is hereby recommitted to the Committee on Labor and Capital, with instructions to amend Section 3 so that the liability on the part of landowners to compensate their employees may be made elective and not compulsory.

The question being on the adoption of the resolution.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Senators Campbell, Caminetti, Curtin, Juilliard, Lawrence, and Wright—6.

NOES—Senators Anderson, Black, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cartwright, Carr, Cogswell, Crist, Ernst, Gerdon, Gerdes, Regan, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—22.

SPECIAL ORDER SET

On motion of Senator Boynton, the further consideration of Senate Bill No. 905 and the pending amendments was made a special order for Wednesday, April 23, 1913, at ten o'clock and fifteen minutes a.m.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1465—An Act to amend Section 1530 of the Code of Civil Procedure of the State of California, relating to giving special notice to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

Also Assembly Bill No. 705—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 196a, relating to the support and education of an illegitimate child.

Also: Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California, and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Also: Senate Bill No. 336—An Act to amend Section 996 of the Code of Civil Procedure of the State of California, relating to appeals to superior courts.

Also: Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

Also: Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Also: Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts and other papers in cases certified to the Superior Court.

Also: Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 2, entitled "A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom"—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

GATES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 245—An Act to amend Section 1185 of the Civil Code of the State of California, relating to the requisites for the acknowledgment of instruments.

Also: Senate Bill No. 285—An Act to amend Section 1365 of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

Also: Senate Bill No. 1464—An Act to amend Section 1373 of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

Also: Senate Bill No. 1469—An Act to amend Sections 1365 and 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the State Normal School at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Also: Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Also: Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

Also: Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950, 951 and 952, relating to records on appeal.

Also: Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

Also: Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Also, Assembly Bill No. 891—An Act to repeal Sections 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989,

certain reclamation, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer, also making said bonds receivable as investments of or security for public money and trust funds and by banks.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 1218.

An Act to amend an Act entitled "An Act approving the report of the California débris commission, transmitted to the speaker of the house of representatives by the secretary of war on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California débris commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, amending sections 1, 3 and 4 of said Act, and adding sixteen new sections to said Act, to be designated as sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19; creating a drainage district to be known as Sacramento and San Joaquin drainage district, appointing of a reclamation board, providing for the management and control of said district and defining the powers and duties of the reclamation board and the state engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof; the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the state engineer and the reclamation board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento river, and making an appropriation for carrying out the purposes of this Act.

The people of the State of California do enact as follows:

SECTION 1. Section one of an Act entitled "An Act approving the report of the California débris commission transmitted to the speaker of the house of representatives by the secretary of war on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California débris commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, is hereby amended to read as follows:

Section 1. The report of the California débris commission transmitted to the speaker of the house of representatives of the United States by the secretary of war on the 27th day of June, 1911, with such modifications and amendments as may hereafter be adopted by the reclamation board, is hereby approved as a plan for controlling the flood waters of the Sacramento river and San Joaquin river and their tributaries for the improvement and preservation of navigation and the reclamation and protection of the lands that are susceptible to overflow from said rivers and their tributaries.

SEC. 2. Section 3 of said Act is hereby amended to read as follows:

Section 3. The state engineer is hereby directed to procure data and make surveys and examinations upon said rivers and tributaries for the purpose of perfecting the plans contained in the report mentioned in section one of this Act, and making additional plans for the San Joaquin and Sacramento rivers and their tributaries, and to make a report thereof to the reclamation board. He shall advise and assist the reclamation board and shall be reimbursed by said board for any necessary expenses incurred by him under the direction of the board.

SEC. 3. Section 4 of said Act is hereby amended to read as follows:

Section 4. There is hereby created a drainage district to be known and designated as "Sacramento and San Joaquin drainage district," the boundaries of which said district are as follows:

Commencing at a point on the west boundary of section 26, township 3 north, range 1 east, Mount Diablo base and meridian, and 20 chains south of the northwest

corner of said section; thence east 1 mile; thence south 1 mile; thence east 1 mile to the quarter section corner on the east line of said section 28; thence south 1 mile; thence east 1 mile to the corner of the quarter section on the east line of section 27; thence north 1 mile; thence east 1 mile; thence south 1 mile; thence east 1 mile; thence south 1 mile; thence east 1 mile; thence south

township 8 north, range 3 east, thence north 4 miles along the range line to the southwest corner of section 6, township 8 north, range 3 east; thence east 1¼ miles to the quarter section corner on the south line of section 5, township 8 north, range 3 east; thence north 1 mile to the quarter section corner on the north line of said section 5; thence west ¾ of a mile along the township line; thence north 2¾ miles; thence west ¼ mile; thence north ½ mile to the quarter section corner on the south line of section 18, township 9 north, range 3 east; thence west ¼ mile to the southwest corner of said section 18; thence north on the range line ½ mile to the quarter section corner on the east line of section 13, township 9 north, range 2 east; thence west ½ mile; thence north ½ mile to the quarter section corner on the south line of section 12, township 9 north, range 2 east; thence west ½ mile to the southwest corner of said section 12; thence north 3 miles to the southwest corner of section 25, township 10 north, range 2 east; thence east 2 miles, more or less, to the westerly line of Yolo by-pass; thence northerly along the westerly line of the Yolo by-pass to the southwesterly line of the Knights Landing ridge cut; thence following the southwesterly line of said cut to the south levee of reclamation district No. 730; thence west to the quarter section corner on the south line of section 35, township 11 north, range 2 east; thence north in a direct line to the quarter section corner at the center of section 35, township 11 north, range 2 east; thence northwest in a direct line to the northwest corner of said section 35; thence following legal subdivision lines in township 11 north, range 2 east, north 2 miles to the northwest corner of section 23; west 2 miles to the southwest corner of section 16; north ½ mile to the quarter section corner on the east line of section 17, west ½ mile to the center of section 17; north ¼ mile, west ½ mile to the west line of section 17; north ¼ mile to the northwest corner of section 17; thence west on section lines 3 miles to the southwest corner of section 11, township 11 north, range 1 east; thence following legal subdivision lines in township 11 north, range 1 east, north 1 mile to the northwest corner of section 11; west ½ mile to the quarter section corner on the south line of section three, north ½ mile to the center of section 3, west 3 miles to the center of section 6; north ½ mile to the quarter section corner on the north line of section 6; thence west along township line ¼ of a mile; thence following legal subdivision lines in township 12 north, range 1 west, north ½ mile, thence west ¼ mile; thence north 1½ miles to the quarter section corner on the north line of section 25; west ¼ mile, north 1 mile to the north line of section 24; west ½ mile, north 1 mile to the north line of section 14; east ¼ mile to the southwest corner of section 12; north 1 mile to the northwest corner of section 12; east ½ mile to the quarter section corner on the south line of section 1, thence north, on quarter section line 1 mile to the county line between the counties of Yolo and Colusa.

Thence continuing north 1 mile to the quarter section corner on the north line of section 36, township 13 north, range 1 west, east ¼ mile, north ½ mile, west ½ mile, to the center of section 25; north ¼ mile, west ¼ mile, north ½ mile, west ¼ mile to the west line of section 24; north ¼ mile to the quarter section corner on the east line of section 23; west ¼ mile, north ½ of a mile, west ½ of a mile north ¼ of a mile to the quarter section corner on the north line of section 23; west ¼ mile, north ½ mile, west ½ mile, north ¼ mile, west ½ mile, north ¼ mile, west ¼ mile to the west line of section 15; north ¼ mile to the northwest corner of section 15; west ¼ mile, north 1 mile to the north line of section 9; west ¼ mile to the quarter section corner on the south line of section 4; north ½ mile to center of section 4, west ¼ mile, north ¼ mile to the north line of section 4; thence west along the township line ¾ of a mile to the quarter section corner on the south line of section 32, township 14 north, range 1 west; thence following legal subdivision lines in township 14 north, range 1 west, north 1½ miles to the center of section 29; west ¼ mile to the quarter section corner on the west line of section 29; north ¾ of a mile, west ¼ of a mile, north 1 mile, west ¼ of a mile, north ½ mile, west ¼ mile, north ¼ mile to the north line of section 18; west ¼ mile to the northwest corner of section 18; thence north along the range line 2 miles to the northwest corner of township 14 north, range 1 west; thence along legal subdivision lines in township 15 north, range 2 west, as follows: west ½ mile to the quarter section corner on the south line of section 36; thence north 1¼ miles; thence west ¼ mile; thence north ½ mile, thence west ¼ mile to the west boundary line of section 25; thence north 1¼ miles to the southeast corner of section 14; thence west ¼ mile; thence north 1½ miles; thence west ¼ mile to the center of section 11; thence north ½ mile to the quarter section corner on the south line of section 2; thence west ¼ mile; thence north ½ mile; thence west ¼ mile to the west line of said section 2; thence north ¼ of a mile to the northwest corner of section 2; thence west ½ mile to the quarter section corner on the south line of section 34, township 16 north, range 2 west; thence following legal subdivision lines in township 16 north, range 2 west, as follows: north ½ mile to the center of section 34; west ½ mile to the quarter section corner on the west line of section 34; thence north ½ mile to the northwest corner of section 34; thence west ½ mile to the quarter section corner on the south line of section 28; thence north ½ mile to the center of section 28; thence west ½ mile to the quarter section corner on the west line of section 28; thence north ½ mile to the southeast corner of section 20, township 16 north, range 2 west; thence west ½ mile to the quarter section corner on the south line of said section 20; thence north ½ mile; thence west ½ mile to the quarter

of section 30, township 17 north, range 4 east, which is the county line between the counties of Butte and Yuba

Thence south to a point one and one half miles north of the south line of township 16 north, range 4 east; thence east to a point due north of the northwest corner of section 2, township 15 north, range 4 east; thence south to the northeast corner of section 22, township 15 north, range 4 east; thence southwest in a direct line, to the center of section 28, township 15 north, range 4 east; thence west ½ mile to the quarter section corner on the west line of said section 28; thence south eight and one half miles to the southwest corner of section 4, township 13 north, range 4 east; thence east one mile to the southeast corner of said section 4; thence south one quarter mile; thence east to an intersection with the west line of the Johnson rancho; thence south one tenth of a mile to the line running north 64 degrees east and south 64 degrees west through the center of the south half of section 43 of the said Johnson rancho; thence along the legal subdivision line of the Johnson rancho as follows: north 64 degrees east 108.25 chains; thence north 26 degrees west one quarter mile to the center of section 2 of the said rancho; thence north 64 degrees east ½ mile; thence north 26 degrees west ¼ mile; thence north 64 degrees east four and one half miles; thence north 26 degrees west ¼ mile to the quarter section corner on the south line of section 22 of said rancho; thence north 64 degrees east ¼ mile; thence north 26 degrees west ¼ mile; thence north 64 degrees east ¼ of a mile; thence north 26 degrees west ¼ mile; thence north 64 degrees east ¼ mile; thence north 26 degrees west ¼ mile, to the northwest corner of section 29 of said rancho; thence north 64 degrees east one and one half miles to the quarter section corner on the south line of section 31 of said rancho; thence north 26 degrees west ¼ mile north 64 degrees east ½ mile; thence south 26 degrees east ¼ of a mile to the quarter section corner on the east line of section 32 of said rancho; thence south 64 degrees west ¼ mile; thence south 26 degrees east ¼ mile; thence south 64 degrees west one and one half miles; thence south 26 degrees east ½ mile; thence south 64 degrees west ¼ mile; thence south 26 degrees east ¼

to the quarter section corner on the west line of section 18, township 5 south, range 9 east; thence east ½ mile; thence south ½ mile; thence east ½ mile to the southeast corner of said section 18, thence south ½ mile; thence east ½ mile; thence south 1 mile; thence east ½ mile, thence south ½ mile to the southeast corner of section 29, township 5 south, range 9 east; thence east ½ mile; thence south ½ mile; thence east ½ mile; thence south ½ mile to the northwest corner of section 3, township 6 south, range 9 east; thence east ½ mile; thence south 1½ miles to the center of section 10; thence east ½ mile; thence south ¾ mile to the county line dividing the counties of Stanislaus and Merced.

Thence continuing south ½ mile; thence east ½ mile; thence south ½ mile; thence east ½ mile to the southeast corner of section 14; thence south 1 mile; thence east 1 mile, thence south 2 miles to the southeast corner of section 36, township 6 south, range 9 east; thence east ½ mile; thence south ½ mile; thence east 1 mile; thence south ½ mile; thence east ½ mile to the southeast corner of section 5, township 7 south, range 10 east; thence south ½ mile; thence east ½ mile; thence south ½ mile; thence east ½ mile to the southeast corner of section 9; thence south ½ mile; thence east 1 mile; thence south ½ mile; thence east 1 mile to the southeast corner of section 14; thence south ½ mile; thence east ½ mile; thence south ½ mile; thence east ½ mile to the southeast corner of section 24, township 7 south, range 10 east; thence south ½ mile; thence east 1 mile; thence south ½ mile to the southeast corner of section 30, township 7 south, range 11 east; thence southeast to the southeast corner of section 32, township 7 south, range 11 east; thence east 1 mile; thence south 1 mile; thence east 1 mile to the southeast corner of section 3, township 8 south, range 11 east; thence south ½ mile; thence east 1 mile; thence south ½ mile; thence east 1 mile to the southeast corner of section 12, township 8 south, range 11 east; thence south ½ mile; thence east 1 mile; thence south ½ mile to the southeast corner of section 18, township 8 south, range 12 east; thence east 1 mile; thence south 1 mile; thence east 2 miles; thence south 1 mile; thence east 2 miles; thence south 1 mile to the southeast corner of section 36, township 8 south, range 12 east; thence southeast to the southeast corner of section 8, township 9 south, range 13 east; thence south 1 mile; thence southeast to the county line dividing the counties of Merced and Madera.

Thence continuing southeast to the southeast corner of section 1, township 10 south, range 13 east; thence south 2 miles to the southeast corner of section 13, in said township and range; thence southeasterly to the southeast corner of section 13, township 12 south, range 14 east; thence east 1 mile; thence south 1 mile to the southeast corner of section 19, township 12 south, range 15 east; thence east 2 miles; thence south 1 mile; thence east 2 miles; thence south 1 mile, thence east 1 mile to the southeast corner of section 36, of said township 12 south, range 15 east; thence south 1 mile; thence east 1 mile; thence south 1 mile, to the southeast corner of section 7, township 13 south, range 16 east; thence east 2 miles; thence south 1½ miles, more or less, to the county line dividing the counties of Madera and Fresno.

Thence continuing south 3 miles, more or less, to the quarter section corner on the east line of section 4, township 14 south, range 16 east; thence west 1 mile; thence south ½ mile, to the southeast corner of section 5, of said township and range; thence west 6 miles to the southwest corner of section 4, township 14 south, range 15 east; thence north 1 mile to the southeast corner of section 32, township 13 south, range 15 east; thence northwest to the southeast corner of section 24, township 12 south, range 13 east; thence west ½ mile; thence north ½ mile; thence west ½ mile; thence north ½ mile, thence west ½ mile; thence north ½ mile; thence west 1 mile to the center of section 13, township 12 south, range 13 east; thence north ½ mile; thence west 1 mile; thence north ½ mile; thence west ½ mile; thence north ½ mile to the northeast corner of section 8, township 12 south, range 13 east; thence west 1 mile, thence north ½ mile; thence west 1 mile; thence north ½ mile to the southeast corner of township 11 south, range 12 east; thence northwest to the center of said township and range, which is the county line dividing the counties of Fresno and Merced.

Thence continuing northwest to the southeast corner of township 9 south, range 10 east; thence north 2 miles to the southeast corner of section 24 of said township 9 south, range 10 east; thence northwest to the southeast corner of section 4, township 8 south, range 9 east; thence north 1 mile to the south boundary line of the Orestimba rancho; thence west to the southwest corner of the said rancho; thence in a northerly and westerly direction following the south and west boundary lines of said rancho to a point ½ mile, more or less, north of the quarter section corner on the east line of section 19, township 7 south, range 9 east, which point is the intersection of the county line dividing the counties of Merced and Stanislaus.

Thence continuing in a northerly and westerly direction following the south and west boundary lines of said rancho to the northwest corner thereof, at the center of section 14, township 6 south, range 8 east; thence northeasterly following the northwest boundary of said rancho to the left bank of the San Joaquin river; thence following down the left bank of said river to the county line dividing the counties of Stanislaus and San Joaquin.

Thence following down the left bank of the San Joaquin river to the quarter section line running east and west through section 13, township 3 south, range 6 east; thence west to the quarter section corner on the east line of section 14, of

and westerly and west...

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plans as relate to channel excavation, enlargement, rectification and control in the Sacramento river and the construction of weirs; it being the intent of this Act that all work and control in the said stream and the construction of weirs shall remain with the United States and the State of California, concurrently, but this exception does not apply to the San Joaquin river and its tributaries. This Act and every part thereof shall be liberally construed to promote its objects and to carry out its intents and purposes.

SEC. 8. It shall be unlawful for a member of the board to vote upon any contract or other matter in which he may have an interest or share, or for any employee of said board to receive directly or indirectly for his own use or benefit any portion or share of the money or other thing paid under any contract; but having an interest in lands within said drainage district shall not disqualify a member for voting to execute any part of said plans of flood control, or carrying out the objects of this Act.

SEC. 9. The reclamation board shall have its office at the city of Sacramento, and shall elect one of its number as president. The regular meetings of said board shall be held on such dates as shall be fixed by the board, and a majority of the board shall constitute a quorum, but no action of said board shall be effective unless the same shall be concurred in by a majority of the members thereof. Special meetings may be called at any time by the president or by a majority of the members after twelve hours' notice by mail to the members. It shall be the duty of the reclamation board to keep full and correct minutes of all proceedings and transactions of all meetings of the board, which minutes shall be open for public inspection during office hours. Any other meeting of the board, at its office, when all of the members are present, shall be considered a legal meeting at which any business may be transacted. Each member of the board shall receive the necessary expenses incurred by him in the performance of his duties, and twenty dollars for each day attending the meetings of the board, but such per diem shall not exceed one thousand dollars in any one year.

SEC. 10. The reclamation board shall require the owners of any railroad, electric railroad, wire line, wagon road or other structure crossing any of the by-passes or overflow channels herein provided for, to provide and maintain one or more suitable draws or other appliances within any such by-passes or overflow channels to permit the passage of water craft, dredgers or other machines used in the construction of reclamation works and to open said draws or appliances upon reasonable notice given by any person desiring to pass the same. Said draws or appliances shall be located at such points as shall be designated by said board. A failure of the owner of any of said structures to comply with this section shall render such owner liable to any person for the damages caused to such person by such failure.

SEC. 11. Any plan of reclamation, drainage or other improvement that includes or contemplates the construction of any new levee, embankment, canal or other excavation along or near the banks of the said rivers or their tributaries or connected therewith, or upon any lands adjacent thereto or within any of the overflow basins thereof, or upon lands subject to overflow therefrom, must, unless approved by said board prior to the taking effect of this Act, be approved by the reclamation board before such plan shall have been adopted by the trustees of any reclamation, levee, protection or drainage district or by any person, corporation or association. Any such plan shall be void unless first approved by said board, and the construction of any levee, embankment, canal or other works of reclamation at any of the places hereinbefore mentioned, without such approval, is hereby declared to be a public nuisance, and the reclamation board is hereby empowered to prosecute any suit or suits in the name of the people of the State of California for the prevention or abatement of such nuisance. This provision shall not apply to the enlargement of existing levees. No levee, embankment or other structure within any by-pass or overflow channel adopted by said board shall be raised or altered without the permission of the reclamation board, and any person who shall raise or alter any such levee, embankment or other structure without such permission, shall be guilty of a misdemeanor.

SEC. 12. The reclamation board shall have power to acquire either within or without the boundaries of the district by purchase, condemnation or by other lawful means in the name of the district, from private persons, corporations, reclamation, swamp land, levee, protection or drainage districts, or other organizations or associations, all lands, rights of way, easements, property or material necessary or requisite for the purpose of by-passes, weirs, cuts, canals, levees, overflow channels and other necessary purposes; to construct, clear and maintain by-passes, levees, canals and overflow channels; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers by this Act conferred, or arising out of the use, taking or damage of any property for any of such purposes; to maintain actions to restrain the doing of any act or thing that may be injurious to any of the works necessary to said plan of flood control or that may interfere with the successful execution of said plan or for damages for injury thereto; to establish a standard of levee construction; to do any and all things necessary or incident to the powers hereby granted or to carry out the objects specified herein; to compel by injunction, the owner or owners of any bridge, trestle, wire line, viaduct, or embankment or other

thereafter said assessment list shall be conclusive evidence, except in the suit hereinafter provided that the said assessment has been levied and apportioned according to law. Any person aggrieved by the decision of the board approving said assessment may commence an action against the district in the superior court of the county in which said land or the greater part thereof is situated, to have said assessment modified or annulled. Such action must be commenced within thirty days after the confirmation board has approved such assessment and shall have preference over all civil actions in fixing the time of trial. No objection to said assessment shall be considered by the court unless such objection shall have been made in writing to the confirmation board as hereinbefore prescribed, and, excepting in the action above mentioned, no action or defense shall ever be maintained attacking the said assessment in any respect.

SEC. 14. After such hearing has been had by the board in any county, said assessment list shall be certified by the secretary of the board to be correct, and said list shall be deposited in the office of the county treasurer of said county, and such assessment shall thereafter constitute a lien upon the lands so assessed and shall impart notice to all subsequent purchasers or incumbrancers or other person acquiring any interest in or lien upon said land, and all unpaid assessments shall bear interest at the rate of seven per cent per annum, and shall be paid to the county treasurer in separate installments of such amounts, and at such times, respectively, as the board, from time to time, in its discretion, may, by order entered in its minutes, direct; if any such installment shall remain unpaid at the expiration of thirty days from the date of the order, then said installment shall become delinquent, together with the accrued interest thereon, and ten per cent of the amount of said installment and interest shall be added thereto, and collected for the use of the district; *provided*, that if an action is pending in any court to have the assessment on any tract of land revised, modified or annulled, as provided herein, such assessment, if not annulled in said action, shall become delinquent thirty days after any judgment rendered therein shall become final. Immediately after the said installment has become delinquent, the board must publish a notice at least once a week for three weeks in some newspaper of general circulation published in the county where the land is situated which notice shall contain a description of the property assessed, the name of the person to whom it is assessed or a statement that it is assessed to unknown owners, if such is the fact, the amount of the delinquent installment, the amount of the interest at the date of delinquency, the amount of the penalty that has been added as above provided, and notice that the property assessed will be sold on a day therein stated, in front of the court house of said county, to pay said installment with accrued interest and the penalty hereinbefore specified. At the time stated in said notice or such other time to which said sale may have been postponed, the board must cause said property to be sold to the highest bidder for gold coin of the United States. Out of the proceeds of said sale the board must pay the amount of said installment with accrued interest thereon and the penalty herein provided for to the county treasurer of such county, and the board must pay to the owner of said property any surplus remaining after such payment to the county treasurer. The board may postpone said sale from time to time by a written notice posted at the place of sale. If no bid is made for said property equal to the amount of said installment, accrued interest and penalty, the district shall become the purchaser, and the said property must be struck off to the district for the amount of said installment, accrued interest and penalty. A certificate of such sale shall be executed by the president of the board to the purchaser or to the district, if the property shall have been struck off to the district, and said certificate of sale shall be recorded in the office of the county recorder of the county in which the land is situated. Any person interested in said property may redeem the same at any time within one year after the date of said sale, by paying to the county treasurer the amount for which said property was sold, and interest on the said sum at the rate of ten per cent per annum from the date of said sale. If no redemption shall be made within said one year, the purchaser, or the district if said property shall have been sold to the district, shall be entitled to a deed executed by the president of said board, after notice to any incumbrancer of said land whose incumbrance is of record, and the right of such incumbrancer to redeem said land shall continue for a period of thirty days after such notice. The effect of such deed shall be to convey said property free of all liens and incumbrances, excepting state, county and municipal taxes, assessments levied or assessed by statutory authority and the unpaid balance of assessments made by said drainage district, which said balance must be called in and collected in the same manner as other assessments; *provided*, that where property shall have been deeded to the district and shall not have been sold, the same shall not be offered for sale for subsequent installments of assessments so long as the district shall remain the owner of said property, but the board may sell said property at any time at public auction after notice given for the same period and in the same manner as herein provided for sale for delinquent installments, but not for a sum less than all delinquent unpaid installments with accrued interest and penalties, and the deed executed in pursuance of such sale shall convey said property free of all incumbrances, except state, county and other municipal taxes, assessments, levied or assessed by statutory authority and the unpaid balance of said assessments of said drainage district, which balance must be called in and collected in the same manner as other assessments.

SEC. 15. All moneys collected upon sales or otherwise shall be paid to the county treasurer of the county in which the land is situated and said moneys, together with all other moneys collected for the assessment shall be deposited to the credit thereof to the credit of said drainage district in a fund which is hereby created and known as the Sacramento and San Joaquin drainage district fund, excepting the interest of the department from which such money was derived, and which shall be paid upon warrants of the state controller, and the controller is hereby empowered to draw warrants upon said funds whenever duplicate of the assessment herein shall be presented to him, and the state treasurer is hereby directed to pay such warrants; provided, when there is sufficient money in the funds of such drainage district, provided, that all moneys collected from assessments, other than said sale or purchase money of the works of other engineering projects for the improvement from which such moneys were derived, which assessments must be credited respectively to the part that all moneys raised by assessment upon any of the lands included in said drainage district shall be expended only for works of improvement or other expenses incurred in the lands so assessed, and for the payment of warrants issued for the construction of the works and other expenses for which such assessment was levied and such warrant must designate the moneys of the appropriation from which it is to be paid. In case there are two different funds for such purpose, the state treasurer shall endorse on such warrants the fund of appropriation and register the same, and thereafter such warrants shall bear interest at the rate of seven per cent per annum, and must be paid in the order of their presentation. Such warrants must be endorsed as continued in waiting for the payment of money to said district and the period presented for the endorsement of the warrant must not exceed six months to four years from the date thereof. Said warrants shall be received in payment of any assessment for work or expenses for which such warrants were issued. The endorsement hereof must extend the period for payment of said assessment for an additional period of four years upon application of the owner of such warrant. All moneys thus collected and paid to the treasurer of said district for the purpose of any assessment levied by said board upon the property of any municipality, county, city and county, city, town, reclamation district, public district or other public corporation, or of any person, firm or corporation, shall be

with reasonable diligence, the reclamation board is hereby empowered to let a contract or contracts for the construction or repair of said levee or the completion thereof, if construction has been previously commenced and the board shall cause an assessment to be levied to pay the cost of such levee, to be assessed upon the lands within said drainage district and apportioned upon the lands directly and indirectly benefited by such levee according to such benefits; said assessment shall be levied, equalized and collected in the same manner as other assessments are levied, equalized and collected pursuant to the provisions of this Act. If in the opinion of the board a case of emergency exists, requiring immediate action to preserve life or property, the board may cause necessary work to be done immediately without giving the notice herein mentioned, and may cause an assessment to be levied as above prescribed to pay the cost thereof, and to pay for any damage that may have been done by the performance of such work.

SEC. 18. Notwithstanding any provision in this Act, any reclamation district, levee district, drainage district or municipal corporation within the said drainage district, now or hereafter existing shall have the right with the permission of the reclamation board to acquire by grant or eminent domain or otherwise, any right of way or other easement included in the plans of the California débris commission, hereinbefore referred to or any amendment thereto or any modification thereof for control of the floods of the Sacramento river or included in any plan for the flood waters of said river adopted by the board, and required by the plans of any such reclamation, levee or drainage district or municipal corporation for the consummation of its purpose as authorized by law, together with the right to construct such levees as may be required to complete any by-pass, and the title to any such right of way or other easement or levees shall be conveyed to the said drainage district upon compensation being made at the actual reasonable cost thereof.

If any reclamation district, levee district, drainage district, municipal corporation, private corporation, association, or person within said drainage district, with the consent of the reclamation board, has provided or left, or shall hereafter provide or leave, any land for a by-pass or waterway for the purpose of complying with the plans, as set out in the report of the California débris commission, referred to in Section 1 of this Act, any amendment thereto, or any modification thereof, or shall hereafter erect any levee or levees along said by-pass or waterway, the said by-pass and levees shall be considered as a part of the work to be done pursuant to the provisions of this Act and proper compensation shall be made for the right of way or easement through such by-pass and for the actual reasonable cost of construction of said levees. When such compensation shall have been made, such reclamation district, levee district, drainage district, municipal corporation, association, private corporation or person shall convey to the said drainage district a perpetual easement in said by-pass and levees for all purposes necessary to accomplish the objects of said report of California débris commission. In the event that any such reclamation district, levee district, drainage district, municipal corporation, private corporation, association, or person shall, with the consent of the reclamation board expend any sum of money in the acquisition of such right of way or other easement, or in the construction of such levees, and shall convey the same to the district, or in the event that it, he or they has or have allowed, or shall allow, any land to be used for the purpose of a by-pass or waterway to comply with the plans of said California débris commission herein referred to, or shall construct levees along any line of any such by-pass, and shall convey a perpetual easement therein to said drainage district, he or they shall have a claim against the said drainage district for the reasonable cost of such right of way or other easement or of such levees, and an assessment shall be levied upon the lands in said drainage district benefited thereby so that the same may be paid, or such cost may be included as one of the items in any assessment that may be levied in the said drainage district.

SEC. 19. The sum of one hundred thousand dollars, in addition to the sums heretofore appropriated, is hereby appropriated for the use of the reclamation board, at least twenty thousand dollars of which shall be used by the board to pay the expenses of the state engineer in carrying out the directions of this Act. The controller is hereby directed to draw warrants upon the state treasurer whenever drafts of the reclamation board are presented to him, and the treasurer is hereby directed to pay said controllers warrants. In the first assessment levied in said district the sum of fifty thousand dollars shall be levied, collected and paid to the state treasurer as reimbursement of one half of the above appropriation.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1621. An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto, and making an appropriation therefor; and to repeal an Act entitled "An Act to authorize the Controller of State to appoint

an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1053

An Act to amend the Political Code of the State of California by adding thereto a new section to be known as Section 4Hb, authorizing the appointing of agents or assistants to inheritance tax department and to prescribe the powers, duties and qualifications of such agents or assistants; also amending Section 3785 of said Political Code, relating to inheritance tax clerk and assistant inheritance tax appraisers, and to repeal an act entitled "An Act to authorize the appointing of agents or assistants to the inheritance tax department, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

The people of the State of California do enact as follows:

SECTION 1. The Political Code of the State of California is hereby amended by adding thereto a new section to be numbered Section 4Hb, and to read as follows:

4Hb. The controller shall appoint, subject to the provisions of the civil service law, such agents or assistants as the inheritance tax department, with the approval of the governor, may deem necessary for the purpose of supervising and assisting in the administration of the inheritance or transfer tax laws of this state. Said appointees shall perform such duties, examine such witnesses, and have all the powers with regard to the inheritance or transfer tax cases given to the controller by this act, as the controller may direct. In connection with said inheritance tax department the controller may employ, in addition to other assistants provided for by statute, a chief deputy, whose office shall be in the city of Sacramento, two assistant inheritance tax attorneys, one of whom shall have his office in the city of Los Angeles and the other in the city and county of San Francisco, and an inheritance tax clerk. Said attorneys and said clerk shall be civil service employees. Said chief deputy shall be appointed and removed in the manner provided for the appointment and removal of other deputies of the controller, subject to the approval of the governor. Said chief deputy shall, in addition to other duties prescribed by the controller, have charge of the inheritance tax department of the controller's office, and shall be the chief of the inheritance tax attorneys, and all of said attorneys shall perform such duties as the controller may direct. The said chief deputy and said attorneys shall be learned in the law. The said chief deputy shall receive a salary of three thousand dollars per annum, and said attorneys shall each receive a salary of two thousand four hundred dollars per annum. Said chief deputy and said attorneys shall be entitled to their necessary traveling expenses when traveling on business connected with said department. The said chief deputy shall, under the direction of the controller, have general supervision of said department. He shall have immediate charge of the legal work connected with said department and shall perform such other duties as the controller may direct. Said attorneys shall perform such legal and other services relative to the administration and enforcement of said inheritance or transfer tax laws as the controller may direct, and shall appear for the controller in the superior courts of the various counties in which such cases may be pending, and shall perform such other duties as the controller may direct. The said clerk shall perform such clerical services as may be required of him by the controller in connection with said inheritance tax department. He shall keep a record of all inheritance and transfer tax cases, and proceedings in connection therewith, and of moneys and property received and disbursed on account of any such tax or taxes. He shall make proper entry upon appropriate records of actions and shall perform such other duties as the controller may direct. He shall have his office at the city of Sacramento. The salary of said inheritance tax appraiser shall be three thousand dollars per annum. The salary of each of said deputy inheritance tax appraisers shall be three thousand dollars per annum. The salary of said inheritance tax clerk shall be one thousand eight hundred dollars per annum. Said appraisers and said clerk shall be entitled to their necessary traveling expenses. Said salaries and said expenses shall be paid out of such moneys as may be appropriated by the controller for the use of said inheritance tax department. Out of the moneys so appropriated the controller shall have power to employ and purchase such stenographic books, reports, stationery or printing of every such other reasonable character as he may deem necessary and proper in the conduct of said inheritance tax department.

SEC. 2. An Act entitled "An Act to authorize the controller of state to employ an additional tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909, is hereby repealed.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossed and third reading.

SECOND READING OF BILLS

On motion of Senator Boynton, the Senate took up the consideration of the second reading of bills ordered on the file for second reading this day, as follows:

Assembly Bills Nos. 795, 469, 1247, 887, 889, 892, 891, 894, 895, 64 and 1001, and Senate Bills Nos. 365, 566, 367, 368, 369, 1463, 245, 285, 1464, 1469 and 1465.

Assembly Bill No. 795—An Act to amend Section 270 of the Penal Code and creating a new section, to be known as Section 196a of the Civil Code, relating to the duty of a parent to support his child, whether legitimate or illegitimate, and providing for the enforcement of such obligation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, of the bill, strike out all of lines 1 to 3, inclusive, and in lieu thereof insert the following:

"SECTION 1. There is hereby dedicated to the public, for the purpose of widening Vermont avenue in the city of Los Angeles, that portion of the school lands of the state normal school at".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2 of the title, strike out the comma and insert the words "of the State of California", in lieu thereof.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the bill, after the word "procedure", insert the words "of the State of California".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title, strike out the comma following the word "procedure", and in lieu of said comma insert the following: "of the State of California".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the bill, strike out the comma following the word "procedure", and in lieu of said comma insert the words "of the State of California".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950½, 951 and 952, relating to records on appeal.

During third reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2 of the title, strike out the comma following the word "procedure" and in lieu of said comma insert the following: "of the State of California".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2 of the bill, strike out the comma following the word "procedure" and in lieu of said comma insert the following: "of the State of California".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 5, of the bill, after the word "procedure" insert the following: "of the State of California".

Amendment adopted.

AMENDMENT No. 4.

On page 4, strike out all of line 29 and in lieu thereof insert the following: "Printed copies of said record shall be five".

Amendment adopted.

AMENDMENT No. 5.

On page 5, strike out all of line 1, and in lieu thereof insert the following: "affidavits having been so used. Printed copies".

Amendment adopted.

AMENDMENT No. 6.

On page 5, strike out all of lines 10 to 12 inclusive, and in lieu thereof insert the following: "the time of filing and serving the same".

Amendment adopted.

AMENDMENT No. 7.

On page 5, line 14, of the printed bill, after the word "procedure" insert the following: "of the State of California."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2 of the title, strike out the comma following the word "procedure" and in lieu of said comma insert the following words: "of the State of California."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the bill, after the word "procedure", insert the words "of the State of California."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953a, 953b, and 953c of the Code of Civil Procedure, relating to papers on appeal.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 3, of the title, strike out the comma following the word "procedure", and in lieu of said comma insert the words, "of the State of California.".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, of the bill, after the word "procedure", insert the words "of the State of California".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title, strike out the comma following the word "Procedure", and in lieu of said comma insert the words "of the State of California.".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the bill, after the word "procedure", insert the words "of the State of California".

Amendment adopted.

AMENDMENT No. 3.

On page 1, strike out all of lines 9 to 14, inclusive, and in lieu thereof insert the following: "for the appeal, including the costs of printing briefs; *provided, however*, that no amount shall be allowed as costs of printing briefs in excess of fifty dollars to any one party. The appellate court may reduce costs in case of the insertion of unnecessary matter in the record."

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 2, strike out all after the word "increased", and insert in lieu thereof the following: "so that on and after the first Monday in January, A. D. 1915, there shall be two judges of said superior court in said county of Contra Costa".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, strike out all after the figure "2", and insert in lieu thereof the following: "At the next general election to be held in November, A. D. 1914, there shall be elected in said county of Contra Costa, in addition to the judge of said superior court of said county of Contra Costa now provided by the constitution of this state for said county of Contra Costa, another judge of said superior court in said county, to hold office beginning on the first Monday in January, A. D. 1915, for the term prescribed by the constitution and laws of this state, so that after the first Monday in January, 1915, there shall be two judges for said county."

Amendment adopted.

Bill read second time and ordered to print and third reading.

Senate Bill No. 365—An Act to amend Section 974 of the Code of

Civil Procedure of the State of California and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Supreme Court.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1463—An Act to amend Section 1334 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 245—An Act to amend Section 1185 of the Civil Code of the State of California, relating to the requisites for the acknowledgment of instruments.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 4, of the title of the printed bill, strike out the period, and in lieu thereof a comma, and the words "and providing for the effect of acknowledgment in such instrument or acknowledgment."

Amendment adopted.

AMENDMENT No. 2

On page 1, line 11, of the printed bill, after the period, insert the following: "And when an instrument has been acknowledged and certificate of the proving or acknowledgment of the execution of such instrument shall have been taken, such instrument or acknowledgment of the identity of the person executing the same may be presumably ascertained from such instrument or certificate."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 285—An Act to amend Section 1365 of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 13, of the printed bill, strike out the period after the word "brothers" and insert the words "and sisters."

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out all of line 14.

Amendment adopted.

AMENDMENT No. 3.

On page 2, lines 22 and 23, of the printed bill, strike out the word "thirty-eight", and insert in lieu thereof the word "eighty-six".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1464—An Act to amend Section 1373 of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 13, of the printed bill, after the comma after the word "decedent", insert the following: "resident within the state,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1469—An Act to amend Sections 1365 and 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out all of line 2 of the title and the first word "and" in line three of the title, and in lieu thereof insert the following words: "To amend Section".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, of the printed bill, strike out the word "five", and in lieu thereof insert the word "six".

Amendment adopted.

AMENDMENT No. 3.

On pages 1 and 2, strike out all of lines 4 to 17, inclusive, on page 1, and all of lines 1 to 12, inclusive, on page 2.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1465—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

Bill read second time, ordered engrossed and on file for third reading.

ADJOURNMENT.

At eleven o'clock and forty-five minutes p.m., on motion of Senator Caminetti, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Thursday, April 24, 1913

The Senate met at ten o'clock a. m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered by their names:

Senators Anderson, Avey, Boyce, Brown, Burnett, Chamberlain, Cogswell, Conrey, Crump, Curtin, Dennett, Flaherty, Gerdes, Gerlach, Gerrity, Hare, Hewitt, Inman, Jacobsen, Kehoe, Lanagan, Leale, Lee, Lewis, Mott, Owens, Regan, Rush, Saxton, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Wright, and Young—37.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. H. Dean Sayler.

READING OF THE JOURNAL

During the reading of the Journal of Wednesday, April 16, 1913, the further reading was dispensed with, on motion of Senator Rush.

APPROVAL OF JOURNALS

The Journals of Monday, March 31, 1913; Tuesday, April 1, 1913; Wednesday, April 2, 1913; Thursday, April 3, 1913; Friday, April 4, 1913; Saturday, April 5, 1913; Monday, April 7, 1913; Tuesday, April 8, 1913; Wednesday, April 9, 1913; Thursday, April 10, 1913; Friday, April 11, 1913, and Saturday, April 12, 1913, were corrected, and on motion of Senator Thompson, approved.

PETITION

Senator Wright presented a petition asking for the repeal of laws restricting the business of healing the sick and afflicted, and urging the enactment of laws granting the privilege of healing to drugless practitioners, from J. M. Webster, Mrs. W. L. Kent, and 740 others of San Diego County.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1067—An Act to regulate the practice of examination of steam engineers in the State of California; providing for the examination and licensing of persons to carry on such practice or occupation; providing for a board of examiners and a clerk thereof, to be under the supervision and management of the Commissioner of the Bureau of Labor Statistics; fixing the duties, compensation, powers and duties of the clerk and the members of the said board of examiners; fixing the fees to be paid by persons authorized to practice under the provisions of this Act, and creating a fund to be kept in the State Treasury for the purposes of this Act.

Also—Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1749, 1750, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Also—Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advis-

bility of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations, and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Also: Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 663 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 71 read first time, and referred to Committee on Education.

Assembly Bill No. 2045 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 944 read first time, and referred to Committee on Agriculture.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 410—An Act to amend Section 4295 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Also: Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments, and places of amusement, and to provide for the enforcement thereof.

Also: Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder or causes of action.

Also: Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Also: Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 410 read first time, and referred to Committee on County Government.

Assembly Bill No. 1110 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1335 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1168 read first time, and referred to Committee on Finance.

Assembly Bill No. 32 read first time.

BILL REFERRED FOR COMPARISON.

On motion of Senator Gates, Assembly Bill No. 32 was referred to Committee on Engrossment and Enrollment for comparison with Senate Bill No. 47.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Also Assembly Bill No. 737—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the condemnation of private property for public use and the payment of money therefor.

Also Assembly Bill No. 1654—An Act to provide for the transference of persons who may be under arrest and held over to the Superior Court for trial.

Also Assembly Bill No. 1443—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to the possession and protection of fish.

I. B. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Assembly Bill No. 1421 read first time, and referred to Committee on Banking.

Assembly Bills Nos. 737 and 1654 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1443 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 180—An Act to amend Section 1761 of the Political Code of the State of California.

Also Assembly Bill No. 661—An Act to amend Section 1794 of the Political Code of the State of California, relating to the general powers of the boards of examination of states and their employees.

Also Assembly Bill No. 2032—An Act to create a state harbor commission, defining its powers and duties, providing for its organization and fixing compensation.

Also Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Also: Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Berg against the State of California.

Also Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage, providing for the appropriation therefor and fixing a penalty for violations of this Act.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 383 read first time, and referred to Committee on Finance.

Assembly Bill No. 66 read first time, and referred to Committee on Education.

Assembly Bill No. 2032 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 218 and 2022 read first time, and referred to Committee on Finance.

Assembly Bill No. 1251 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Also Assembly Bill No. 620—An Act to provide for the organization and government of districts in the State of California and to provide for the expenses thereof, and to encourage the development of and settlement upon agricultural lands in the State of California, and for disseminating facts, knowledge and information in relation to the natural resources and possibilities of lands in certain districts and for the levying of assessments upon such lands to pay the expenses of conducting and operating such publicity department.

Also Assembly Bill No. 2013—An Act to amend Section 2881 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Also: Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts, the construction, acquisition, maintenance, control and use of boulevards, defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909," approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1228 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 620 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2013 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1370 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1912 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Constitutional Amendment No. 7 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California relating to municipal corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Constitutional Amendment No. 81 referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer of such company.

Also: Senate Bill No. 234—An Act adding a new section to the Civil Code, to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Also: Senate Bill No. 111—An Act to provide for the employment of convict and other labor in the construction of buildings and other improvements at the State Prison at San Quentin, and for the purchase of machinery and equipment for the manufacture of brick and other materials required in the construction of such buildings and improvements, and making an appropriation therefor.

Also: Senate Bill No. 196—An Act appropriating money for the construction and equipment of wing for the Napa State Hospital.

Also: Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas H. Wright, Assistant Clerk.

Senate Bills Nos. 111, 154, 1112, 196 and 197 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 96—An Act appropriating money for completing North Fifty Cottages at Napa State Hospital.

Also: Senate Bill No. 1201—An Act making it the duty of the Printing Clerk of the State of California to furnish certain blank books, and providing for the purchase of such books for use by the public officers of the State of California.

Also: Senate Bill No. 1206—An Act appropriating money for the construction of a laundry building and the equipment of the same at Napa State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas H. Wright, Assistant Clerk.

Senate Bills Nos. 96, 1206 and 198 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 111—An Act appropriating money for completing and equipping a laundry annex for the male department of the Southern State Hospital.

Also: Senate Bill No. 196—An Act appropriating money for painting buildings at the Veterans' Home of California.

Also: Senate Bill No. 197—An Act appropriating money for the construction of laundries for Cottages 6 and 8 at the Patients' Home at Yountville.

Also: Senate Bill No. 61—An Act appropriating money to complete and add to the sewer handling system at the Napa State Hospital.

Also: Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Senate Bill No. 94—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas H. Wright, Assistant Clerk.

Senate Bills Nos. 111, 102, 109, 97, 95 and 94 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 8—Relating to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of extending the public school system of this State so as to provide for their training and education, and to report thereon to the two Houses of the Legislature of the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas H. Wright, Assistant Clerk.

Senate Concurrent Resolution No. 8 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1201—An Act to amend Section 1 of the Political Code of the State of California, relating to the duties of the Printing Clerk of the State of California, and providing for the purchase of blank

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas H. Wright, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 604—An Act to amend Sections 628*a* and 634, and to repeal Section 636*b* of the Penal Code of the State of California, all relating to the protection and preservation of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HANS, Chairman.

Senate Bill No. 604 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 732—An Act to establish a fish hatchery, to provide for the purchase or lease of land therefor and the construction of buildings and other improvements in connection therewith in southern California and to make an appropriation therefor.

Also: Senate Bill No. 733—An Act to appropriate money for the purchase of a patrol boat for the use of the Fish and Game Commission for the southern California islands and coast patrol.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be referred to Committee on Finance.

HANS, Chairman.

Senate Bills Nos. 732 and 733 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 164—An Act to amend Section 628*f*, of the Penal Code of the State of California, relating to clams and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 164 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California, relating to the protection of fish and game—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 1879 ordered on file for second reading.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Carr: Permission to introduce a Senate bill—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and

which pipe lines are not operated for hire and are not operated as common carriers, and prohibiting the construction of any more such lines for such purposes for any distance whatsoever across along over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

By Senator Kehoe: Permission to introduce a Senate bill—An Act to provide for the registration of, and filing expense accounts by, legislative lobbyists and regulating the work of such lobbyists.

By Senator Flint: Permission to introduce a Senate bill—An Act to amend An Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes."

Requests referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(1017 OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 535—An Act to [illegible] and prohibit the sale and [illegible] of unincorporated cities except in those of the 6th and 6½ class, and of cities and counties to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities and counties, to establish within the State of California uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption, and governing the inspection of dairies from which the same is obtained, to establish municipal milk commissions therein, and to provide a municipal method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city or city and county—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COGSWELL, Chairman.

Assembly Bill No. 545 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 536—An Act to improve the quality of dairy products and promote economic methods in the production and marketing thereof, to prevent fraud and deception in the production and sale of dairy products, to aid in suppressing and eradicating tuberculosis and other infectious diseases in and from the dairy herds of this State, to establish uniform standards and uniform rules and regulations governing the production, manufacture and marketing of dairy products, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended and be re-referred to Committee on Finance.

COGSWELL, Chairman.

Assembly Bill No. 536 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 578—An Act to amend an Act entitled "An Act to prevent [illegible] stock from contagious and infectious diseases, to provide for the suppression and duties of officers to carry into effect the provisions of said Act and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 10, 1909, by

amending Sections 2, 3, 4, 5, 6 and 7½ thereof, by adding a new section thereto, to be known and numbered as Section 6½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COGSWELL, Chairman.

Assembly Bill No. 573 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing milk or cream in creameries, cheese factories, condenseries, milk depots and other factories of dairy products of the State—have had the same under consideration, and respectfully report the same back, without recommendation.

COGSWELL, Chairman.

Assembly Bill No. 1298 ordered on file for second reading.

LEAVE OF ABSENCE.

Senator Grant was, on motion of Senator Brown, granted leave of absence for this day.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

On motion of Senator Kehoe, Senate Bill No. 1340 was ordered to the file of unfinished business.

Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

Read third time.

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 876 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such

employees for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission, by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration, by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety, to require reports of industrial accidents, to provide penalties for offenses by employers, their officers, agents and by employees and other persons and corporations, to change the name of the Industrial Accident Board to Industrial Accident Commission, to provide for its organization, define its powers and duties and provide for a review of its orders, decisions and awards, and appropriating money to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Second reading of bill resumed.

RESOLUTION TO RE-REFER BE CONSIDERED.

The following resolution was offered:

By Senator Wright

Resolved, That Senate Bill No. 905, by and the same is hereby re-committed to the Committee on Labor and Capital, with instructions to strike Sections 36 to 50, inclusive, relating to state insurance.

PRIVILEGES OF FLOOR OF SENATE EXTENDED.

On request of Senator Boynton, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Willis I. Morrison, member of the State Industrial Accident Board.

SENATOR THOMPSON IN THE CHAIR.

At twelve o'clock m. Senator Thompson, of the Thirty-fifth District, **in the chair.**

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Wright, the acting President declared the Senate at recess until two **o'clock p.m.**

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Senator Thompson, of the Thirty-fifth District, in the chair.

SPECIAL ORDER RESET.

On motion of Senator Brown, the further consideration of Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights, and the laying of bets or wagers upon the result thereof—was made a special order at eleven o'clock a.m., Friday, April 25, 1913.

CONSIDERATION OF SPECIAL ORDER— RESUMED.

The consideration of Senate Bill No. 905, pending at the hour of recess, was resumed.

The question being on the adoption of the resolution of Senator Wright, to re-refer with instructions to amend.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Senators Campbell, Cohn, Curtin, Juilliard, Owens, and Wright—6.
NOES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cogswell, Finn, Gates, Kehoe, Larkins, Shanahan, Strobridge, Thompson, and Tyrrell—20.

CONSIDERATION OF SPECIAL ORDER TEMPORARILY CONTINUED.

Senator Cogswell asked, and was granted, unanimous consent that the consideration of the pending resolution to be temporarily set aside.

RECONSIDERATION OF VOTE.

Pursuant to his notice given on the previous day, Senator Cogswell moved to reconsider the vote whereby Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purpose and to provide for the installation of sanitary water systems, was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Assembly Bill No. 236 was passed reconsidered by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Curtin, Finn, Flint, Gates, Hans, Juilliard, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.
NOES—None.

Assembly Bill No. 236 ordered on file.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The following resolution was offered:

By Senator Wright:

Resolved, That Senate Bill No. 905 be and the same is hereby recommitted to the Committee on Labor and Capital, with instructions to strike out of said bill all of paragraphs 51 to 72, inclusive, relating to an inspection department and to recommend to the Senate in lieu thereof a separate and distinct Act creating a department of safety, to read as follows:

AN ACT

To establish and maintain a department of safety in and for the State of California; providing for the appointment of a director of said department and subordinate officers and employees thereof; prescribing their duties, providing for the payment of their salaries and wages, and appropriating money to carry out the provision of the Act.

The people of the State of California do enact as follows:

SECTION 1. A department to be known as the California state bureau of safety is hereby created.

SEC. 2. It shall be the duty of the director, officers and employees hereinafter named to study the causes of industrial accidents, assist employers and employees to eliminate these causes, to report to the governor from time to time the result of their investigations, to make to him recommendations regarding such legislation on the subject as may be deemed advisable and to disseminate knowledge on the subject of accident prevention throughout the State of California. To maintain in the cities of San Francisco and Los Angeles museums of safety and hygiene in which shall be exhibited in operation safety devices and safeguards for the protection of the life, limb and health of employees which in the judgment of the said director are practicable and beneficial. To cause lectures to be delivered illustrated by stereopticon or other views, diagrams or pictures for the information of employers and their employees and the public generally in regard to the causes and prevention of industrial accidents, occupational diseases and related subjects.

SEC. 3. It shall further be the duty of the director, officers and employees hereinafter named to work jointly and co-ordinately with any and all agencies, which are now or which may hereinafter be established or maintained for the purpose of

presenting industrial accidents in this state, whether such agencies are operated by private, public or municipal institutions.

Sec. 4. Said department or bureau shall be under the management and control of a director to be appointed by the governor, who shall be a practical safety engineer. The said director shall receive a salary of [$4,000] four thousand dollars per annum, payable in monthly installments. The said director is hereby authorized to appoint not more than four (4) deputies and such additional employees as may be necessary to carry out the purposes of this Act. Each of said deputies shall receive a salary of [$3,000] three thousand dollars ($3,000) per annum, payable monthly. Said director is hereby authorized to employ such additional assistants as may be necessary to carry out the purposes of the Act, whose compensation shall be fixed by the said director, but no such assistant employee shall be paid more than [one hundred dollars ($100)] per month. Said director, officers and employees shall devote their entire time to the services of the State in the performance of the duties required of them under this Act. The said director shall have an office at the principal of the governor and said deputies and employees shall have offices at the pleasure of the said director.

Sec. 5. The said director shall employ legal and medical advisers and assistants with suitable training, necessary office furniture, instruments and other supplies and shall also have authority to issue queries to San Francisco and Los Angeles for the exhibition of said accidents. All expenses incurred pursuant to the provisions of this Act, including necessary traveling and other expenses and disbursements of said director and said other officers and employees shall be paid from the funds appropriated by this Act upon claims thereof to be audited by the board of control.

Sec. 6. The sum of fifty thousand dollars ($50,000) is hereby appropriated to be used in carrying out the provisions of this Act, and the controller is hereby directed to draw his warrant on the general fund from time to time upon approval of the director of the said director and other officers and employees together with all other expenses hereby authorized to be incurred, and the treasurer of the state is hereby directed to pay the same.

SENATOR STRADLEY ON THE FLOOR

At four o'clock and twenty-five minutes p.m. Senator Stradley of the Thirteenth District, in the chair.

CONSIDERATION OF SENATE BILL NO. 905—[RECAST]

The second reading of Senate Bill No. 905 was resumed.

The question being on the adoption of the resolution of Senator Wright, to re-refer with instructions to amend.

The roll was called and the resolution refused adoption by the following vote:

AYES—Senators Campbell, Caminetti, Curtin, Gerdes, Lukens, Sharkey, Stradley, Thompson, and Tyrrell—9.

NOES—Senators Anderson, Ballard, Benson, Bennett, Boynton, Brandt, Breed, Bryant, Burnett, Chandler, Cox, Cogswell, Finn, Flint, Hatch, Hayes, Hewitt, Holohan, Inman, Jones, Kehoe, Leahy, Lee, Lewis, Lyon, Mahan, Owens, Rigdon, Roseberry, Rush, Saylor, Shearer, Stetson, Strobridge, Thomasson, and Wright—30.

MOTION TO SUBSTITUTE MINORITY REPORT

Senator Wright moved that the following minority report be substituted for the report of the committee:

MR. PRESIDENT: The following is submitted as a minority report on Senate Bill No. 905, entitled "An Act to amend the penal code of the State of California by creating and defining a liability on the part of employers to compensate their employees, etc."

It is the opinion of the minority of the Committee on Labor and Capital that Senate Bill No. 905 in its present form is unconstitutional and that it violates Section 24 of Article II of the constitution, which provides that every Act shall embrace but one subject, which subject shall be expressed in the title. The title of the Act and the text of the bill deal with three subjects to wit: Compensation to be paid employees by employers in the event of accident, regulation of the fault of either, second the creation of an insurance department on the part of the State of California to insure employees against loss growing out of accidents to employees and, third, the creation of a safety department for the purpose of preventing accidents.

The minority further realizes that many members of the Senate are in favor of compulsory compensation to employees and also of increasing the safety of employees, but do not approve of the State engaging in the business of insurance, and, therefore, the minority recommend that Senate Bill No. 905 be divided into three

separate and distinct bills, one dealing with the compensation feature, the other with insurance, and the last with the safety of employees.

In view of the fact that the present bill, however, is likely to pass the Senate, and in order that it may be put in as workable form as possible, the minority recommend the adoption of the following amendments to Senate Bill No. 905:

AMENDMENT No. 1.

Amend title by substituting "an accident fund" for "a state compensation insurance fund", after the word "creating", in line 8.

AMENDMENT No. 2.

Amend Section 1 by substituting "accident fund" for "state compensation insurance fund", in lines 19 and 20, page 2.

AMENDMENT No. 3.

Amend Section 7 by striking out subsection (*c*) and subsection (*d*), lines 31 to 37, inclusive, on page 4, and lines 1 to 8, inclusive, on page 5.

AMENDMENT No. 4.

Amend Section 7 (*c*) by striking out the words "officers, experts, statisticians, actuaries, accountants, inspectors," in lines 9 and 10, on page 5.

AMENDMENT No. 5.

Amend Section 12*a*, page 7, by striking out lines 14 and 15, and substituting the following in lieu thereof:

"(1) Where, at the time of the accident, the employer shall not have filed with the industrial accident commission notice in writing electing not to become subject to the compensation provisions of this Act. Such election, on the part of an employer, shall be made by filing with the industrial accident commission a written statement to the effect that such employer does not accept the provisions of this Act; *provided, however*, that such election may, at any time, be withdrawn by an employer by filing a written statement with the Industrial Accident Commission to the effect that such employer desires to accept the provisions of this Act."

AMENDMENT No. 6.

Amend Section 12*a*, by adding after the word "such", in line 19, on page 7, the following:

"Where the employer charged with such liability is subject to the provisions of this Act, whether the employer has actual notice thereof or not, and such employee shall not, at the time of entering into his contract of hire, express or implied, with such employer, have given to his employer notice in writing that he elects not to be subject to the provisions of this Act, or, in the event that such contract of hire was made before such employer became subject to the provisions of this Act, such employee shall have given to his employer notice in writing that he elects not to be subject to such provisions, or without giving either of such notices shall have remained in the service of such employer for thirty days after the employer has become subject to the terms of this Act. An employee who has given notice to his employer in writing as aforesaid that he elects not to be subject to the provisions of this Act, may waive such claim by a notice in writing, which shall take effect five days after it is delivered to the employer or his authorized agent."

AMENDMENT No. 7.

Amend Section 12*b* by striking out lines 23 to 36, inclusive, on page 7, and lines 1 and 2, on page 8, and substituting the following in lieu thereof:

"Where such conditions of compensation exist, the right to the recovery of such compensation pursuant to the provisions of this Act shall be the exclusive remedy against the employer for the injury, or death, except that when the injury or death was caused by reason of the intentional or wilful misconduct of the employer, or if such injury or death be so caused by any person regularly entrusted with and exercising the powers of superintendence for such employer, then the amounts of compensation to be paid by the employer shall be doubled."

AMENDMENT No. 8.

Amend Section 12*c*, on page 8, line 3, by adding after the word "passed", in line 5, the following:

"Except, however, in an action against his employer for damages, brought by an employee, who has given such notice to his employer, electing not to be subject to the provisions of this Act, the defendant employer, who is subject to the provisions of this Act, may and shall have the benefit of all defenses known to the common law and all employees, of every grade, of such employer, shall, in such action, be held to be fellow servants of such injured or deceased employee."

AMENDMENT No. 9

Amend Section 15, (b) 2 (c), line 20, page 9, by striking out "fifty" and substituting "fifty". Strike out "five" in line 27, page 9. Substitute "five" for "five" in line 24, page 9. Substitute "fifty" for "fifty" in lines 9, 11, 13, 15, 17, 20, 24, 30 and 32, page 10. Substitute "fifty" for "fifty" in line 29, page 11.

AMENDMENT No. 10

Amend Section 32 by striking out the [illegible] in the [illegible] and [illegible] in lines 14 to 17, inclusive, on page 24.

AMENDMENT No. 11

Amend Section 33 (c) by striking out the following: "or the [illegible] may order the [illegible]" in lines 10 and 11, on page 2.

AMENDMENT No. 12

Amend Section 35 by striking out subsection (b) [illegible]

AMENDMENT No. 13

Amend Sections 36 to 48, inclusive, by striking out [illegible] and substituting the following in lieu thereof:

SEC. 36. Whenever [illegible] and the same are declared [illegible] of industry [illegible] subject to the provisions of this Act, and after [illegible] there [illegible] to this end, [illegible] of not less than [illegible] employees, shall in writing request the [illegible] to [illegible] to be the small [illegible] of [illegible] and [illegible] shall [illegible] promptly and [illegible] as such, [illegible] to [illegible] and the [illegible] which shall [illegible] due to [illegible] [illegible] [illegible] [illegible] organization under the provisions of this Act, but the [illegible] and shall dissolve the same to any [illegible] [illegible] [illegible] however, that neither the [illegible] [illegible] nor the State of California shall become in [illegible] or responsible for the payment of [illegible] the compensation [illegible] the provisions of this Act beyond the [illegible] of the funds [illegible] and received by him as hereinafter provided.

SEC. 37. The [illegible] commissioner shall, immediately upon [illegible] the administration of the [illegible] [illegible] of the moneys provided in the preceding section, [illegible] to be known as the [illegible] "accident fund." Into such [illegible] shall [illegible] to be paid all [illegible] of such [illegible] or [illegible] by the [illegible] and [illegible] [illegible] [illegible] [illegible]

SEC. 41. The insurance commissioner, annually, on the first day of January or within thirty days thereafter, shall prepare under oath, and file in his office, a statement of the condition of such accident fund on the thirty-first day of December, next preceding, exhibiting therein such facts as may be applicable to the business of operating, maintaining, investigating and disbursing said accident fund, together with such other information as is necessary to reveal the true financial condition of such accident fund and its liabilities.

SEC. 42. Any employer subject to the provisions of Sections 36 to 48, inclusive, of this Act, who has complied with all the rules, regulations and demands of the industrial accident commission and the insurance commissioner may withdraw from said accident fund at the expiration of the period of one year from the date upon which he became subject to the provisions of Sections 36 to 48, inclusive, of this Act: *provided, however*, that he shall give written notice of such withdrawal to said insurance commissioner at least thirty days before the expiration of such period; *and provided, further*, that if at the time of such withdrawal liability may exist against such employer for any contribution, premium or assessment as provided in Section 39 hereof, such employer shall either pay into said accident fund such contribution, premium, or assessment in cash, or shall otherwise protect and indemnify said insurance commissioner against such liability in such reasonable manner as he may require. If there be not, at any time, in said accident fund, in cash over and above the unearned premium on undetermined risks, sufficient money for the payment of accrued losses and expenses, said insurance commissioner shall make an assessment for the amount needed to pay such losses and expenses upon the subscribers to said fund liable to assessments therefor, in proportion to their several liabilities. In determining the unearned premium and the accrued losses and expenses for the purpose of Sections 36 to 48, inclusive, of this Act, said insurance commissioner shall be subject to and governed by the provisions of law applicable to stock companies engaged in furnishing and providing insurance against loss under the terms and provisions of this Act.

SEC. 43. Said insurance commissioner shall invest and keep invested the funds in said accident fund, excepting such cash as may be required in the transaction of his business therein, in bonds and other property in the same manner as is provided by the laws of this state, with respect to investment of the funds and properties of companies, stock companies, corporations and other associations engaged in the business of insuring against loss from liability on account of damages obtained for personal injury and against loss on account of the compensation benefits provided for by this Act.

SEC. 44. In case any controversy shall arise between the insurance commissioner and any employer subject to the provisions of Sections 36 to 48, inclusive, of this Act, relative to any rule or regulation adopted by said insurance commissioner, or any decision made by him in respect to the collection, administration and disbursement of such funds, or in case any controversy shall arise between any employer claiming compensation under the provisions of this Act and said insurance commissioner, all such controversies of every kind and nature shall be subject to review by the industrial accident commission in like manner and with the same force and effect in all respects as are claims for compensation under this Act.

SEC. 45. The books, records and payrolls of each employer subject to the provisions of Sections 36 to 48, inclusive, of this Act shall always be open to inspection by the insurance commissioner, or his duly authorized agent or representative, for the purpose of ascertaining the correctness of the amount of the pay roll reported, the number of men employed, and such other information as the commissioner may require in the administration of said fund. Refusal on the part of any such employer to submit said books, records and pay rolls for such inspection shall subject the offending employer to a penalty of fifty dollars for such offense, to be collected by civil action in the name of the insurance commissioner, and paid into the accident fund, and the individual who shall personally give such refusal shall be guilty of a misdemeanor.

SEC. 46. The insurance commissioner shall issue proper receipts for all moneys so collected and received from employers, as aforesaid, and shall take receipts for all sums paid to employees for compensation under the provisions of this Act, and shall keep full and complete records of all business transacted by him in the administration of such funds. He may employ such deputies and assistants and clerical help as may be necessary for the proper administration of said fund and the performance of the duties imposed upon him by the provisions of this Act, and may also remove them. The insurance commissioner and such deputies and assistants shall be entitled to receive their actual and necessary expenses while traveling on the business of the fund, but all such salaries and all expenses so authorized by the provisions of this Act shall be charged to and paid out of said accident fund.

SEC. 47. Disbursements from said accident fund shall be made promptly when due, but only upon warrants approved by the state board of control upon vouchers therefor transmitted to it by the insurance commissioner. If at any time there shall not be sufficient money in said fund wherewith to pay the same, the employer on account of whose workmen it was that such warrant was drawn shall pay the same, and he shall be credited upon his next contribution to such fund the amount so

[illegible]

SEC. 45. This Act shall be liberally construed to effectuate its purposes.

SEC. 46. This Act shall take effect on [illegible] and all acts and parts of acts inconsistent herewith are hereby repealed.

AMENDMENT No. 14

Amend section 34 of Senate 72, printed [illegible] by striking out [illegible]

AMENDMENT No. 15

Amend Section 83 by striking out subsection (b) [illegible]

WHITE
OWENS

Motion lost.

PRESIDENT WALLACE IN THE CHAIR

At five o'clock and twenty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER — (CONTINUED).

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On [illegible] page, page 1, line 2, strike out all of the [illegible] after the words "to promote the general welfare of the people of this state" down to and including the last line of said title [illegible] preceding the enacting clause as follows: and by inserting [illegible] the following: "as affected by accident arising out of and in the course of their employment [illegible] of employees to [illegible] such compensation and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the manner and methods of enforcing such liability; and creating a state compensating commission [illegible] and providing penalties for violations [illegible] and providing for the administration and regulating such insurance by state commission; and providing for safety in all employments and places of employment in this state and providing the means and methods of enforcing such safety; and [illegible] of industrial accidents and providing penalties for violations [illegible] and providing for the [illegible] and by employees and other persons [illegible] and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards, and [illegible] methods to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 3, strike out the word "workmen", and in lieu thereof insert the word "employees".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 12 strike out the word "five", and in lieu thereof insert "twelve" [illegible] twelve (twenty-one, inclusive, of this".

Amendment adopted.

AMENDMENT No. 4.

On page 2 and 3, commencing at line 22 on page 2, strike out all of lines 22 to 28 inclusive on page 2, and all on lines 1 to 8, inclusive on page 3, and in lieu thereof insert the following: "terms of this Act, to wit: [illegible] compensation commission [illegible] Act.

(7.) The phrase 'compensating commissioner' in this Act' means and includes members [illegible] Thirty-five, inclusive, of this Act.

(8.) The phrase 'public employment' in this Act' means and includes employment [illegible] or municipality, [illegible] this Act.

(9.) Whenever in this Act the singular is used the plural shall be included; where the masculine gender is used the feminine and neuter shall be included.

SEC. 2. There is hereby created a [illegible]

be appointed by the governor from the state at large and which shall be known as the 'industrial accident commission' and shall have the powers, duties and functions hereinafter conferred. Within thirty days prior to the first day of January, 1914, the governor shall appoint the three members of said commission, one for the term of two years, one for the term of three years, and one for the term of four years. Thereafter, the term of office of each commissioner shall be four years. Vacancies shall be filled by appointment in the same manner for the unexpired term. Each commissioner shall receive an annual salary of three thousand six hundred dollars. Each commissioner shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office."

Amendment lost.

The following amendment was offered by Senator Boynton:

AMENDMENT No. 4.

On pages 2 and 3, commencing at line 22, on page 2, strike out all of lines 22 to 33, inclusive, on page 2, and all of lines 1 to 8, inclusive, on page 3, and in lieu thereof insert the following: "laws of this state to insure employers against liability for compensation under this Act.

(7) The phrase 'compensation provisions of this Act' means and includes sections twelve to thirty-five, inclusive, of this Act.

(8) The phrase 'safety provisions of this Act' means and includes sections fifty-one to seventy-two, inclusive, of this Act.

(9) Whenever in this Act the singular is used the plural shall be included; where the masculine gender is used, the feminine and neuter shall be included.

SEC. 3. There is hereby created a board to consist of three members who shall be appointed by the governor from the state at large and which shall be known as the industrial accident commission' and shall have the powers, duties and functions hereinafter conferred. Within thirty days prior to the first day of January, 1914, the governor shall appoint the three members of said commission, one for the term of two years, one for the term of three years and one for the term of four years. Thereafter, the term of office of each commissioner shall be four years. Vacancies shall be filled by appointment in the same manner for the unexpired term. Each commissioner shall receive an annual salary of five thousand dollars. Each commissioner shall, before entering upon the duties of his office, take and subscribe to the constitutional oath of office.

Amendment adopted.

The following amendments were offered by the committee:

AMENDMENT No. 5.

On page 3, line 29, insert a comma after the word "California,".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 36, strike out the comma after the word "stationery".

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 5, strike out the letter "*a*", and in lieu thereof insert the figure "1".

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 21, strike out the letter "*b*", and in lieu thereof insert the figure "2".

Amendment adopted.

AMENDMENT No. 9.

On page 4, line 31, strike out the letter "*c*", and in lieu thereof insert the figure "3".

Amendment adopted.

AMENDMENT No. 10.

On pages 5 to 7, strike out all of pages 5 to 7, inclusive, and in lieu thereof insert the following: "duties of his office, he must give an official bond in the sum of $50,000, and take and subscribe to an official oath. Said bond must be approved by the commission, by written endorsement thereon, and be filed in the office of the secretary of state.

advisable.

authority.

accompanied by a detailed statement thereof.

A bill, entitled a bill

AMENDMENT No. 10a.

On page 8, line 6, strike out the words "this part", and in lieu thereof insert the following: "Sections 12 to 35, inclusive,".

Amendment adopted.

AMENDMENT No. 11.

On page 7, line 12, strike out the word "appreticeship", and in lieu thereof insert the word "apprenticeship".

Amendment adopted.

AMENDMENT No. 12.

On page 8, lines 15 to 28, inclusive, strike out all of Section 14, and in lieu thereof insert the following:

"SEC. 14. The term 'employee' as used in Sections 12 to 35, inclusive, of this Act shall be construed to mean every person in the service of an employer as defined by Section 13 hereof under any appointment or contract of hire or apprenticeship, express or implied, oral or written, including aliens and also including minors, but excluding any person whose employment is both casual and not in the usual course of the trade, business, profession or occupation of his employer, and also excluding any employee engaged in farm, dairy, agriculture, viticultural or horticultural labor, in poultry raising or household domestic service."

Amendment lost.

The following amendment was offered by Senator Boynton:

AMENDMENT No. 12.

On page 8, lines 15 to 28, inclusive, strike out all of Section 14, and in lieu thereof insert the following:

"SEC. 14. The term 'employee' as used in Sections 12 to 35, inclusive, of this Act shall be construed to mean every person in the service of an employer as defined by Section 13 hereof under any appointment or contract of hire or apprenticeship, express or implied, oral or written, including aliens and also including minors, but excluding any person whose employment is both casual and not in the usual course of the trade, business, profession or occupation of his employer, and also excluding any employee engaged in farm, dairy, agricultural, viticultural or horticultural labor, in stock or poultry raising or in household domestic service."

Amendment adopted.

The following amendments were offered by the committee:

AMENDMENT No. 13.

On page 8, line 35, strike out all of line 35, and in lieu thereof insert the following: "injury and within ninety days thereafter, to cure and".

AMENDMENT No. 14.

Strike out all of pages 9 to 19, inclusive, and in lieu thereof insert the following: "ably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employee in providing the same.

(b) 1. If the accident causes disability, a disability indemnity which shall be payable for one week in advance as wages on the fifteenth day after the injured employee leaves work as a result of the injury, and thereafter on the employer's regular payday, but not less frequently than twice in each calendar month, unless otherwise ordered by the commission, subject, however, to the following limitations:

(1) If the period of disability does not last longer than two weeks from the day the employee leaves work as the result of the injury, no disability indemnity whatever shall be recoverable.

(2) If the period of disability lasts longer than two weeks from the day the employee leaves work as the result of the injury, no disability indemnity shall be recoverable for the first two weeks of such disability.

2. The disability indemnity payable shall be as follows:

(1) If the accident causes temporary total disability, sixty-five per cent of the average weekly earnings during the period of such disability;

(2) If the accident causes temporary partial disability, sixty-five per cent of the weekly loss in wages during the period of such disability;

(3) If the temporary disability caused by the accident is at times total and at times partial, the weekly disability indemnity during the periods of each such total or partial disability shall be in accordance with paragraphs (1) and (2) of this subdivision respectively;

(4) Paragraphs (1), (2) and (3) of this subdivision shall be limited as follows: aggregate disability indemnity for a single injury causing temporary disability shall

[illegible]

after forty per cent of such weekly earnings during the remainder of life.

[illegible]

be paid during the remainder of life.

[illegible]

taken of the nature of the physical injury or disfigurement, [illegible]

[illegible]

and sixty-six cents.

(3) If the deceased employee leaves no person dependent upon him for support, the death benefit shall consist of the reasonable expenses of his burial not exceeding one hundred dollars and such further death benefit as may be provided by law.

(*d*) Payment of compensation in accordance with the order and direction of the commission shall discharge the employer from all claims therefor.

SEC. 16. (*a*) Unless compensation is paid or an agreement for its payment made within the time limited in this section for the institution of proceedings for its collection, the right to institute such proceedings shall be wholly barred.

(*b*) The periods within which proceedings for the collection of compensation may be commenced are as follows:

(1) Proceedings for the collection of the benefit provided by subsection (*a*) of section fifteen or for the collection of the disability indemnity provided by subsection (*b*) of said section fifteen must be commenced within six months from the date of the accident, except as otherwise provided in this Act.

(2) Proceedings for the collection of the death benefit provided by subsection (*c*) of said section fifteen must be commenced within one year from the date of death, and in any event within two hundred forty weeks from the date of the accident, and can only be maintained when it appears that death ensued within one year from the date of the accident, or that the accident causing death also caused disability which continued to the date of the death and for which a disability indemnity was paid, or an agreement for its payment made, or proceedings for its collection commenced within the time limited for the commencement of proceedings for the recovery of the disability indemnity.

(*c*) The payment of the disability indemnity or death benefit, or any part thereof, or agreement therefor, shall have the effect of extending the period within which proceedings for its collection may be commenced, six months from the date of the agreement or last payment of such disability indemnity or death benefit or any part thereof.

(*d*) If an injured employee, or in case of his death, one or more of his dependents shall be a minor or incompetent at any time when any right or privilege accrues to such person under the provisions of this Act, a general guardian, appointed by the court or a guardian *ad litem* or trustee appointed by the commissioner of a commissioner may, on behalf of any such person, claim and exercise any such right or privilege with the same force and effect as if no such disability existed, and no limitation of time provided by this Act shall run against any such minor or incompetent unless and until such guardian or trustee is appointed.

(*e*) No compensation shall be payable in respect of the death or disability of an employee if his death is caused, or if and so far as his disability is caused, continued, or aggravated by an unreasonable refusal to submit to medical or surgical treatment, the risk of which is, in the opinion of the commission, inconsiderable in view of the seriousness of the injury.

(*f*) The fact that an employee has suffered a previous disability, or receives compensation therefor, shall not preclude him from compensation for a later injury, or his dependents from compensation for death resulting therefrom, but in determining compensation for the later injury, or death resulting therefrom, his average annual earnings shall be fixed at such sum as will reasonably represent his annual earning capacity at the time of the later injury.

(*g*) Any payment, allowance or benefit received by the injured employee during the period of his incapacity, or by his dependents in the event of his death, which by the terms of this Act was not then due and payable, or when there is any dispute or question concerning the right to compensation, shall not, in the absence of any agreement, be construed to be an admission of liability for compensation on the part of the employer, or the acceptance thereof as a waiver of any right or claim which the employee or his dependents may have against the employer, but any such payment, allowance or benefit may be taken into account by the commission in fixing the amount of the compensation to be paid.

SEC. 17. (*a*) The average weekly earnings referred to in section fifteen hereof shall be one fifty-second of the average annual earnings of the employee; in computing such earnings his average annual earnings shall be taken at not less than three hundred and three-three dollars and thirty-three cents, nor at more than one thousand six hundred and sixty-six dollars and sixty-six cents and between said limits shall be arrived at as follows:

(1) If the injured employee has worked in the same employment, whether for the same employer or not, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of three hundred times the average daily earnings, wage or salary which he earned as such employee during the days when so employed.

(2) If the injured employee has not so worked in such employment during substantially the whole of such immediately preceding year, his average annual earnings shall consist of three hundred times the average daily earnings, wages or salary which an employee of the same class, working substantially the whole of such immediately preceding year in the same or a similar kind of employment, in the same or a neighboring place, earned during the days when so employed.

(3) In every case where for any reason the foregoing methods of arriving at the average annual earnings of the injured employee can not reasonably and fairly

be [illegible] such [illegible] shall be taken by such [illegible] further [illegible] to the [illegible] of the injured employee, and of other [illegible] of the public at [illegible] [illegible] to the [illegible] [illegible] [illegible] of [illegible] [illegible] [illegible]

was no intention to mislead or prejudice the employer, and that he was not in fact misled or prejudiced thereby.

SEC. 21. (a) Whenever in case of injury the right to compensation under this Act would exist in favor of any employee, he shall, upon the written request of his employer, submit from time to time to examination by a practicing physician who shall be provided and paid for by the employer, and shall likewise submit to examination from time to time by any physician selected by the commission or any member or referee thereof.

(b) The request or order for such examination shall fix a time and place therefor, due regard being had to the convenience of the employee and his physical condition and ability to attend at the time and place fixed. The employee shall be entitled to have a physician provided and paid for by himself present at any such examination. So long as the employee, after such written request of the employer, shall fail or refuse to submit to such examination or shall in any way obstruct the same, his right to begin or maintain any proceeding for the collection of compensation shall be suspended, and if he shall fail or refuse to submit to such examination after direction by the commission, or any member or referee thereof, or shall in any way obstruct the same his right to the weekly indemnity which shall accrue and become payable during the period of such failure, refusal or obstruction, shall be barred. Any physician who shall make or be present at any such examination may be required to testify as to the results thereof.

SEC. 22. Upon filing with the commission by any party in interest of an application in writing stating the general nature of any dispute or controversy concerning compensation, or concerning any right of liability arising out of, or incident thereto, jurisdiction over which is vested by this Act in the commission, a time and place shall be fixed for the hearing thereof, which shall be not less than ten days nor more than forty days after the filing of such application. The person filing such application shall be known as the applicant and the adverse party shall be known as the defendant. A copy of said application, together with a notice of the time and place of hearing thereof, shall forthwith be served upon all adverse parties and may be served either as a summons in a civil action or in the same manner as any other notice that is authorized or required to be served under the provisions of this Act. A notice of the time and place of hearing shall also be served upon the applicant.

SEC. 23. If any defendant desires to disclaim any interest in the subject matter of the claim in controversy, or considers that the application is in any respect inaccurate or incomplete, or desires to bring any fact, paper or document to the attention of the commission as a defense to the claim, or otherwise, he must within five days after the service of the application upon him, file with or mail to the commission his answer setting forth the particulars in which the application is inaccurate or incomplete, and the facts upon which he intends to rely. A copy of such answer must be forthwith served upon all adverse parties.

SEC. 24. (a) No pleadings, other than the application and answer, shall be required. The hearing on the application may be adjourned from time to time and from place to place in the discretion of the commission. Either party shall have the right to be present at any hearing, in person or by attorney or by any other agent, and to present such testimony as shall be pertinent under the pleadings, but the commission may, with or without notice to either party, cause testimony to be taken, or inspection of the premises where the injury occurrred to be made, or the time-books and payroll of the employer to be examined by any commissioner or any referee appointed by the commission, and may from time to time direct any employee claiming compensation to be examined by a regular physician; the testimony so taken and the results of any such inspection or examination to be reported to the commission for its consideration.

(b) The parties to a controversy may stipulate the facts relative thereto in writing and file such stipulation with the commission. The commission may thereupon make its findings and award based upon such stipulation, or may in its discretion set the matter down for hearing and take such further testimony or make such further investigation as may be necessary to enable it to completely determine the matter in controversy.

SEC. 25. (a) After final hearing by the commission, it".

Amendment adopted.

AMENDMENT No. 15.

On page 20, line 1, after the word "shall", insert the following: "within thirty days,".

Amendment adopted.

AMENDMENT No. 16.

On page 20, lines 14 to 16, strike out all of lines 14 to 16, inclusive, and in lieu thereof insert the following: "instead of dismissing the application, award a nominal disability indemnity, if it appears that disability is likely to result at a future time."

Amendment adopted.

AMENDMENT No. 17

On page 20, lines 20 and 21, strike out all of lines 20 and 21, and in lieu thereof insert the following: "thereof, immediately upon the filing of such findings and award."

Amendment adopted.

AMENDMENT No. 18

On page 21, lines 20 and 21, strike out all of lines 20 and 21, and in lieu thereof insert the following: "thereof, provided, however, that this Act shall not be construed to be in force in sections eight, nine and eighteen hereof until"

Amendment adopted.

AMENDMENT No. 19

On page 21, line 24, strike out the words "under this Act."

Amendment adopted.

AMENDMENT No. 20

On pages 22 to 38, strike out all of pages 22 to 37, inclusive, and all of lines 1 to 12, inclusive, on page 38, and in lieu thereof insert the following: "to the extent that the duties of the party covered by such compensation, insofar as practicable, are"

(b) The commissioner may fix and determine and allow as a part thereof such amount to be paid as compensation.

(c) A reasonable compensation for the legal services pertaining to and under the supervision of mediators shall likewise fixed and determined by the commissioner, and paid by the party or parties to the controversy as he shall direct.

(d) The reasonable expenses incurred by or on behalf of the injured employee and for which the employee is liable under the provisions of subdivision (a) of section [illegible] hereof.

(e) The reasonable funeral expenses of the deceased employee, not to exceed the sum of one hundred dollars.

(f) If notice as required be given to the employer setting forth the person and cause of such injury, and if he be informed of it, the said notice shall be in a form and contain such matters as to such reasonable details to the understanding of the employer and sufficient thereof be the commissioner. The commissioner may in the discretion excuse the absence of such notice or defect and amendment by in good character or the person entitled thereto as a being may be immaterial.

(g) No person or corporation for the legal services or otherwise rendered to persons [illegible] of subdivision (a) hereof, or for the services rendered by attorneys [illegible] and subdivision (b), in excess of a reasonable amount, shall be paid or [illegible] to any person.

(h) A claim for compensation for the injury or death of any employee, or any award or settlement agreed thereto, shall have the same preference and the other essential duties of the employee as is given by law to claims for wages. Such claim upon shall be the entire amount of compensation to be paid and such section shall not impair the rate of any previous award.

SEC. 20. The liabilities of principals and contractors for compensation under this Act, when other than the immediate employer of the injured employee, shall be as follows:

(a) The principal, any general contractor and each intermediate contractor who undertakes to do or contracts with another to do, on or upon them any work, shall be liable to pay to any employee injured while engaged on the contracted [illegible] work, or to his dependents as the case of his death, any compensation which the immediate employer engaged is liable to pay.

(b) The person entitled to such compensation shall have the right to recover the same directly from his immediate employer, but no person shall be entitled to exercise at the same time the recourse provided by the Act against more than one person by reason of the same injury unless prior to the making such other person parties to the original application or to bring a separate application [illegible] hereof. That payment be made on account of such compensation, no matter the proceedings pending or other person shall, in the interest of such payment, be a bar to recovery against the other for any moneys received in such compensation.

(c) Where any person other than the immediate employer shall have paid such compensation for which he would not have been liable independently of this section, he shall succeed to the rights of the employee to recover the full amount or any part from any person primarily liable therefor.

(d) The liability imposed by this section upon such principal, general contractor and intermediate contractor shall be subject to the following limitations:

(1) Such liability shall exist only in cases where the injury occurred on or in or about the premises on which the principal, general contractor or intermediate contractor has undertaken to execute the work or where such premises or ways are otherwise under his control or management.

(2) Such liability shall not exist in the event that the immediate employer, or other person primarily liable for the compensation, shall, previous to the happening of such accident, have taken out, and maintained in full force and effect, compensation insurance with any insurance carrier, covering his full liability for compensation to the injured person or his dependents.

(3) The commission may, in its discretion, order that execution against the principal, general contractor and any intermediate contractor, be stayed until execution against the immediate employer shall be returned unsatisfied.

SEC. 31. The making of a lawful claim against an employer for compensation under this Act for the injury or death of his employee shall operate as an assignment to the employer of any right to recover damages which the injured employee, or his personal representative, or other person, may have against any other party for such injury or death, and such employer shall be subrogated to any such right and may enforce it, in his own name the legal liability of such other party. The amount of compensation paid by the employer, or the amount of compensation to which the injured employee or his dependents is entitled, shall not be admissible in evidence in any action brought to recover damages, but any amount collected by the employer, under the provisions of this section, in excess of the amount paid by the employer, or for which he is liable, shall be held by him for the benefit of the injured employee or other person entitled.

SEC. 32. (a) No contract, rule or regulation shall exempt the employer from liability for the compensation fixed by this Act, but nothing in this Act contained shall be construed as impairing the right of the parties interested to settle, subject to the provisions herein contained, any liability which may be claimed to exist under this Act on account of such injury or death, or as conferring upon the dependents of any injured employee any interest which such employee may not divert by such settlement or for which he, or his estate, shall, in the event of such settlement by him, be accountable to such dependents or any of them.

(b) The compensation herein provided shall be the measure of the responsibility which the employer has assumed for injuries or death that may occur to employees in his employment when subject to the provisions of this Act, and no release of liability or settlement agreement shall be valid unless it provides for the payment of full compensation in accordance with the provisions of this Act or until it shall be approved by the commission.

(c) A copy of any such release or settlement agreement signed by both parties shall forthwith be filed with the commission. When such release or settlement agreement is filed with the commission and approved by it, the commission may of its own motion, or on the application of either party, without notice, enter its award based upon such release or settlement agreement.

(d) Every such release or settlement agreement shall be in writing, duly executed and attested by two disinterested witnesses, and shall specify the date of the accident, the average weekly wages of the employee, determined according to section seventeen hereof, the nature of the disability, whether total or partial, permanent or temporary, the amount paid or due and unpaid to the employee up to the date of the release or agreement or death, as the case may be, and, if any, the amount of the payment or benefits then or thereafter to be made, and the length of time that such payment is to continue. In case of death there shall also be stated in such release or settlement agreement the date of death, the name of the widow, if any, the names and ages of all children, if any, and the names of all other dependents, if any, and whether such dependents be total or partial, and the amount paid or to be paid as a death benefit and to whom such payment is to be made.

SEC. 33. (a) At the time of making its award or at any time thereafter the commission on its own motion, either with or without notice, or upon application of either party with due notice to the other, may in its discretion, commute the compensation payable under this Act to a lump sum, if it appears that such commutation is necessary for the protection of the person entitled thereto, or for the best interest of either party, or that it will avoid undue expense or hardship to either party, or that the employer has sold or otherwise disposed of the greater part of his assets, or is about to do so, or that the employer is not a resident of this state, and the commission may order such compensation paid forthwith or at some future time.

(b) The amount of the commuted payment shall be determined in accordance with the following provisions:

(1) If the accident causes temporary disability, the commission shall estimate the probable duration thereof and the probable amount of the temporary disability indemnity payable therefor in accordance with the provisions of section fifteen hereof and shall fix the lump sum payment at such amount so determined.

(2) If the accident causes permanent disability or death, the commission shall fix the total amount of the permanent disability indemnity or death benefit payable therefor in accordance with the provisions of said section fifteen and shall estimate the present value thereof, assuming interest at the rate of six per cent per annum, disregarding the probability of the beneficiary's death in all cases except where the percentage of permanent disability is such as to entitle the beneficiary to a life-

person, and then taking into consideration the probability of the beneficiary's death by estimating the present value of such payments.

(c) The compensation so determined under this Act, and payments determined as hereinafter provided, shall directly to the injured employee or to his dependents, or deposited with any savings bank or trust company authorized to transact business in this state, shall not exceed or deduct the sum of one dollar, having interest at not less than four per cent per annum, to the credit of such person under the same deposited with the state compensation insurance fund. Any such account or deposit together with all interest thereon shall thereafter be held in trust for the interest therein, or to the credit of the depositor, but the depositor may shall have no further control over the account. Payments from such fund when so deposited shall be made by the proper order in the same manner and at the same times as fixed by the order of the commissioner, and with such rate and interest thereon shall be authorized. In the appointment of the proper guardian shall be given to the discretion of the commissioner, to the choice of the injured employee or his dependents. Upon the making of such payments the employer shall present to the commissioner a proper receipt evidencing the same, executed either by the injured employee or his dependents as the case requires, and the commissioner shall thereupon have the authority to prepare from evidence the same and such testimony, upon file with the clerk of the superior court in which any proceeding upon an award may have been entered, shall constitute a satisfaction of such award and shall fully discharge the employer from any further liability on account thereof.

SEC. 34. (a) Nothing in this Act shall affect the organization of any mutual or other insurance company or any existing contract for insurance of the right of the employee to recover in actual compensation, by means or in part, against liability for the compensation provided for in this Act, or to prohibit by mutual or other insurance, or by arrangement with the employee, for the payment to such employee, his dependents, beneficiaries or representatives of such accident or death benefits in addition to the compensation provided for by this Act.

(b) Liability for compensation shall not be enforced or allowed by any contract, consideration or other benefit whatsoever, but it is provided by this section, however, that such compensation, except as otherwise provided in this Act, and the power to contract shall, irrespective of any consideration, or other contract, or otherwise provided in this Act, have the right to recover such compensation against both the employer and in addition thereto any right to redress in his own name, for the matter provided in this Act, either by making the insurance carrier a party to the original application or by filing a separate application, but failure to join insurance carrier a party shall not be a bar to any action against employer for such compensation, provided however, that payment by either of such compensation by either the employer or the insurance company shall, to the extent thereof, be a bar to recovery against the other of the amount so paid and provided further, that as between the employer and the insurance company, payment by either directly to the employee or to the person entitled to compensation, shall be credited to the credit of the insurance carrier between them.

(c) Every contract issued against liability for compensation, or insurance policy or bond, shall contain a clause to the effect that the insurance carrier shall be directly and primarily liable to the employee and in the event of his death, to his dependents, to pay the compensation, if and for which the employer is liable; that, as between the employee and the insurance carrier, the notice to and knowledge of the occurrence of the injury on the part of the employer shall be deemed notice or knowledge, as the case may be, on the part of the insurance carrier; that jurisdiction of the employer shall for the purposes of this Act, be jurisdiction of the insurance carrier and that the insurance carrier shall be bound by and subject to the orders, decisions or awards rendered against the employer under the provisions of this Act.

(d) Such policy must also provide that the employer shall have a first lien upon any amount which shall become owing to the employer by such carrier in the event of the insurance carrier's bankruptcy, and that in case of the legal incapacity or inability of the employer to receive the said amount and pay it over to the employee or his dependents, the said insurance carrier may and shall pay the same directly to the said employee or his dependents, without intervention of the employer to the extent of such payment the obligations of the insurance carrier and such policy shall not contain any provision relieving the insurance carrier from payment when the employer becomes insolvent or is discharged in bankruptcy or otherwise during the period that the policy is in operation or the compensation remains unpaid.

(e) If the employer shall be insured against liability for compensation with any insurance carrier, and if after the happening of any accident such insurance carrier shall cease to be solvent then any person entitled to compensation against such employer or insurance carrier may proceed against the one then in possession, if any, for which the employer is liable and shall be a party of with power with the commission, shall constitute shall thereupon be subrogated to such claimant and the insurance carrier shall succeed against be subrogated in place of the employer to any proceeding theretofore or thereafter instituted by such person to recover such compensation, and the pleadings shall be

dismissed therefrom. Such proceeding shall not abate on account of such substitution but shall be continued against such insurance carrier.

2. If at the time of the happening of an accident for which compensation is claimed, or may be claimed, the employer shall be insured against liability for the full amount of compensation payable, or that may become payable, the employer may serve or cause to be served upon any person claiming compensation on account of the happening of such accident and upon the insurance carrier a notice that the insurance carrier has, in its policy contract or otherwise, assumed and agreed to pay the compensation, if any, for which the employer is liable, and may file a copy of such notice with the commission. If it shall thereafter appear to the satisfaction of the commission that the insurance carrier has, through the issuance of its contract of insurance or otherwise, assumed such liability for compensation, such employer shall thereupon be relieved from liability for compensation to such claimant and the insurance carrier shall, after notice, be substituted in place of the employer in any proceeding theretofore or thereafter instituted by such person to recover such compensation, and the employer shall be dismissed therefrom. Such proceeding shall not abate on account of such substitution, but shall be continued against such insurance carrier.

(f) Where any employer is insured against liability for compensation with any insurance carrier and such insurance carrier shall have paid any compensation for which the employer was liable, or shall have assumed the liability of the employer therefor, it shall be subrogated to all the rights and duties of the employer and may enforce any such rights in its own name.

SEC. 35. (a) If any insurance policy shall be issued covering liability for compensation, which policy shall contain any limitation as to the compensation payable, such limitation shall be printed in the body of such policy in boldface type and in addition thereto the words 'limited compensation policy' shall be printed on the top of the policy in bold-faced type not less than eighteen point in size.

(b) No insurance carrier shall insure against the liability of the employer for damages recoverable at law by the injured employee under the optional provisions contained in section twelve hereof, and any insurance carrier liable to any such injured employee for compensation upon the payment of the same shall have the same option given by said section twelve to such employee and shall be fully subrogated to his rights, and may enforce such liability for damages against the employer in its own name, anything in the insurance contract to the contrary notwithstanding."

AMENDMENT No. 21.

On page 28, line 32, preceding the word "expenses", insert the words "salaries and other".

Amendment adopted.

AMENDMENT No. 22.

On page 29, line 27, strike out the word "contract", and in lieu thereof insert the word "contracts".

Amendment adopted.

AMENDMENT No. 23.

On page 30, lines 15 to 37, strike out all of lines 15 to 37, inclusive, and in lieu thereof insert the following: "capacity, in good faith and without intent to defraud, in connection with the administration, management or conduct of the state compensation insurance fund, its business or other affairs relating thereto.

SEC. 39. In conducting the business and affairs of the state compensation insurance fund, the manager of the said fund or other officer to whom such power and authority may be delegated by the commission, as provided by subsection (e) of section thirty-eight hereof, shall have full power and authority:

(1) To enter into contracts of insurance, insuring employers against liability for compensation and insuring to employees and other persons the compensation fixed by this Act.

(2) To sell annuities covering compensation benefits.

(3) To decline to insure any risk in which the minimum requirements of the commission with regard to construction, equipment and operation are not observed, or which is beyond the safe carrying of the state compensation insurance fund, but shall not have power or authority, except as otherwise provided in this subdivision, to refuse to insure any compensation risk tendered with the premium therefor.

(4) To reinsure any risk or any part thereof.

(5) To inspect and audit, or cause to be inspected and audited the pay rolls of employers applying for insurance against liability for compensation.

(6) To make rules and regulations for the settlement of".

Amendment adopted.

AMENDMENT No. 24

On page 31, line 5, strike out the word "the"

Amendment adopted.

AMENDMENT No. 25

On page 31, lines 20 to 23, inclusive, strike out all of lines 20 to 23, inclusive, and in lieu thereof insert the following:

SEC. 41. The insurance commissioner shall [prepare the rate]

Amendment adopted.

AMENDMENT No. 26

On page 32, line 20, after the word "insurance" insert the words "corporation to said fund".

Amendment adopted

AMENDMENT No. 27

On page 34, line 21, after the period following the word "thereto" commence a new paragraph and insert the following:

"(c) During the months of January and July of each year the state treasurer of [state] the commissioner shall credit or apportion to the funds of the corresponding and compatible kinds here [into supplies and which are held for such fund, and shall report the results of the same to the state commissioner, whose duty it shall be to make a special ledger account pertaining to the assets belonging to the state compensation insurance fund. In the state treasurer's general ledger this fund account may be carried merely as a unit account, but other accounts of funds in the state treasury, and [income only the account must contain such detail as to show properly the several transactions therein which shall be credited to such fund."

Amendment adopted.

AMENDMENT No. 28

On page 34 to 38, strike out all of lines 4 to 21, inclusive, on page 34, and all of pages 35 to 38, inclusive, and in lieu thereof insert the following: The premium amounts shall be credited to the state compensation insurance fund.

SEC. 46. Each county, city and county, city, school district or other public corporation within the state may insure against the liability for compensation with the state compensation insurance fund and such [any other] corporation, district unless such fund shall refuse to accept the risk when the application for insurance is made, and the premium therefor shall be a proper charge against the general fund of such [political] subdivision of the state.

SEC. 47. When the commission shall be satisfied as the said compensation insurance fund shall have been established the commissioner shall [cause] publication of notice and request in the forms of policy to the compensation of [state] to the state and to the treasurer of every county, city and county, and city as the said fund shall be the duty of every public officer to furnish the information [and to cooperate to fill out and transmit to the commissioner of the said compensation insurance fund applications for compensation insurance in such form and manner and required to said insurance all persons and employers as the public [shall be entitled to].

SEC. 48. The commission shall make quarterly reports to the governor of the state reports of the business done by the state compensation insurance fund during the previous quarter and a statement of the losses, expenses and liabilities and of [shall be the duty of the state board of control to make such reports and to render such statistical reports to the governor] and such other reports as the governor may [general information by the state]. The commissioner shall likewise make to the state insurance commissioner of reports required to be made by the public [of private insurance carriers].

SEC. 49. Any employer who shall willfully misrepresent the amount of the pay roll upon which the premiums under this Act is to be based shall be subject to the state by the terms the amount of the difference in premiums which [and the employer should have paid for any full term] and may be recovered therefrom with the liability to the state under this section shall be enforced in a civil action [the name of the state compensation insurance fund may have collected the additional sum] become a part of said fund.

SEC. 50. Any person who willfully misrepresents any fact in order to obtain insurance at less than the premium rate for such employment or in order to prevent payments out of such fund shall be guilty of a misdemeanor.

SEC. 51. The following persons are not entitled to the benefits of [compensation] insurance of this Act, shall mean as follows [applicable to persons employed by any employer] [as follows]:

(a) The [proper terms of employment] which [must be] [under which] [where] or [or] [or] [or]

thereto, where, either temporarily or permanently, any industry, trade, work or business, is carried on, or where any process or operation directly or indirectly related to any industry, trade, work or business, is carried on, and where any person is directly or indirectly employed by another for direct or indirect gain or profit, but shall not include any place where persons are employed solely in farm, dairy, agricultural, viticultural, or horticultural labor, in poultry raising or in household domestic service.

(2) The term 'employment' shall mean and include any trade, work, business, occupation or process of manufacture, or any method of carrying on such trade, work, business, occupation or process of manufacture in which any person may be engaged, except where persons are employed solely in farm, dairy, agricultural, viticultural, or horticultural labor, in poultry raising or in household domestic services.

(3) The term 'employer' shall mean and include every person, firm, voluntary association, corporation, officer, agent, manager, representative or other person having control or custody of any employment, place of employment or of any employee.

(4) The term 'employee' shall mean and include every person who may be required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, or to go to work or be at any time in any place of employment.

(5) The term 'order' shall mean and include any decision, rule, regulation, direction, requirement or standard of the commission or any other determination arrived at or decision made by such commission under the safety provisions of this Act.

(6) The term 'general order' shall mean and include such order made, under the safety provisions of this Act, as applies generally throughout the state to all persons, employments or places of employment, or all persons, employments or places of employment of a class under the jurisdiction of the commission. All other orders of the commission shall be considered special orders.

(7) The term 'local order' shall mean and include any ordinance, order, rule or determination of any board of supervisors, city council, board of trustees or other governing body of any county, city and county, city or of any school district or other public corporation, or an order or direction of any other public official or board or department upon any matter over which the industrial accident commission has jurisdiction.

(8) The terms 'safe' and 'safety' as applied to an employment or a place of employment shall mean such freedom from danger to the life or safety of employees as the nature of the employment will reasonably permit.

(9) The terms 'safety device' and 'safeguard' shall be given a broad interpretation so as to include any practicable method of mitigating or preventing a specific danger.

SEC. 52. Every employer shall furnish employment which shall be safe for the employees therein and shall furnish a place of employment which shall be safe for employees therein, and shall furnish and use such safety devices and safeguards, and shall adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and place of employment safe, and shall do every other thing reasonably necessary to protect the life and safety of such employees.

SEC. 53. No employer shall require, permit or suffer any employee to go or be in any employment or place of employment which is not safe, and no such employer shall fail to furnish, provide and use safety devices and safeguards or fail to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and no such employer shall fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees, and no such employer shall occupy or maintain any place of employment that is not safe.

SEC. 54. No employer, owner or lessee of any real property in this state shall construct or cause to be constructed any place of employment that is not safe.

SEC. 55. No employee shall remove, displace, damage, destroy or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for the protection of any employee in such employment, or place of employment, or fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees.

SEC. 56. The commission is vested with full power and jurisdiction over, and shall have such supervision of, every employment and place of employment in this state as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment and place of employment to be safe, and requiring the protection of the life and safety of every employee in such employment or place of employment.

SEC. 57. The commission shall have power, after a hearing had upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise:

(11) To declare and prescribe what safety devices, appliances or other means or methods of protection are and shall be used to insure the employment of safety appliances and generally to promote the safety of employees and travelers upon railroads.

(12) To fix and prescribe penalties and to prescribe methods and procedure for recovering the same for the violation of any provision of law, or of any order, rule, or regulation of the commission, and to prescribe the time within which and the manner in which complaints may be made and prosecutions had for violations of law, or of orders, rules, or regulations of the commission.

(13) To do and perform such incidental, supplemental, and ancillary acts and things as may be necessary or proper in the exercise of the powers herein enumerated, or in the discharge of the duties imposed upon it by this Act.

(14) To require the performance of any other duty with which the operation of the Panama Canal or any of the transportation lines connected therewith may be charged.

(15) To investigate and determine the actual value of railroad and other property owned or used by any railroad corporation subject to the provisions of this Act, in whole or in part, as the commission may deem necessary or expedient in the performance of its duties, and to make a record of the physical facts developed by such investigation, and to report the same to Congress from time to time with such recommendations as the commission may deem necessary or expedient.

(16) To investigate, ascertain, and report the value of all lands, rights of way, and other property now held or hereafter acquired by any railroad corporation subject to the provisions of this Act which may be necessary or useful for the purposes of common carriers, the original cost thereof, the cost of improvements thereon and the cost of maintaining the same, and how much has been contributed to the construction thereof by the United States, by States, by municipalities, or by private persons or corporations.

(17) To ascertain and report from time to time the additional property which should be added to the valuation of railroads in order to represent the present value thereof fairly and reasonably, and the additional revenue from operation which will be required to pay a fair return upon such additional value.

(18) To make such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 48. That the powers of the commission shall be exercised by the commissioners appointed under the provisions of this Act, and the commissioners shall have an official seal which shall be judicially noticed. Any three commissioners shall constitute a quorum for the transaction of business, but no commissioner shall participate in the hearing or decision of the commission in any case in which he is interested, or in case he is related to any person or corporation interested therein within such degree as may be prescribed by the commission. The commission shall have an office at the city of Washington, where its principal sessions shall be held, but whenever the convenience of the public or the parties may be promoted or delay or expense prevented thereby, the commission may hold sessions at any other place designated by it. The commission may make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for office supplies, for the purchase, exchange, operation, and repair of motor-propelled passenger-carrying vehicles, for law books, periodicals, and books of reference, for printing and binding, and for the purchase of lawbooks, periodicals, and books of reference authorized by this Act) as may be necessary for the execution of the functions vested in the commission and for the accomplishment of the duties imposed upon it by this Act, and as may be provided for by the appropriations from time to time made for its maintenance. All of the expenditures of the commission, including all expenses of hearings, and all expenses of every character incurred under its direction, shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman of the commission.

SEC. 49. That the commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice. A majority of the commissioners shall constitute a quorum for the transaction of business, but no commissioner shall participate in any hearing or proceeding in which he has a pecuniary interest. The commission may, from time to time, make or amend such general rules or orders as may be required for the orderly conduct of its business and the performance of its duties. Any commissioner may administer oaths and affirmations and sign subpœnas. Any member of the commission may suspend or debar, for contumacy or misbehavior in its presence, any attorney admitted to practice before it. Process issued by the commission may be served anywhere in the United States. Depositions may be taken in any proceeding or investigation pending before the commission at any place within the United States, in the manner prescribed by law for depositions in actions at law in the courts of the United States. Witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

SEC. 50. That the commission may call upon the Attorney General of the United States to prosecute any violations of law or failure or refusal to obey or comply with any order of the commission or with any requirement of this Act, and may call upon the several United States attorneys to prosecute under the direction of the Attorney General any such violations, failures, or refusals in the several districts in which they occur. It shall be the duty of the several United States attorneys to whom the commission may apply to institute the proper suits and proceedings and to represent the commission before the courts, and it shall be the duty of the Attorney General to prosecute all appeals taken by the commission to the Supreme Court of the United States.

SEC. 51. That the commission may employ such attorneys, special agents, examiners, clerks, and other employees as it may find necessary for the proper performance of its duties and as may be provided for by the appropriations from time to time made for its maintenance, and may prescribe their duties and fix their reasonable compensation. The commission may employ and fix the compensation of such special agents, examiners, clerks, and other employees as it may find necessary for the proper performance of its duties, without regard to the provisions of law regulating appointments and compensation in the civil service.

SEC. 52. That the commission may make such expenditures for the purchase of lawbooks and books of reference, and for printing and binding, as may be necessary for the transaction of its business, and all such books and all publications of the commission shall be furnished to the commission at the expense of the United States.

SEC. 53. That the commission shall have an official seal which shall be judicially noticed, and may alter the same at pleasure. Until otherwise ordered by the commission, its principal office shall be in the city of Washington, but any of its powers and jurisdiction may be exercised and all of its duties performed in any part of the United States.

SEC. 54. That the commission shall make an annual report to Congress, copies of which shall be delivered to the Secretary of the Senate and the Clerk of the House of Representatives on the first day of December in each year, if Congress be in session, or, if not in session, then to the Secretary of the Senate and the Clerk of the House of Representatives of the next session of Congress. Said report shall contain such information and data collected by the commission as may be considered of value in the determination of questions connected with the regulation of commerce, together with such recommendations as to additional legislation relating thereto as the commission may deem necessary, with a view to the enforcement of the provisions of this Act and the promotion of safety of railroad operation for the protection of railroad employees and the public. The commission may also make such recommendations as to additional legislation relating to the issues of stocks and bonds by railroads subject to this Act, and as to the raising of revenue for railroad purposes, as it may deem necessary or expedient.

SEC. 55. That the commission is hereby authorized to employ a secretary, who shall receive a salary at the rate of $5,000 per annum, and a clerk, who shall receive a salary at the rate of $2,000 per annum, and the commission may employ such other clerks, stenographers, and messengers as may be provided for by the appropriations from time to time made for the maintenance of the commission.

SEC. 56. That the commission shall have authority to employ and fix the compensation of such special agents, examiners, clerks, and other employees as it may find necessary for the proper performance of its duties and as may be provided for by the appropriations from time to time made for its maintenance, without regard to the provisions of law regulating appointments and compensation in the civil service.

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SEC. 58. That the terms of the three commissioners first appointed under this Act shall begin immediately upon their appointment and qualification, and shall expire, as designated by the President at the time of appointment, one at the end of two years, one at the end of four years, and one at the end of six years from the first day of January in the year in which they are appointed; but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired portion of such term. Not more than two commissioners shall be appointed from the same political party. Not more than one commissioner shall be appointed from any one State. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Any commissioner may be appointed by the President to fill a vacancy caused by the death or removal of a commissioner, and if appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired portion of such term. Any commissioner may be appointed by the President to fill a vacancy caused by the death or removal of a commissioner, and if appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired portion of such term.

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SEC. 100. That the commission shall have an official seal which shall be judicially noticed, and may alter the same at pleasure. Until otherwise ordered by the commission, its principal office shall be in the city of Washington, but any of its powers and jurisdiction may be exercised and all of its duties performed in any part of the United States.

(2) The term 'employment' shall mean and include any trade, work, business, occupation or process of manufacture, or any method of carrying on such trade, work, business, occupation or process of manufacture in which any person may be engaged, except where persons are employed solely in farm, dairy, agricultural, viticultural or horticultural labor, in poultry or stock raising, or in household domestic service.

(3) The term 'employer' shall mean and include every person, firm, voluntary association, corporation, officer, agent, manager, representative or other person having control or custody of any employment, place of employment or of any employee.

(4) The term 'employee' shall mean and include every person who may be required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, or to go to work or be at any time in any place of employment.

(5) The term 'order' shall mean and include any decision, rule, regulation, direction, requirement or standard of the commission or any other determination arrived at or decision made by such commission under the safety provisions of this Act.

(6) The term 'general order' shall mean and include such order made, under the safety provisions of this Act, as applies generally throughout the state to all persons, employments or places of employment, or all persons, employments or places of employment of a class under the jurisdiction of the commission. All other orders of the commission shall be considered special orders.

(7) The term 'local order' shall mean and include any ordinance, order, rule or determination of any board of supervisors, city council, board of trustees or other governing body of any county, city and county, city or of any school district or other public corporation, or an order or direction of any other public official or board or department upon any matter over which the industrial accident commission has jurisdiction.

(8) The terms 'safe and safety' as applied to an employment or a place of employment shall mean such freedom from danger to the life or safety of employees as the nature of the employment will reasonably permit.

(9) The terms 'safety device' and 'safeguard' shall be given a broad interpretation so as to include any practicable method of mitigating or preventing a specific danger.

SEC. 52. Every employer shall furnish employment which shall be safe for the employees therein and shall furnish a place of employment which shall be safe for employees therein, and shall furnish and use such safety devices and safeguards, and shall adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and place of employment safe, and shall do every other thing reasonably necessary to protect the life and safety of such employees.

SEC. 53. No employer shall require, permit or suffer any employee to go or be in any employment or place of employment which is not safe, and no such employer shall fail to furnish, provide and use safety devices and safeguards or fail to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and no such employer shall fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees, and no such employer shall occupy or maintain any place of employment that is not safe.

SEC. 54. No employer, owner or lessee of any real property in this state shall construct or cause to be constructed any place of employment that is not safe.

SEC. 55. No employee shall remove, displace, damage, destroy or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for the protection of any employee in such employment, or place of employment, or fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees.

SEC. 56. The commission is vested with full power and jurisdiction over, and shall have such supervision of, every employment and place of employment in this state as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment and place of employment to be safe, and requiring the protection of the life and safety of every employee in such employment or place of employment.

SEC. 57. The commission shall have power, after a hearing had upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise:

(1) To declare and prescribe what safety devices, safeguards or other means or methods of protection are well adapted to render the employees of every employment and place of employment safe as required by law or lawful order.

(2) To fix such reasonable standards and to prescribe, modify and enforce such reasonable orders for the adoption, installation, use, maintenance and operation of safety devices, safeguards and other means or methods of protection, to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful

orders relative to the protection of the life and safety of employees in employments and places of employment.

(3) To fix and order such reasonable standards for the construction, repair and maintenance of places of employment as shall render them safe.

(4) To require the performance of any other act which the promoting of the life and safety of employees in employments and places of employment may demand.

(5) To devise and prescribe the general form of individual accident reports, the accidents to be reported and the information to be furnished in connection therewith, and the time within which such reports shall be filed. Nothing in this Act contained shall be construed to prevent the commission from requiring supplemental accident reports.

SEC. 58. Upon the filing of a bill and upon the hearing of a petition for the purpose of considering and passing a general safety order or ordering an application by section 9(1) or sub-head (2) of section 63 of this Act, a notice of such hearing to be given

Amendment adopted.

AMENDMENT No. 29.

On page 20, lines 15 to 20, strike out all of lines 15 to 20, inclusive, and in lieu thereof insert the following: "in such classifications and places of employment. The commission shall make such rules and orders and issue such notices thereon as may be necessary to enable such employees or boards of employment to find out from time to time the life and safety of employees in such employments and places of employment that may be

Amendment adopted.

AMENDMENT No. 30.

On page 20, lines 24 to 27, strike out all of lines 24 to 27, inclusive, and in lieu thereof insert the following: "It shall also be competent for the workers of any employer in case of the non-existence of such committee, representative organization, with or without notice or hearings and after a hearing upon such notice as it may prescribe, the commission may issue and serve such order as may be necessary relative"

Amendment adopted.

AMENDMENT No. 31.

On page 40, lines 14 to 23, strike out all of lines 14 to 23, inclusive, and in lieu thereof insert the following: "aforesaid under the safety provisions of this Act, may be reviewed by the courts specified in section eighty-four and eighty-five of this Act and within the time and in the manner therein specified and not otherwise.

SEC. 64. Nothing contained in this Act shall be construed to deprive the board of supervisors of any county, or city and county, the board of trustees of any city, or any other public corporation or board or department of any county or municipal corporation over or relative to any place of employment, of any power or jurisdiction conferred upon it by law: *Provided*, That whenever the commission shall, by order, fix a standard of safety for employments or places of employment, such order shall upon the filing by the commission of a copy thereof with the clerk of the county, city and county, or city or town in which such employment is located supersede any ordinance, order, rule or regulation theretofore made by such county, municipality or municipal board or department in connection with any local order subject to the same matter and to extend to liability any requirement in such local order not up to the standard of the order of the commission.

SEC. 65. The commission shall have

Amendment adopted.

AMENDMENT No. 32.

On page 41, lines 8 to 36, strike out all of lines 8 to 36, inclusive, and in lieu thereof insert the following:

(5) To appoint advisers who shall, without compensation, assist the commission in establishing standards of safety and the commission may submit any recommendations in its general orders such safety recommendations as it may receive from such advisers.

SEC. 66. Every order of the commission, general or special, by rules and regulations, findings and decisions, made and entered under the safety provisions of this Act shall be admissible as evidence in any proceedings for the enforcement of any of said provisions and shall, in every such proceeding, be conclusively presumed to be reasonable and lawful and to fix a reasonable and proper standard and requirement of safety, unless, prior to the beginning of the prosecution for such violations, proceedings for a rehearing thereon or a review thereof shall have been instituted as provided in sections eighty-one to eighty-five, inclusive, of this Act and not then finally determined.

SEC. 67. Every employer, or employee or other person who orders, advises or acting as an officer, agent or employee of a corporation or other person, violates any safety provision contained in sections fifty-two, fifty-three, fifty-four or fifty-

five of this Act, or any part of any such provision, or who shall fail or refuse to comply with any such provision or any part thereof, or who, directly or indirectly, knowingly induces another so to do is guilty of a misdemeanor. In any prosecution under this section it shall be deemed prima facie evidence of a violation of any such safety provision, that the accused has failed or refused to comply with any order, rule, regulation or requirement of the commission relative thereto and the burden of proof shall thereupon rest upon the accused to show that he has complied with such safety provision.

SEC. 68. Every violation of the provisions contained in sections fifty-two, fifty-three, fifty-four, or fifty-five, of this Act, or any part or portion thereof, by any person or corporation is a separate and distinct offense, and, in the case of a continuing violation thereof, each day's continuance thereof shall constitute a separate and distinct offense.

SEC. 69. All fines imposed and collected under prosecutions for violations of the provisions of sections fifty-one to seventy-two, inclusive, of this Act, shall be paid into the state treasury to".

Amendment adopted.

AMENDMENT No. 33.

On page 42, line 21, strike out the word "specified" and in lieu thereof insert the word "specific".

Amendment adopted.

AMENDMENT No. 34.

On page 42, line 27, after the word "fill", insert the word "out".

Amendment adopted.

AMENDMENT No. 35.

On page 42, line 30, strike out the words "or it".

Amendment adopted.

AMENDMENT No. 36.

On page 42, line 35, strike out the word "court", and in lieu thereof insert the word "course".

Amendment adopted.

AMENDMENT No. 37.

On page 43, line 31, preceding the word "arising", insert the words "concerning any right or liability".

Amendment adopted.

AMENDMENT No. 38.

On page 43, line 33, strike out the words "or it".

Amendment adopted.

AMENDMENT No. 39.

On page 43, line 37, after the word "persons", insert the words "or for the determination of any question".

Amendment adopted.

AMENDMENT No. 40.

On page 44, line 27, strike out all of line 27, and in lieu thereof insert the following:

"(b) The secretary, assistant secretary and the inspectors appointed by the commission shall have all of the powers conferred by law upon peace officers to carry weapons, make arrests and serve warrants and other process in any county or city and county of this state.

(c) Any notice, order or decision affecting the state or".

Amendment adopted.

AMENDMENT No. 41.

On page 45, line 5, after the semicolon following the word "proper", insert the following: "and such guardian or trustee must give a bond in the same form and of the same character required by law from a guardian appointed by the courts and in such an amount as the commission or a commissioner may fix and determine, such bond to be approved by the commission or a commissioner, and such guardian or trustee shall not be discharged from liability until he shall have filed an account

with the commission or with the parties would not such counsel should have been approved. The counsel of prevailing party so employed to receive such compensation for his services as shall be fixed and allowed by the commission or by the circuit court."

Amendment adopted.

AMENDMENT No. 41.

On page 46, line 18, strike out the word "commission" and in lieu thereof insert the word "commissioners".

Amendment adopted.

AMENDMENT No. 42.

On page 48, line 5, strike out the word "thereof", and in lieu thereof insert the word "thereof".

Amendment adopted

AMENDMENT No. 44.

On page 48, page 50 to the action and of lines 10 to 23, inclusive, and in lieu thereof insert the following: "copies of papers on file upon payment therefor prescribed by the commission or the number thereof. The manner".

Amendment adopted

AMENDMENT No. 45.

On page 49, lines 16 and 17, strike out all of lines 16 and 17, and at that thereof insert the following: "copies of papers on file upon payment therefor prescribed by the commission or the number thereof. The manner".

Amendment adopted

AMENDMENT No. 46.

On page 49, line 23, strike out the word "persons", and in lieu thereof insert the word "person".

Amendment adopted

AMENDMENT No. 47.

On page 50, line 7, strike out the words "upon such", and in lieu thereof insert the following: "Such".

Amendment adopted

AMENDMENT No. 48.

On page 50, line 30, strike out all of line 30 and in lieu thereof insert the following: "to the opponent and the adverse parties, if any, and to such other persons".

Amendment adopted

AMENDMENT No. 49.

On pages 51 and 52, strike out all of lines 10 to 37, inclusive, on page 51, and all of lines 1 to 12, inclusive, on page 52, and in lieu thereof insert the following: "of filing: *provided*, however, that the commission may upon good cause being shown in special instance, any party or parties interested thereto may apply for such rehearing for not exceeding thirty days.

SEC. 82. (a) At any time within twenty days after the service of any final order or decision of the commission awarding or denying compensation, or making part of an incidental thereto, any party or parties interested thereto may apply for such rehearing upon one or more of the following grounds and upon no other grounds:

(1) That the commission acted without or in excess of its powers.

(2) That the order, decision or award was procured by fraud.

(3) That the evidence does not justify the finding of fact.

(4) That the applicant has discovered new evidence material to him, and which he could not, with reasonable diligence, have discovered and produced at the hearing.

(5) That the findings of fact do not support the order, decision or award.

(b) Nothing contained in this section shall, however, be construed to limit the right of the commission, at any time within two hundred forty five weeks from the date of its award, and from time to time, after due notice and upon the application of any party interested, to review, diminish or increase, within the limits provided by this Act, any compensation awarded upon the grounds that the disability of the person in whose favor such award was made has either increased or diminished or terminated.

SEC. 83. (a) At any time within twenty days after the service of any other final

order, decision, rule or regulation made by the commission under the provisions of this Act, any party or parties, person or persons aggrieved thereby or otherwise affected, directly or indirectly, may apply for such rehearing upon one or more of the following grounds and upon no other grounds:

(1) That the commission acted without or in excess of its powers.

(2) That the order or decision was procured by fraud.

(3) That the order, decision, rule or regulation is unreasonable.

(*b*) Nothing contained in this section shall be construed to limit the right of the commission, at any time and from time to time, to adopt new or different rules or regulations or new or."

Amendment adopted.

AMENDMENT No. 50.

On page 53, line 15, after the word "affirming", insert a comma and the word "modifying".

Amendment adopted.

AMENDMENT No 51.

On page 53, line 18, strike out the word "court", and in lieu thereof insert the word "courts".

Amendment adopted.

AMENDMENT No. 52.

On page 53, line 36, insert a comma after the words "pendency of".

Amendment adopted.

AMENDMENT No. 53.

On page 54, line 2, strike out the word "whom", and in lieu thereof insert the word "which".

Amendment adopted.

AMENDMENT No. 54.

On page 54, line 17, strike out the word "divison", and in lieu thereof insert the word "division".

Amendment adopted.

AMENDMENT No. 55.

On page 54, lines 21 and 22, strike out all of lines 21 and 22, and in lieu thereof insert the following: "interstate commerce as not to be subject to the legislative power of the state or to employees injured while they are".

Amendment adopted.

AMENDMENT No. 56.

On page 54, line 26, strike out all of line 26, and in lieu thereof insert the following:

"SEC. 87. (*a*) Any employer, having in his employment any employee not included within the term 'employee' as defined by section fourteen of this Act or not entitled to compensation under this Act, and any such employee, may, by their joint election, elect to come under the compensation provisions of this Act in the manner hereinafter provided.

(*b*) Such election on the part of the employer shall be made by filing with the commission a written statement to the effect that he accepts the compensation provisions of this Act, which, when filed, shall operate within the meaning of section twelve of this Act, to subject him to the compensation provisions of this Act, and of all Acts amendatory thereof, for the term of one year from the date of filing, and thereafter without further act on his part, for successive terms of one year each, unless such employer shall, at least sixty days prior to the expiration of such first or any succeeding year, file in the office of the commission a notice in writing that he withdraws his election. Such acceptance shall not be held to include employees whose employment is both casual and not in the usual course of the trade, business, profession or occupation of the employer, unless expressly mentioned therein.

(*c*) Any employee in the service of any such employer, shall be deemed to have accepted, and shall, within the meaning of section twelve of this Act, be subject to the compensation provisions of this Act, and of any Act amendatory thereof, if, at the time of the accident, for which liability is claimed:

(1) The employer charged with such liability is subject to the compensation provisions of this Act, whether the employee has actual notice thereof or not; and

(2) Such employee shall not, at the time of entering into his contract of hire,

have given to his employer notice in writing that he elects not to be subject to the compensation provisions of this Act, or in the event that such payment of bills was made in advance of the election by the employee such employee shall have given to the employer notice in writing that he elects to be subject to such provisions or withdrawing either of such notices shall have remained in the service of such employer for thirty days after the employee has filed his election.

"SEC. 88. The commission shall, not later than the first day"

Amendment adopted.

AMENDMENT No. 37.

On pages 54 and 55, strike out all of lines 24 to 27, inclusive, on page 54, and all of page 55, and in lieu thereof insert the following:

"SEC. 89. The sum of one hundred eighty-seven hundred twenty-seven dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be used by the industrial accident commission in carrying out the purposes of this Act, and the controller is hereby directed to draw his warrant on the general fund from time to time in favor of said industrial accident commission for the moneys expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

SEC. 90. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

SEC. 91. The compensation provisions of this Act shall not apply to any injury sustained prior to the taking effect thereof.

SEC. 92. This Act shall take effect and be in force on and after the first day of January, A. D. 1914."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORTS OF STANDING COMMITTEES — LIST OF (none).

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Constitutional Amendment No. 72, A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX a new section, to be numbered 11½, relating to the conciliation of labor and matters of employment, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYON, Chairman.

Senate Constitutional Amendment No. 72 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1110—An Act to provide for the better safety and comfort of employees in foundries, workshops, and mercantile establishments, and giving it immediate effect, and to provide for the enforcement thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYON, Chairman.

Assembly Bill No. 1110 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1132—An Act to provide for the establishment and change of grade of public streets, highways, public parks or public places in municipalities, and providing for the payment therefor, by certain assessments upon property benefited thereby, and providing for the payment of the moneys, damages and expenses thereof upon the completion of the work, damages to property which would result from such improvement, and for the assessment of the moneys, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the grade changes and expenses of such improvement, and for the payment and effect of such bonds—have had the same under consideration, and respectfully report the same back, with a committee substitute, and recommend that the substitute be adopted.

CARR, Chairman.

Senate Bill No. 1312 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 771—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARR, Chairman.

Senate Bill No. 771 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARR, Chairman.

Senate Bill No. 1737 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARR, Chairman.

Senate Bill No. 1753 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of Richmond, in Contra Costa County, in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the eighth day of April, 1913—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CARR, Chairman.

Senate Concurrent Resolution No. 26 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1756—An Act to authorize municipal corporations to make water rates and charges a lien on property, and to provide for the enforcement of such lien.

Also: Assembly Bill No. 1548—An Act to amend Sections 2 and 3 of an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition, and also for the payment of such bonds," approved April 14, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CARR, Chairman.

Senate Bill No. 1756 ordered on file for second reading.

Assembly Bill No. 1548 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1099—An Act to amend Section 1[illegible] of an Act entitled "An Act to provide for the organization, management and government of municipal corporations," approved March 13, 1903, and to add certain sections thereto and supplemental thereto, and to repeal all acts and parts of acts inconsistent herewith," respectfully report the same back with recommendation that it do pass as amended.

CASE, Chairman.

Assembly Bill No. 1091 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1416—An Act to amend Sections [illegible] of an Act to provide for the organization, management and government of [illegible] municipal corporations, approved March 13, 1903, and to add certain sections thereto and supplemental thereto, and to repeal all acts and parts of acts inconsistent herewith," respectfully report the same back with recommendation that it do pass as amended.

CASE, Chairman.

Assembly Bill No. 1416 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1166—An Act concerning the duties of Notaries public and clerks of the Senate and Assembly, and providing for the payment of moneys received by them, and the disposition of moneys remaining in the possession of the said officers at the time of the expiration of the term of office for which they were elected, and the Senate of California, including the right to vote and therefore to the city of Vernon, for consideration of annexation and respectfully report the following bill as amended.

REGAN, Chairman.

Senate Bill No. 1166 ordered on file for second reading.

BILL WITHDRAWN FROM COMMITTEE.

Senator Irwin moved that Assembly Bill No. 1261 be withdrawn from the Committee on Labor and Capital.

Motion carried.

REPORTS OF STANDING COMMITTEES—CONCLUDED.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 530—An Act to provide the question of combining surgery and other services in studies in dealing the sick as affected in the State of California, and for the appointment of a board of medical examiners, a board of drugless practitioners and a board of registration of surgeons practitioners.

Also: Concurrent Substitute for Senate Bill No. 1259—An Act declaring certain corporations, individuals or associations of individuals engaged therein or indirectly in the transportation of oranges, or any portion or the products thereof, lemons or other fruits or vegetables and public utilities and matters in the provisions of the Act known as the Public Utilities Act of the State of California, approved December 23, 1911.

Also: Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Also: Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

Also: Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignments of or orders for wages or salaries.

Also: Senate Bill No. 396—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

Also: Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Also: Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Also: Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Senate Bill No. 1588—An Act making an appropriation of twenty-five thousand dollars for purchasing machinery and equipment for the State Printing Office.

Also: Senate Bill No. 1165—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3524, providing for the reissuing of patents to swamp and overflowed lands, where the original patent has been lost or destroyed, and not of record in the county where the land is situate.

Also: Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Also: Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Also: Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Also: Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

Also: Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

Also: Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Also: Senate Bill No. 1465—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

Also: Senate Bill No. 1520—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 2004, relating to disputes between employers and employees concerning terms and conditions of employment.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 1755—An Act appropriating money to complete, equip and furnish the Folsom State Hospital—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

FINN, Chairman.

Senate Bill No. 1755 ordered re-referred to Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to

amend an Act entitled "An Act to establish a board of [illegible] commissioners for the purpose of, and government of [illegible] approved March 28, 1905—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

FINN, Chairman.

Senate Bill No. 129 ordered on file for second reading

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 129—An Act to amend Section [illegible] of an Act entitled "An Act to regulate the practice of [illegible] in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy"—approved March 20, 1905, and amended March 31, 1907, and April 21, 1909—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Senate Bill No. 182 ordered on file for second reading

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for [illegible] appropriation for said site and appropriating money therefor—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to Committee on Finance.

RITTER, Chairman.

Assembly Bill No. 986 ordered re-referred to Committee on Finance

ON SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Finance, Ways and Conference Bills, to whom was referred Assembly Bill No. 1656—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of reclamation districts in the various counties of this State, for the improvement and [illegible] of the channels of [illegible] streams and watercourses, for the protection of the overflow lands by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1905—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENSON, Chairman.

Assembly Bill No. 1655 ordered on file for second reading

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1655—An Act appropriating money for the purchase of additional land for the San Diego State Normal School—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

AVEY, Chairman.

Assembly Bill No. 1633 ordered re-referred to Committee on Finance

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 699—An Act to provide for the management of [illegible] school lands of this State, creating a public school [illegible] permanent fund and providing for the administration of such fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

AVEY, Chairman.

Senate Bill No. 699 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Also: Senate Bill No. 47—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Have had the same under consideration, and respectfully report that Assembly Bill No. 32 is not identical with Senate Bill No. 47.

GRANT, Chairman.

Assembly Bill No. 32 referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 47—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Also: Senate Bill No. 1134—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act.

Also: Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3968 of the Political Code, relating to the county boundary between Tuolumne and Mariposa counties.

Also: Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Also: Senate Bill No. 1515—An Act to appropriate the sum of three hundred and sixty-one dollars to pay the claims of the State Board of Health.

Also: Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards.

Also: Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways; for the charge, supervision and control thereof by the Department of Engineering of the State of California and the State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting, or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

Also: Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State—have had the same under consideration, and respectfully report the same back, with amendments, and recommend the adoption of such amendments.

THOMPSON, Chairman.

Senate Bill No. 1198 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 410—An Act to amend Section 4056 of the Political Code of the State of California, relating to the compensation of members of the county [illegible] bills and resolutions under consideration, and respectfully report that same have been carefully examined by us, and recommend that it do pass.

EDGAR CALVERT.

Assembly Bill No. 410 ordered on file for second reading.

RECESS.

At six o'clock and ten minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Matt, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 397—An Act to provide for the [illegible] by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 1270, relating to sending by mail or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1290—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from [illegible] their services beyond their reasonable capacity.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1408—An Act to amend Section 295 of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 105—An Act to amend Section 462 of the Civil Code of the State of California, relating to powers of railroad corporations.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all of section 12 commencing with the word "and" on line 27 on page 3, and ending with the word "or" on line 12 on page 4, and in lieu thereof insert the following: "to construct, open or operate the necessary tracks, and property or any part thereof, of any railroad corporation, having any railroad outside of the State of California, and to acquire the name and use the franchises of any such road, and all rights and powers possessed thereby, to purchase, acquire or hold the stocks, bonds or other securities of any railroad corporation organized under the laws of this state or of any other state or territory, with full power to sell the same; provided, that nothing herein shall authorize any corporation to purchase the franchises, rights and property of any railroad corporation

in competition with it; *and provided*, that nothing herein will authorize any corporation to purchase the stock of any railroad corporation operated in competition with it".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code, relating to the powers and duties of normal school boards

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1289—An Act to amend Section 626*k* of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 399—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 1, of the printed bill, strike out the figures "58", and insert in lieu thereof the words "fifty-eight".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 4, of the printed bill, strike out the word "section".

Amendment adopted.

AMENDMENT No. 3.

On page 2, lines 4 and 5, of the printed bill, strike out the words "or shall hereafter frame and adopt.", and insert, following the word "has", the word "heretofore".

Amendment adopted.

AMENDMENT No. 4.

On page 2, lines 7 and 8, of the printed bill, strike out the words "or shall hereafter be approved", and insert, following the word "been", the word "heretofore".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 963—An Act to amend Sections 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property upon dissolution of district.

During second reading of the bill the following amendment was offered by the committee:

On page 3, Section 11, line 23, strike out the said "time" and insert in lieu thereof the word "life"

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1272—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2648, relating to county government.

Bill read second time, and ordered set for the third reading.

Assembly Bill No. 240—An Act to regulate advertisements and solicitations for employees during strikes, lockouts, and other labor troubles.

During second reading of the bill the following amendment was offered by the committee:

On page 1, line 12, of the printed bill, strike out the period last above at line thereof the following: "; provided, that the foregoing provisions shall not apply to any publication or advertisement published solely in union notices, the name and address of which, indicated as public labor headquarters purpose."

Amendment adopted.

Bill read second time and ordered to print and third reading.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Senate bills.

Senate Bill No. 1188—An Act to amend Section 1494 of the Political Code of the State of California, relating to the cancelling of erroneously certificates of purchase and patents heretofore issued for swamp and overflowed lands.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out all of the line after the words "An Act" and insert in lieu thereof the following: "for the relief of purchasers of state lands."

Amendment adopted.

AMENDMENT No. 2.

Immediately following the title and between the title and the enacting clause of the printed bill, insert the following:

"WHEREAS, An Act approved April 28, 1858, providing for the sale of swamp and overflowed lands, has extended from the operation of said Act any swamp lands within ten miles of the city of San Francisco; and

WHEREAS, Survey No. 119 made by Peter Anderson for the northwest quarter of section 10, township 3 south, range 6 west, Mount Diablo meridian, was filed in the office of the state surveyor-general pursuant to the provisions of said Act and payment of the purchase price was made April 14, 1854, and certificate of purchase No. 70 for said land, was issued December 20, 1859 to said Peter Anderson; and

WHEREAS, While patent was issued for said land in 1911, it was discovered that said land was not within the area withheld from sale by said Act of 1858; and

WHEREAS, The subsequent Acts of April 28, 1858, and March 28, 1868, did not preclude from sale the lands within said two last mentioned Acts, therefore"

Amendment adopted.

AMENDMENT No. 3.

Strike out all following the enacting clause as the printed bill, and insert in lieu thereof the following:

SECTION 1. The register of the state land office issue the certificate of the said certificate of purchase No. 70 issued December 20, 1859 to Peter Anderson for the

northeast quarter of southeast quarter of section 10, township 3 south, range 3 west, Mount Diablo meridian, must prepare a patent for the said land, the said patent to be issued in the name of Peter Anderson; the patent must then be signed by the governor, attested by the secretary of state, sealed with the great seal of the state and be countersigned by the register; and the said patent shall be delivered and held to convey the legal title to the said land, and the State of California does hereby grant to the said Peter Anderson, or his assigns, grantees or successors in interest, all its right, title and interest in and to the said northeast quarter of southeast quarter of section 10, township 3 south, range 3 west, M. D. M."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 724—An Act to amend the Civil Code, Part IV, Title I, Chapter II, Article I, relative to corporate stock and stockholders, by adding a new section thereto, to be known as Section 323a.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1233—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1702—An Act amending the Civil Code so as to prohibit one corporation from buying, taking, acquiring or holding the shares of stock of other corporations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1703—An Act amending Section 286 of the Civil Code so as to limit the formation of corporations to one purpose.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1704—An Act amending the Civil Code so as to prohibit the issuance by a corporation of more than one kind of shares of capital stock.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 499—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

On motion of Senator Thompson, Senate Bill No. 499 was passed on file.

Senate Bill No. 1471—An Act to amend Section 635½ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the sixth district.

On motion of Senator Anderson, Senate Bill No. 1471 was passed on file.

Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, the State of California, and providing a penalty therefor.

On motion of Senator Anderson, Senate Bill No. 1119 was passed on file.

Senate Bill No. 1093—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April, 1872.

Bill read second time, ordered engrossed and on its for third reading.

Senate Bill No. 1231—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections to be known as Sections 10 to 13, inclusive.

Bill read second time, ordered engrossed and on its for third reading.

Senate Bill No. 1292—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1895, by adding thereto six new sections, to be known as Sections 57 to 62, inclusive.

Bill read second time, ordered engrossed and on its for third reading.

Senate Bill No. 1293—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections, to be known as Sections 84 to 89, inclusive.

Bill read second time, ordered engrossed and on its for third reading.

Senate Bill No. 1389—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and provide for the enforcement thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 8, of the printed bill, strike out the word "thereof," and insert in lieu thereof the word "thoroughly."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 4, after the word "heat," insert the word "reasonably."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 7, after the word "provided," insert the following "when necessary for the health of the employees."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 13, after the word "of," insert the word "fourteen."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code, relating to navigable streams and public ways.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1758.

An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

The people of the State of California do enact as follows:

SECTION 1. Section 2349 of the Political Code of this state is hereby amended to read as follows:

SEC. 2349. Certain streams and waters declared navigable and are declared public ways: The following streams and waters are declared public ways: So much of a slough as lies between Simonds canal in the town of Alviso and the bay of San Francisco; all of the Coyote river between the bay of San Francisco and the place where the same is now crossed by the tracks of the Southern Pacific Railroad Company; all of the slough known as Alviso slough, sometimes called Steamboat slough, lying between the bay of San Francisco and the place where the same is now crossed by the tracks of the Southern Pacific Railroad Company; all of the slough known as the Guadalupe slough, and being the outlet or mouth of the Guadalupe river, lying between San Francisco bay and its junction with Alviso slough; all of Devil's slough lying within the corporate limits of the city of San Jose, or of the town of Sunnyvale in Santa Clara county, and extending thence to San Francisco bay; Petaluma river, from its mouth to the southerly line of Washington street, in the city of Petaluma; the Sonoma river, between its mouth and a point opposite Fowler's hotel, in the town of San Luis; the Napa river, between its mouth and the toll bridge; the Suisun river, between its mouth and the town of Suisun embarcadero; the Sacramento river, between its mouth and a point one hundred feet below Reid's ferry, in Shasta county; the Feather river, between its mouth and a point fifty feet below the bridge crossing Feather river first above the mouth of the Yuba river; the Yuba river, between its mouth and a point at the mouth of the slough at the foot of F street, in the city of Marysville; the San Joaquin river, between its mouth and Sycamore point; the Stockton slough, between its mouth and the west line of El Dorado street in Stockton; the Mokelumne river, between its mouth and the first falls; the Tuolumne river, between its mouth and Dickinson's ferry; Deer creek, between the house of Peter Lassen and its mouth; Big river, three miles from its mouth; Noyo river, three miles from its mouth; Albion river, three miles from its mouth; San Antonio creek, in the county of Alameda, from its mouth to the old embarcadero of San Antonio; the Arroyo del Medo, in the county of Santa Clara, from its mouth to the upper line of the town of New Haven; Mission creek, in the county of San Francisco; that portion of Channel street, in the city of San Francisco, lying easterly of the northeasterly line of Seventh street, the width thereof to be one hundred forty feet; that certain creek running through the tide land survey numbered sixty-eight, and swamp and overflowed land survey numbered one hundred and forty-five, from its mouth to the head of tide water therein; San Leandro creek, from its mouth at San Francisco bay to Andrew's landing; San Lorenzo creek, from its mouth at San Francisco bay to Robert's landing; Johnson's creek, from its mouth at San Francisco bay to Simpson's landing; the north branch of Alameda creek, from its mouth to Eden landing; San Rafael and Corte Madera creeks, in Marin county, from their mouths as far up as tide water flows therein; the Nemes creek, from its mouth at Suisun bay to a point one half mile above the warehouse of George P. Loucks; Diablo creek from its junction with the Nemes, to a point opposite the warehouse of Frank Such, in Contra Costa county; the Arroyo de San Antonio, or Keys creek in Marin county, from its mouth at Tomales bay to the warehouses on the point at Keys embarcadero; all the streams and sloughs emptying into Elk river; and all the streams and sloughs south of Eureka, in Humboldt county, which are now or at any time have been used for the purpose of floating logs or timber, and all the sloughs south of Humboldt point, in said county, that at high water have a depth of two feet of water, and wide enough to float and admit a boat carrying five tons or more freight; Novato creek, or estuary, in Marin county, from its mouth to Sweetzer's landing; Salinas river and Elkhorn slough, or Estero Viejo, in Monterey county, from its mouth as far up as tide water flows; First Napa creek, Second Napa creek, and Third Napa creek, in Sonoma county, between Napa and Sonoma rivers; Moro Cojo slough, in Monterey county, from Salinas river to tide water; Gallinas or Guyanas slough or creek, in Marin county, from its mouth to the line of the Sonoma and Marin railroad; Clear lake, in Lake county: *provided*, that nothing herein contained shall be deemed to interfere with rights of owners and claimants of swamp or overflowed land around the margin of said Clear lake to reclaim the same; Newport bay, in the county of Orange, and all arms thereof, the sloughs connecting therewith in which the tide ebbs and flows, including the Santa Ana river from a point where said Santa Ana river empties into

said tax up to a point where said State Aid grant is commenced by the said boundary of section numbers, provided any money remain due said Hawthorne lane and outdoor.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered 639½, to prevent the use or possession of lompara nets, paranella nets, trawl or drag nets, and providing the penalty therefor.

Bill read second time, ordered engrossed and on the 3rd third reading.

Senate Bill No. 1075—An Act to amend Section 1044 of the Code of Civil Procedure, relative to proceedings in eminent domain.

During second reading of the bill the following amendment was offered by the committee:

On page 2, line 3, of the printed bill, strike out the words "wholly or in part".

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class, San Benito County.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 7, strike out the words "the preceding".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 8, after the word "the," insert the words "year 1912".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 3, after the word "thereof", insert a comma and the words "and such fees as he may be now or hereafter allowed by law to retain".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 12, strike out the words "five hundred", and insert in lieu thereof the words "six hundred and five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

BILLS REFERRED FOR COMPARISON.

Pursuant to the instructions of the Senate, the Committee on Labor and Capital returned Assembly Bill No. 1251 to the Senate.

On motion of Senator Brown, Assembly Bill No. 1251 and Senate Bill No. 1134 were referred to Committee on Engrossment and Enrollment for comparison.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Thompson, the Senate took up the consideration of Assembly Bill No. 555, out of order.

Assembly Bill No. 555—An Act ratifying and confirming proceed-

ings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Gates, as a special committee of one, to amend as follows:

On page 1, line 15, after the comma following the figure "7", insert the following: "as amended April 10, 1911."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 555, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Bill ordered to print.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Flint, the Senate took up the consideration of Assembly Bill No. 513, out of order.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272*a*, relating to the selling, giving away, relinquishing or disposing of children.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Cogswell, as a special committee of one, to amend as follows:

After the comma at the end of line 9, insert the following words: "except in cases of adoption".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read and adopted.

Bill ordered to print.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 19—Relative to establishing game refuges in the national forest reserves—have had the same under consideration, and respectfully report the same back, with the recommendation that it be adopted.

WRIGHT, Chairman.

Assembly Joint Resolution No. 19 ordered on file.

THIRD READING OF ASSEMBLY BILLS

On motion of Senator Thompson, the Senate took up for consideration of the third reading file of Assembly bills.

Assembly Bill No. 247—An Act making an appropriation of $444.50, to pay the claim of Alice J. Miller against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 247 passed by the following vote:

Ayes—Senators Anderson, Avey, Benson, Boynton, Bread, Brown, Burnett, Campbell, Carr, Cole, Flint, Gerdes, Inman, Lewis, Mott, Owens, Rogers, Stanford, Stetson, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 307—An Act to amend Section 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing and use of venire of jurors.

On motion of Senator Thompson, Assembly Bill No. 307 was ordered to the foot of third-reading file.

Assembly Bill No. 336—An Act to add Section 1710 of the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

On motion of Senator Thompson, Assembly Bill No. 336 was ordered to the foot of third-reading file.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

On motion of Senator Thompson, Assembly Bill No. 416 was ordered to the foot of third-reading file.

Assembly Bill No. 888—An Act to amend Sections 656, 659 and 660 of the Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

On motion of Senator Thompson, Assembly Bill No. 888 was passed on file.

Assembly Constitutional Amendment No. 84—Relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 84 was passed on file.

Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons, and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

On motion of Senator Thompson, Assembly Bill No. 634 was passed on file.

Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking, authentication and

filing of transcript of testimony and recognizances in coroners' inquests, and providing for the appointment of a shorthand reporter for such purposes, and for fees in payment therefor.

On motion of Senator Thompson, Assembly Bill No. 315 was passed on file.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 998 was passed on file.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying procedure for levying a tax for the purposes of the Act, and for disbursing the same.

On motion of Senator Thompson, Assembly Bill No. 1463 was passed on file.

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof.

On motion of Senator Thompson, Assembly Bill No. 418 was passed on file.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Thompson, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

On motion of Senator Thompson, Assembly Bill No. 1578 was passed on file.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 1 was ordered to the foot of third-reading file.

Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

On motion of Senator Thompson, Assembly Bill No. 469 was passed on file.

Assembly Bill No. 795—An Act to amend Section 270 of the Penal Code and creating a new section, to be known as Section 196*a* of the Civil Code, relating to the duty of a parent to support his child, whether legitimate or illegitimate, and providing for the enforcement of such obligation.

On motion of Senator Thompson, Assembly Bill No. 795 was passed on file.

Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

On motion of Senator Thompson, Assembly Bill No. 64 was passed on file.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 2 was passed on file.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Cary, the Senate took up the consideration of Assembly Bill No. 50, out of order.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the corporate limits of corporations by water companies.

Bill read second time, and ordered on file for third reading.

SENATOR BENSON IN THE CHAIR.

At eight o'clock and thirty-five minutes p. m., Senator Benson, of the Twenty-seventh District, in the chair.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Campbell, the Senate took up the consideration of Assembly Bill No. 21, out of order.

Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 21 passed by the following vote:

AYES—Senators Anderson, Benson, Brandt, Bunkers, Burnett, Burnett, Bunkers, Butler, Campbell, Cary, Cobb, Elliott, Gerdes, Gerdes, Hans, Mott, Owens, Regan, Shanahan, Thompson and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Campbell asked and was granted unanimous consent to withdraw Senate Bill No. 73—An Act appropriating money for the purchase of equipment for shops, power plants, and laboratories at the California Polytechnic School.

Senate Bill No. 73 withdrawn, and ordered stricken from the file.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Thompson, the Senate took up the consideration of Assembly Bill No. 236, out of order.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 13, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT No. 2.

On page 2, line 14, after the word "if", insert the following: "such investigation is decided upon and".

AMENDMENT No. 3.

On page 2, line 18, strike out the period following the word "specified", and insert in lieu thereof a semicolon and the following: "*and provided, further*, that no person, firm or corporation supplying water for domestic purposes or use on his or its private property upon which there is no industrial camp, hotel, temporary or permanent resort using said water, or supplying less than two hundred service connections shall be required to apply for a permit under the provisions of this section, except upon formal complaint filed with the state board of health by a person receiving such water or by some duly authorized public officer."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 236, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.
Bill ordered to print.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Caminetti, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. S. Luke Howe, of Sacramento.

THIRD READING OF SENATE BILLS.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted, and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 804 was passed on file.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse to qualified applicants of the Board of

Regents of the University of California, and to provide penalties for violation thereof."

In the absence of the author Senate Bill No. 570 was passed on file.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

In the absence of the author, Senate Bill No. 1724 was passed on file.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

In the absence of the author, Senate Constitutional Amendment No. 38 was passed on file.

Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

In the absence of the author Senate Bill No. 1009 was passed on file.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185a of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

On motion of Senator Strobridge, Committee Substitute for Senate Bill No. 629 was passed on file to return to place.

Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 516 passed by the following vote:

AYES—Senators Anderson, Bolar, Bonzon, Bridges, Brown, Bunkl, Burnett, Bryant, Butler, Cogswell, Campbell, Cutler, Finn, Flint, Gates, Gerdes, Hans, Juilliard, Regan, Shearman, Tyrrell and Wright—22.

NOES—Senators Carr, Mott, Owens, Strobridge, and Thompson—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Committee Substitute for Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered sections sixteen hundred twenty-five, sixteen hundred twenty-six, sixteen hundred

twenty-seven, sixteen hundred twenty-eight, sixteen hundred twenty-nine and sixteen hundred thirty, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1311 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Flint, Gates, Gerdes, Hans, Juilliard, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Owens to introduce an Act entitled an Act conveying certain tide lands and lands lying under inland navigable waters situate to the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Also: The request of Senator Wright to introduce an Act entitled an Act to add a new section to the Political Code to be numbered Section 1063*b*, relating to eligibility to office.

Also: The request of Senator Butler to introduce an Act entitled an Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor;" approved March 15, 1911, repealing an Act entitled, etc.

Also: The request of Senator Flint to introduce an Act entitled an Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes."

Also: The request of Senator Kehoe to introduce an Act entitled an Act to provide for the registration of, and filing expense accounts by, legislative lobbyists and regulating the work of such lobbyists.

Also: The request of Senator Carr to introduce an Act entitled an Act to require private corporations, individuals or associations to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road.

Have had the same under consideration, and respectfully report the same back, and recommend that such requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Owens: Senate Bill No. 1765—An Act conveying certain lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond,

in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Wright: Senate Bill No. 1766—An Act to add a new section to the Political Code, to be numbered Section 1003b, relative to eligibility to election and appointment to office.

Bill read first time, and referred to Committee on Elections.

By Senator Butler: Senate Bill No. 1767—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor," approved March 15, 1911, repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County and running thence across the summit of the Sierra Nevada Mountains to Bridgeport in Mono County, a state highway," which became a law under constitutional provisions without the Governor's approval March 12, 1901, providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley Turnpike," to a point on the wagon road near the junction of Silver Creek and the east fork of Carson River, said highway to be named the Alpine-Inyo state highway, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Flint: Senate Bill No. 1768—An Act to amend an Act entitled "An Act to create a preserve for sea-fish and game-fowl or animals within a portion of the bay of Monterey, and to prohibit taking the same from such preserve for commercial purposes."

Bill read first time, and referred to Committee on Fish and Game.

By Senator Kehoe: Senate Bill No. 1769—An Act to provide for the registration of, and filing expense accounts by, legislative lobbyists and regulating the work of such lobbyists.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 1770—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum, or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are not operated for hire and are not operated as common carriers, and prohibiting the construction of any more such lines for such purpose for any distance whatsoever across, along, over or under any public highway or any public road, and providing for the issuance of such licenses, and fixing fees to be paid for and under such licenses, and establishing liens to secure same, and fixing penalties for violations of this Act, and authorizing certain proceedings by and before

the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Bill read first time, and referred to Committee on Judiciary.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

On motion of Senator Birdsall, Senate Bill No. 5 was passed on file, to retain its place.

Senate Bill No. 1440—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hans moved to refer to Senator Flint, as a special committee of one, to amend as follows:

By striking out of page 3, line 10, the words "abalone (*Haliotis*)."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1440, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1296—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered Section 1218*a*, providing for a jury trial in certain cases of contempt.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1296 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Breed, Brown, Bryant, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Mott, Owens, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—Senator Butler.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Wright gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1296 was passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Read third time on a previous day.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Rehan, Benson, Birdsall, Boynton, Broad, Brown, Bryant, Butler, Cassidy, Campbell, Carr, Cogswell, Flint, Gates, Gerdes, Hans, Inman, Jones, Juilliard, Lyon, Matt, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1656 passed by the following vote:

AYES—Senators Rehan, Benson, Birdsall, Boynton, Broad, Brown, Bryant, Butler, Cassidy, Campbell, Carr, Cogswell, Flint, Gates, Gerdes, Hans, Inman, Jones, Juilliard, Matt, Owens, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 226 passed by the following vote:

AYES—Senators Rehan, Benson, Birdsall, Boynton, Broad, Brown, Bryant, Cogswell, Carr, Cogs, Flint, Gates, Gerdes, Hans, Inman, Juilliard, Lyon, Matt, Owens, Regan, Shanahan, Strobridge and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the state prison at Folsom.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Rehan, Benson, Birdsall, Boynton, Broad, Brown, Bryant, Butler, Campbell, Carr, Cogs, Flint, Gates, Gerdes, Hans, Inman, Juilliard, Lyon, Matt, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1754 passed by the following vote:

AYES—Senators Anderson, Rehan, Benson, Birdsall, Boynton, Broad, Brown, Bryant, Butler, Campbell, Carr, Cogs, Flint, Gates, Gerdes, Hans, Inman, Juilliard, Lyon, Matt, Owens, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1515—An Act to appropriate the sum of $361 to pay the claims of the State Board of Health.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Strobridge, as a special committee of one, to amend as follows:

By striking out of the title the numerals "361", and inserting in lieu thereof the numerals "358.50".

Also: On page 1, Section 1, line 3, strike out the words "three hundred and sixty-one", and in lieu thereof insert the following: "three hundred and fifty-eight and fifty one-hundredths".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1515, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 472—An Act amending Section 1142 of the Political Code, relating to the appointment of election boards and the qualifications and duties of the members of such boards—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEWITT, Chairman.

Senate Bill No. 472 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide for maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Also: Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors, relating to roads, and to repeal Section 2641 of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BIRDSALL, Chairman.

Assembly Bills Nos. 701 and 22 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HEWITT, Chairman.

Assembly Bill No. 541 ordered on file for second reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At nine o'clock and thirty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—[CONTINUED].

Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 199 passed by the following vote:

AYES—Senators Bates, Beban, Boynton, Brand, Brown, Butler, Caminetti, Carr, Cobb, Finn, Flint, Gerdes, Hans, Jones, Leeds, Mott, Owens, Regan, Shoemaker, Stephens, Thompson, Tyrrell, and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 184—An Act to amend Section 2210 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 184 passed by the following vote:

AYES—Senators Anderson, Beban, Brown, Boynton, Brand, Bryant, Butler, Caminetti, Carr, Flint, Gerdes, Gaffey, Hans, Jones, Leeds, Mott, Owens, Regan, Shoemaker, Stephens, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 481 passed by the following vote:

AYES—Senators Beban, Boynton, Brand, Bryant, Butler, Caminetti, Cobb, Finn, Flint, Gerdes, Hans, Jones, Leeds, Mott, Owens, Regan, Shoemaker, Stephens, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 482—An Act appropriating money for construction of farm buildings at Folsom State Prison.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 482 passed by the following vote:

AYES—Senators Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cohn, Finn, Flint, Gates, Hans, Jones, Juilliard, Larkins, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 396—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 396 passed by the following vote:

AYES—Senators Beban, Boynton, Breed, Brown, Bryant, Caminetti, Cohn, Finn, Flint, Hans, Jones, Juilliard, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 passed by the following vote:

AYES—Senators Beban, Benson, Boynton, Breed, Brown, Bryant, Caminetti, Carr, Cohn, Finn, Flint, Gates, Hans, Jones, Juilliard, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1727—An Act to provide for the partial completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1727 passed by the following vote:

AYES—Senators Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cohn, Finn, Flint, Gates, Hans, Jones, Juilliard, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1588—An Act making an appropriation of $25,000 for purchasing machinery and equipment for the State Printing Office.

On motion of Senator Breed, Senate Bill No. 1588 was passed on file.

Senate Bill No. 530—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpœnas requiring the attendance of witnesses and the production of books, papers and documents, conferring upon the Superior Court or a judge thereof the power to punish for contempt of such board, commission or tribunal making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

On motion of Senator Finn, Senate Bill No. 530 was passed to file.

Senate Joint Resolution No. 6—Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate Joint Resolution extending the presidential term to six years, and limiting the President to one single term.

In the absence of the author, Senate Joint Resolution No. 6 was ordered to the foot of third reading file.

Senate Joint Resolution No. 17—Relative to appointment of a committee to draft bills abolishing all offices not now held by State Officers and providing for a commission of five to perform the duties formerly performed by one person.

In the absence of the author, Senate Joint Resolution No. 17 was ordered to the foot of third reading file.

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 637c, relating to the taking of trout by using salmon or trout roe or eggs.

On motion of Senator Finn, Senate Bill No. 962 was ordered to the foot of third reading file.

Senate Bill No. 1263—An Act to amend Section 1880 of the Political Code of the State of California, relating to the rate of interest and sale of school bonds.

In the absence of the author, Senate Bill No. 1263 was passed to file.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

On motion of Senator Cohn, Senate Bill No. 1411 was ordered to the foot of third reading file.

Senate Bill No. 1699—An Act providing for the construction by counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1699 was ordered to the foot of third reading file.

Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell drugs or herbs with intent to cure or mitigate diseases and providing a penalty for the violation thereof.

Read third time.

The question being on the passage of the bill

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Bryant moved a call of the Senate.

Motion carried.

Time, nine o'clock and fifty minutes p. m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At ten o'clock and five minutes p.m., Senators Anderson, Avey, Kehoe and Hewitt were brought to the bar of the Senate, and, on motion of Senator Bryant, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Regan.

The roll of absentees was called, and Senate Bill No. 861 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Owens, Regan, and Thompson—21.

NOES—Senators Beban, Boynton, Carr, Hans, Strobridge, and Wright—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CURTIN IN THE CHAIR.

At nine o'clock and fifty minutes p.m., Senator Curtin, of the Twelfth District, in the chair.

Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein and defining the duties of the State Board of Health in relation thereto

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 627 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Curtin, Finn, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

BILL RE-REFERRED.

Pursuant to the instructions of the Senate, Assembly Bill No. 930 was returned to the Senate by the Committee on Commerce and Navigation.

On motion of Senator Jones, Assembly Bill No. 930 was re-referred to the Committee on Finance.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 234—An Act to amend an Act entitled "An Act to provide for the regulation of fires on and the protection and management of, public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violation of the provisions of this Act and making an appropriation therefor," approved March 18, 1905.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 passed by the following vote:

AYES—Senators Anderson, Ard, Beban, Boynton, Breed, Brown, Bryant, Chamberlain, Cogswell, Curtin, Dennett, Flint, Gerdes, Hewitt, Holohan, Inman, Jones, Leavell, Lee, Lewis, Lyon, Mahan, Owens, Rolfe, Rominger, Stetson, Strobridge, Tyrrell and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 25—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 1-b, and Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of either orphans or half-orphans, or abandoned children.

In the absence of the author, Senate Constitutional Amendment No. 25 was passed on file.

Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 24, relating to sessions of the Legislature.

In the absence of the author, Senate Constitutional Amendment No. 60 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of the state by amending Section 10½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality or school district within the State in any bank or banks.

On motion of Senator Tyrrell, Senate Constitutional Amendment No. 31 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

In the absence of the author, Senate Bill No. 67 was passed on file.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 123 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Brown, Bryant, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Owens, Regan, Thompson, Tyrrell, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 966—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

On motion of Senator Caminetti, Senate Bill No. 966 was passed on file, to retain its place.

Senate Bill No. 968—An Act fixing the compensation to be paid to county clerks and registrar of voters, in the several counties, or cities and counties of the State of California, for services performed by them for the State, in primary, general and other elections held under the laws thereof.

On motion of Senator Caminetti, Senate Bill No. 968 was passed on file, to retain its place.

Senate Bill No. 717—An Act to amend Section 397*b* of the Penal Code of California.

On motion of Senator Juilliard, Senate Bill No. 717 was passed on file, to retain its place.

Senate Bill No. 676—An Act in relation to prostitution and to persons concerned in the encouragement and promotion thereof, to define and prohibit the same, to provide for punishment therefor, to provide for the jurisdiction of persons offending against the provisions of this Act and for the competency of certain evidence at the trial therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 676 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Finn, Flint, Gates, Gerdes, Jones, Juilliard, Lyon, Mott, Owens, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 675—An Act in relation to prostitution and to persons cohabiting, dwelling or residing with prostitutes; to define and prohibit the same; to provide for punishment therefor and for the competency of certain evidence at the trial therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 675 passed by the following vote:

AYES—Senators Anderson, Beban, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Lyon, Mott, Owens, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 677—An Act to amend Section 266 of the Penal Code, relating to inveigling or enticing certain females for the purpose of prostitution or to have illicit carnal connection with any man.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 677 passed by the following vote:

Ayes—Senators Anderson, Boyle, Brown, Bryant, Burnett, Burnett, Campbell, Carr, Curtin, Finn, Flint, Gates, Hans, Juilliard, Lyon, Mott, Owens, Rigdon, Thompson and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1025—An Act declaring certain lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

In the absence of the author, Senate Bill No. 1025 was passed on the

Senate Bill No. 578—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and returning of jurors for courts of record.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 578 passed by the following vote:

Ayes—Senators Anderson, Boyle, Brown, Bryant, Burnett, Burnett, Campbell, Carr, Curtin, Finn, Flint, Gates, Hans, Juilliard, Lyon, Mott, Owens, Rigdon, Thompson and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1742—An Act to amend Section 669 of the Civil Code of the State of California, relating to members of mercantile associations.

In the absence of the author, Senate Bill No. 1742 was passed on the

Senate Bill No. 1076—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas, or articles composed in whole or in part of cotton duck or canvas, awnings, passing-wagon covers, tents, grain and hay covers, stable or tent lops and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1076 passed by the following vote:

Ayes—Senators Anderson, Avey, Boyle, Brown, Bryant, Burnett, Burnett, Campbell, Carr, Curtin, Curtin, Flint, Gates, Hans, Juilliard, Lyon, Mott, Owens, Rigdon, Thompson and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 316—An Act to repeal Section 1298 of the Civil Code, and to amend Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

In the absence of the author, Senate Bill No. 316 was passed on file.

Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original processes returnable in justices' courts in townships between two hundred fifty thousand and four hundred thousand.

Read third time.

On motion of Senator Gates, Senate Bill No. 1154 was passed on file.

Senate Bill No. 1157—An Act to amend Section 102*b* of the Code of Civil Procedure of California, relating to salary of justices, justices' clerk, assistant justices' clerks and deputy justices' clerks in townships having a population between two hundred and fifty thousand and four hundred thousand.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1157 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Juilliard, Lyon, Mott, Owens, Regan, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 252—An Act entitled an Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

In the absence of the author, Senate Bill No. 252 was passed on file.

Senate Bill No. 1304—An Act to amend Section 224 of the Civil Code of the State of California relating to the adoption of children and the consent necessary thereto, approved April 12, 1911, as amended.

In the absence of the author, Senate Bill No. 1304 was passed on file.

Senate Bill No. 1732—An Act to amend Section 752 of the Political Code, relating to the fees to be collected by the clerk of the Supreme Court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1732 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Curtin, Flint, Gates, Gerdes, Juilliard, Lyon, Owens, Regan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 703 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Bunkl, Bryant, Burnett, Chamberlain, Carr, Cohn, Curtis, Finn, Gates, Gerdes, Leonard, Lyon, Main, Owens, Rigdon, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1153—An Act to amend Section 77 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having a population between two hundred and fifty thousand and four hundred thousand.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1153 passed by the following vote:

AYES—Senators Anderson, Avey, Bolton, Boynton, Bryant, Burnett, Chamberlain, Carr, Cohn, Curtis, Finn, Finn, Gates, Gerdes, Leonard, Lyon, Main, Owens, Rigdon, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1065—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248a, 1248b and 1248c, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of referees and exceptions thereto, to the hearing thereof, and to judgments in such proceedings.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1065 passed by the following vote:

AYES—Senators Anderson, Avey, Bolton, Boynton, Bunkl, Bryant, Burnett, Carr, Cohn, Curtis, Finn, Gates, Gerdes, Leonard, Lyon, Main, Owens, Rigdon, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the reports of referees.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1589 passed by the following vote:

AYES—Senators Anderson, Avey, Bolton, Boynton, Butler, Chamberlain, Carr, Cohn, Curtis, Finn, Gates, Gerdes, Leonard, Lyon, Main, Owens, Rigdon, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1019—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code of the State of California, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Brown moved to refer to Senator Butler, as a special committee of one, to amend as follows:

By striking out all of line 25, page 5, and inserting in lieu thereof the following: "the child or parents of the child."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1019, with instructions to amend, respectfully reports the same back, amended as per instructions.

BUTLER, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

In the absence of the author, Senate Bill No. 1091 was passed on file.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permitting to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

In the absence of the author, Senate Bill No. 713 was passed on file.

Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1257 passed by the following vote:

AYES—Senators Ayer, Beban, Benson, Boyd, Bunner, Burnett, Burke, Caminetti, Carr, Curtin, Finn, Gerdes, Hewitt, Jones, Juilliard, Lyon, Mott, Owens, Regan, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1406—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1409 passed by the following vote:

AYES—Senators Anderson, Ayer, Beban, Benson, Boyd, Bunner, Burnett, Burke, Caminetti, Curtin, Finn, Gerdes, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1426—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof.

In the absence of the author, Senate Bill No. 1426 was passed on file.

Senate Bill No. 718—An Act to amend Section 318 of the Penal Code of California.

Read third time.

On motion of Senator Juilliard, Senate Bill No. 718 was passed on file.

Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city or other legal subdivision thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer Senate Bill No. 122 to Senator Kehoe, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Amend the title by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "providing for the filing of rating schedules, the establishment of rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the insurance commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty for a violation of the provisions of this Act."

AMENDMENT No. 2.

Amend Section 1 of said Act by adding at the end of said section the following: "Nothing in this section shall be construed to prevent a company from becoming a member of or subscribing to a rating bureau operating under and in accordance with the provisions of this Act."

AMENDMENT No. 3.

Amend Section 4 of said Act by striking out the whole of said section and inserting in lieu thereof the following:

"SEC. 4. Every fire insurance company authorized to do business in this state must, on or before December 31st, 1913, file in the office of the insurance commissioner a copy of its rating schedule, and all fire insurance companies thereafter authorized shall, before receiving a license to transact the business of fire insurance, file in the office of the insurance commissioner a copy of its rating schedule. All such rating schedules must embrace the formulas for ascertaining the rate charged for fire insurance written on property located in this state and shall contain the basis rate of the class of risk to be rated, and the exposure and deficiency charges, with modification for location, climatic conditions, construction, use, occupancy, improvements, betterments, protection and policy conditions. Such rating schedules and the charges and credits must be in detail and nothing contained therein shall be optional or discretionary with the company or rating bureau filing such rating schedules. Every such company and its agents shall observe such rating schedules so filed and in force and shall not deviate therefrom in making insurance. Amended or corrected rating schedules may be filed at any time but shall not become effective until thirty days after such filing. Any company which shall do a fire insurance business in this state, according to the advisory rates furnished by a rating bureau as provided in the following section, may receive a license to transact the business of fire insurance in this state without filing a rating schedule by filing a written notice in the office of the insurance commissioner of its adoption of such advisory rates."

AMENDMENT No. 4.

Amend Section 5 by striking out the whole of said section and inserting in lieu thereof the following:

"SEC. 5. Any person, firm or association, resident of this state, or any domestic corporation, may organize and maintain a rating bureau for the purpose of inspecting and surveying the various municipalities and fire hazards in this state and the means and facilities for preventing, confining and extinguishing fires, and for the purpose of establishing fair and equitable rates for insurance, and to furnish municipalities, owners of properties, insurance companies, agents, solicitors and brokers, advice as to measures to be adopted for the reduction of fire hazards on property within this state and lessening the cost of insurance thereon. The business of conducting a rating bureau in this state shall be conducted without profit to any party except that fair and reasonable compensation shall be paid for all services actually rendered and necessary to the business. The service of such rating bureau shall be available equally and in proportion to the services rendered to any and all insurance companies, agents, brokers and property owners. Every rating bureau, before publishing or furnishing any rates, shall file in the office of the insurance commissioner its rating schedules, embracing the formulas specified in section one of this Act, and shall not deviate therefrom. Amended or corrected rating schedules may be filed in the office of the insurance commissioner by such rating bureau, but the same shall not become effective until thirty days after such filing. Each rating bureau shall keep an accurate record of all services performed by it and of its receipts and disbursements and the same shall be open at any time to the examination and inspection of the insurance commissioner."

AMENDMENT No. 5.

Amend Section 6 by striking out the whole of said section, and inserting in lieu thereof the following:

"SEC. 6. To secure uniformity in such rating schedules, it shall be the duty of the insurance commissioner to furnish each company and each rating bureau a

classification of risks and table of hazards which shall be used as a basis of such rating schedules. All risks shall be classified by the bureau as provided by the insurance commissioner and the insurance commissioner may refuse to approve the filing any rating schedule upon a different classification or adopt as exceptions any which may permit discrimination in favor of particular properties. No insurer shall use more than one rating schedule in the determination of its rates.

AMENDMENT No. 6

Amend Section 7 of said Act by striking out the whole of said section, and inserting in lieu thereof the following:

SEC. 7. Any rate or change in rate filed hereunder shall be subject to review before the insurance commissioner upon the application of any authorized insurer or other interested party. Upon such application the insurance commissioner shall, if practicable, fix a time and place for hearing which shall be given the insurer making the application or the bureau and shall fix a reasonable time and place for hearing which shall be given the insurer making the application or the bureau if such insurer has adopted the rate of such bureau. Notice of such hearing shall be given to such other parties interested as the insurance commissioner shall in each case direct. Such hearing must be set within ten days after receipt by the commissioner of the application for such hearing unless the applicant consents to a later date. After such hearing and within thirty days after the close thereof the commissioner shall give written notice of his decision to the insurer making the application or the bureau then notice shall also be given to such rating bureau. Notice shall also be given to such other parties interested as the commissioner may in each case direct. Such hearing must be set within ten days after receipt by the commissioner of the application for such hearing unless the applicant consents to a later date. After such hearing and within thirty days after the close thereof the commissioner shall give written notice of his decision to the insurer making the application or the bureau of such action upon the application and rating bureau. At the hearing of such application the questions to be passed upon and determined shall be whether the schedule has been correctly applied to the risk in accordance with the rules of the schedule, including any basis used for making rates in accordance with provisions hereof, whether within the state. If it be found that the rate has not been correctly applied to the risk, or that the rate of schedule filed is discriminatory, the commissioner shall indicate in his order wherein such rate is unreasonable, improper or unjustly schedule discriminatory, and a rate shall be forthwith put into effect by the company or rating bureau as directed in such order and shall meet the requirements thereof specified and as shall comply with the general rate provisions of this Act. Any interested person, company or rating bureau may commence an action in the superior court in the county in which the office of the insurance commissioner is situated against the insurance commissioner for the purpose of reviewing the decision and order pertinent to the controversy. In any such action the court shall have full power to investigate all the facts de novo without regard to the determination previously made by the commissioner. In the trial of such actions all the provisions of the Code of Civil Procedure not inconsistent herewith, shall be applicable.

AMENDMENT No. 7

Amend Section 8 by striking out the whole thereof, and inserting in lieu thereof the following:

SEC. 8. Any person, firm or corporation who knowingly violates any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars. Each violation shall be punished as a separate offense. In addition to the punishment prescribed above the insurance commissioner may in his discretion revoke the license of any fire insurance company doing business in this state for violation of any of the provisions of this Act, and no further license shall be issued to such company for a period of one year.

AMENDMENT No. 8

Strike out all of section nine.

AMENDMENT No. 9

Strike out all of section ten.

AMENDMENT No. 10

Strike out all of section eleven.

AMENDMENT No. 11.

Strike out all of section twelve.

Motion carried.

REPORT OF SPECIAL COMMITTEE ON ENR.

SENATE CHAMBER, SACRAMENTO, APRIL 24, 1913.

MR. PRESIDENT: Your special committee on enr. to whom was referred Senate Bill No. 122, with instructions to amend, respectfully reports the same back amended as per instructions.

KELLOG, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1008—An Act to regulate the payment of employers' advances and providing penalties for the violation of its provisions. Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Beban, as a special committee of one, to amend as follows:

On page 2, line 4, strike out the period following the word "voluntarily", and insert in lieu thereof the following: "or in case the employment may be terminated within a less period than sixty days, such laborer, mechanic or employee shall, at the time of the hiring, have agreed to such deduction."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1008, with instructions to amend, respectfully reports the same back, amended as per instructions.

BEBAN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1120—An Act to amend Section 4243 of the Political Code of the State of California, relating to the compensation of officers of counties of the fourteenth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 1120 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1043—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending Section 6 of said Act by striking out therefrom the provisions heretofore contained therein for the issuance of a certificate to any person who has practiced a special branch of medicine and surgery for the period of thirty-five years, fifteen years of which time shall have been within the State of California, and by inserting therein a further requirement that any applicant to practice medicine and surgery, osteopathy, or other systems or modes of treating the sick or afflicted, whose application to practice shall be made subsequent to the first day of January, 1918, shall prove to the satisfaction of the board that, at the time such applicant matriculated with the legally chartered college, the diploma from which he files with his application as in said Act provided, he did then possess the requirements as to preliminary education and qualifications in no particular less than those prescribed at such time by the Association of American Medical Colleges for the matriculation of students of colleges which are members of said association—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

CONSIDERATION OF BILL—NOTICE OF AMEND

On motion of Senator Jones, the Senate took up for consideration the second reading of Senate Bill No. 1043, and it was

Senate Bill No. 1043—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending section 20 of said Act by striking out therefrom the provisions heretofore contained therein for the issuance of a certificate to any person who has practiced a system or mode of medicine and surgery for the period of forty-five years, fifteen years of which time shall have been within the State of California, and by inserting therein a further requirement that any applicant to practice medicine and surgery, osteopathy, or other systems or modes of treating the sick or afflicted, whose application to practice shall be subsequent to the first day of January, 1918, shall prove to the satisfaction of the board that, at the time such applicant matriculated with the legally chartered college, the diploma from which he has his application as in said Act provided, he did then possess the requirements as to preliminary education and qualifications in no particular less than those prescribed at such time by the Association of American Medical Colleges for the matriculation of students of colleges which are members of said association.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1 of the printed bill, strike out all after the words "An Act" and insert in lieu thereof the following:

To amend the title of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Amendment adopted.

AMENDMENT NO. 2.

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. The title of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907, is hereby amended to read as follows:

An Act to regulate persons licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all Acts and parts of Acts inconsistent with this Act.

SEC. 2. A board of medical examiners to consist of nine members, and to be known as the "board of medical examiners of the State of California," is hereby created and established. The governor shall appoint the members of the board, each of whom shall have been a citizen of this state for at least two years next preceding his appointment. Each of the members shall be appointed from among persons who hold licenses under any of the medical practice Acts of this state.

The governor shall fill by appointment all vacancies on the board. The term of office of each member shall be four years; provided, that of the four board appointed, three members shall be appointed for one year, two for two years, two for three years and two for four years, and that thereafter all appointments shall be for four years, except that appointments to fill vacancies shall be for the unexpired term only. No person in any manner owning any interest in any college or institution engaged in medical instruction shall be appointed on the board, nor shall more than one member

of the board be appointed from the faculty of any one university, college, or other educational institution. The governor shall have power to remove from office any member of the board for neglect of duty required by this Act, for incompetency, or for unprofessional conduct.

Each member of the board shall, before entering upon the duties of his office, take the constitutional oath of office.

SEC. 3. The board shall be organized on or before the first Tuesday of September, 1913, by electing from its number a president, vice-president, secretary, and treasurer, who shall hold their respective positions during the pleasure of the board. The board shall hold one meeting annually beginning on the second Tuesday in January in the city of Sacramento and at least two additional meetings annually, one of which shall be held in the city of Los Angeles and the other in the city of San Francisco, with power of adjournment from time to time until its business is concluded; *provided, however*, that examinations of applicants for certificates may in the discretion of the board, be conducted in any part of the state designated by the board. Special meetings of the board may be held at such time and place as the board may designate. Notice of each regular or special meeting shall be given twice a week for two weeks next preceding each meeting in one daily paper published in the city of San Francisco, one published in the city of Sacramento, and one published in the city of Los Angeles, which notice shall also specify the time and place of holding the examination of applicants. The board shall receive through its secretary applications for certificates provided to be issued under this Act and shall, on or before the first day of January of each year, transmit to the governor a full report of all its proceedings together with a report of its receipts and disbursements. The board shall, on or before the first day of January of each year compile a complete directory, giving the addresses of all persons within the State of California who hold unrevoked licenses to practice under any medical practice Act of the State of California, which license shall in any manner authorize the treatment of human beings for diseases, injuries, deformities, or any other physical or mental conditions. The board is hereby authorized to require said persons to furnish such information as it may deem necessary to enable it to compile the directory. The directory shall contain in addition to the names and addresses of said persons, the names and numbers indicating the title, name or names, school or schools, which such person has attended and from which graduated, the date of issuance of the license, the present residence of said person and a statement of the class of certificate held. The directory shall be prima facie evidence of the right of the person or persons named therein to practice as permitted in said form of license. It shall be the duty of every person holding a license to practice under any medical Act of this state, or who may hereafter be so licensed to practice, to report immediately each and every change of residence, giving both the old and the new address.

SEC. 4. The office of the board shall be in the city of Sacramento and in all legal proceedings against the board said city shall be deemed to be the residence of the members thereof.

SEC. 5. The board may from time to time adopt such rules as may be necessary to enable it to carry into effect the provisions of this Act. Any member of the board may administer oaths in all matters pertaining to the duties of the board, and the board shall have authority to take evidence in any matter cognizable by it. The board shall keep an official record of all its proceedings, a part of which record shall consist of a register of all applicants for certificates under this Act, together with the action of the board upon each application.

SEC. 6. The board is authorized to prosecute all persons guilty of violation of the provisions of this Act. It shall have the power to employ legal counsel for such purpose, and may also employ such clerical assistance as it may deem necessary to carry into effect the provisions of this Act. The board may fix the compensation to be paid for such service and may incur such other expenses as it may deem necessary. It shall also fix the salary of the secretary, not to exceed the sum of eighteen hundred dollars ($1800) per annum, and the sum to be paid to other members of the board, not to exceed ten dollars ($10) per diem each, for each and every day of actual service in the discharge of official duties; and the board may, in its discretion, add to said sum necessary traveling expenses.

SEC. 7. All fees collected on behalf of the board of medical examiners, and all receipts of every kind and nature, shall be reported at the beginning of each month, for the month preceding, to the state controller, and at the same time the entire amount of such collections shall be paid into the state treasury, and shall be credited to a fund to be known as the board of medical examiners' contingent fund, which fund is hereby created. Such contingent fund shall be for the uses of the board of medical examiners and out of it shall be paid all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this Act. An amount not to exceed one thousand dollars ($1000) may be drawn from the contingent fund herein created, to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control.

SEC. 8. Every applicant for a certificate shall pay to the secretary of the board a fee of twenty-five dollars ($25), which shall be paid to the treasurer of the board by

and secretary. In case the applicant's credentials are insufficient or in case the board desires to take the examination the fee of ten dollars ($10) shall be required of the candidate at the time of filing credentials and application.

SEC. 9. Every applicant must pay to the board the fee fixed by the board not to exceed twenty dollars ($20) for examination or reexamination, and a diploma issued by some legally organized school approved by the board, and showing that the applicant has attended three courses of study of three separate years, and several courses before that, and has since then been practicing dental dentistry, and is of good moral character, the requirements as stated above have been met at the time of granting such diploma in no degree less than those required under this Act as hereinbefore set forth or satisfactory evidence of having completed such studies, and must also have a diploma stating that he or she passed examination for said diploma and that he or she has been practicing dentistry for a period of not less than three years, and that the same was granted by the regular faculty of said school, and that the said school is in good standing. The said applicant must also present to said board a legal document to such board that he or she is over the age of twenty-one years, and a diploma from a high school or academy, and a certificate from the proper officer of the county in which the applicant resides, showing that such applicant has received a common school education, or information concerning the medical instruction and the preliminary education of applicant as the board may by rule prescribe. No diploma by this section required shall be issued to any person who has not been engaged in the study of dentistry for a period of not less than three years, and shall present to said board at the time of making such application a diploma from an accredited high school, accredited normal school or an accredited academy, together with satisfactory proof that he is the lawful holder of such diploma, and that the same was granted to the regular course of instruction. No fee of any applicant for examination shall be returned. Any person who shall practice dentistry without a license as required by this Act, or who shall obtain or attempt to obtain practice, money or fee, by means of any false representation or pretense, or who shall impersonate any other practitioner of like or similar name, or who shall use in connection with his name any letters, figures or words or any other sign indicating or implying that he is a graduate of dentistry, or that he is a graduate of any school of dentistry, or that he has been in practice for any specific time, which any person using the same does not in fact possess, or who shall in any way or manner represent himself as a graduate of dentistry, or as one practicing dentistry under the laws of this State, who has not received such a diploma as aforesaid, or who shall use any false or forged diploma or certificate or certificate of registration, or who shall make any false statement or give any false information in connection with an application for a license, or who shall practice dentistry under a name other than that which is set forth in the license issued to him, or who shall violate any of the provisions of this Act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200), or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment, in the discretion of the court.

After January 1, 1914 every applicant for a "Physician and Surgeon" certificate shall, in addition to the foregoing requirements, present to the board satisfactory evidence that before beginning the study of dentistry he has completed the following course of at least two years' preliminary school including physics, chemistry and biology.

SEC. 10. Each license of certificate shall be issued by said board under the seal thereof and signed by the president and secretary. Each certificate issued by the board shall show the name in full of the person to whom it is issued, and shall be numbered in the order in which it is issued, and shall be recorded by the secretary of the board in a book kept for that purpose, and the certificate of registration shall be prima facie evidence of the holder's right to practice dentistry in this State. Every person holding a certificate of registration shall conspicuously display the same in his office or place of business. Whenever any person shall lose his certificate of registration he may obtain a duplicate thereof upon application to the board and payment of a fee of five dollars ($5). Every person who shall change his place of business shall notify the secretary of the board of such change of address within thirty days thereafter. Every person who shall change his name shall notify the secretary of the board of such change of name within thirty days thereafter. Every person who shall change his name shall notify the secretary of the board of such change of name within thirty days thereafter. Every person who shall change his name shall notify the secretary of the board of such change of name within thirty days thereafter.

SEC. 11. Applicants for proper form of certificate shall file satisfactory evidence of having passed [illegible] examination, conducted by the board, a course of instruction covering and including the following minimum requirements, provided that no applicant shall be required to have more than twelve hundred hours of work in any one year:

FOR A "PHYSICIAN AND SURGEON" CERTIFICATE.

Group 1. [illegible] hours.	
Anatomy	[illegible] hours
Bacteriology	[illegible] hours
Histology	[illegible] hours
Group 2. [illegible] hours.	
Elementary chemistry and toxicology	[illegible] hours
Advanced chemistry	[illegible] hours
Physiology	[illegible] hours
Group 3. [illegible] hours.	
Elementary bacteriology	[illegible] hours
Advanced bacteriology	[illegible] hours
Hygiene	[illegible] hours
Pathology	[illegible] hours
Group 4. [illegible] hours.	
Materia medica	[illegible] hours
Pharmacology	[illegible] hours
Therapeutics	[illegible] hours

Group 5. 985 hours.
Dermatology and syphilis ..... 45 hours
General medicine and general diagnosis ..... 640 hours
Genito-urinary diseases ..... 45 hours
Nervous and mental diseases ..... 105 hours
Pediatrics ..... 150 hours

Group 6. 965 hours.
Laryngology, otology, rhinology ..... 60 hours
Opthalmology ..... 60 hours
Surgery and surgical diagnosis ..... 500 hours
Orthopedic surgery ..... 45 hours
Physical therapy, including electrotherapy, X-ray, radio therapy, hydro therapy ..... 300 hours

Group 7. 300 hours.
Gynecology ..... 105 hours
Obstetrics ..... 195 hours

Miscellaneous. 30 hours.
Ethics, jurisprudence, etc. ..... 30 hours

FOR A "DRUGLESS PRACTITIONER" CERTIFICATE.

Group 1. 645 hours.
Anatomy ..... 510 hours
Histology ..... 135 hours

Group 2. 420 hours.
Elementary chemistry and toxicology ..... 120 hours
Physiology ..... 300 hours

Group 3. 375 hours.
Elementary bacteriology ..... 60 hours
Hygiene ..... 45 hours
Pathology ..... 270 hours

Group 4. 500 hours.
Diagnosis ..... 500 hours

Group 5. 300 hours.
Manipulative and mechanical therapy ..... 300 hours

Group 6. 300 hours.
Gynecology ..... 105 hours
Obstetrics ..... 195 hours

In the course of study herein outlined the hours required shall be actual work in the class room, laboratory, clinic or hospital, and at least eighty (80) per cent of actual attendance shall be required; *provided*, that the hours herein required in any one subject need not exceed seventy-five (75) per cent of the number specified, but that the total number of hours in all the subjects of each group shall not be less than the total number specified for such group.

SEC. 12. In addition to above requirements, all applicants for "Physician and Surgeon" certificates must pass an examination to be given by the board in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. Bacteriology and pathology.
4. Chemistry and toxicology.
5. Obstetrics and gynecology.
6. Materia medica and therapeutics, pharmacology, including prescription writing.
7. General medicine, including clinical microscopy.
8. Surgery.
9. Hygiene and sanitation.

All applicants for "Drugless Practitioner" certificates must pass an examination in the following subjects:

1. Anatomy and histology,
2. Physiology,
3. General diagnosis,
4. Bacteriology and pathology,
5. Obstetrics and gynecology,
6. Chemistry and toxicology,
7. Hygiene and sanitation;

provided, that a person who holds a "Drugless Practitioner" certificate, or one equivalent thereto, shall be permitted to take his examination in subjects required for a "Physician and Surgeon" certificate without being re-examined in "Drugless Practitioner" subjects.

All examinations shall be practical in character and designed to ascertain the applicant's fitness to practice his profession, and shall be conducted in the English

language, and at least a portion of the examination in each of the subjects shall be in writing. There shall be at least ten questions in each subject, the answers to which shall be marked on a scale of zero to one hundred. Each applicant must obtain no less than a general average of seventy-five per cent and not less than sixty per cent in any two subjects; provided, that the applicant shall be granted a credit of one per cent upon the general average for each year of actual practice since graduation; provided, further, that any applicant for "Physician and Surgeon" certificate obtaining seventy-five (75%) per cent each in seven subjects, and any applicant for "Drugless Practitioner" certificate obtaining seventy-five per cent each in five subjects shall be subsequently re-examined in those subjects only in which he failed, and without additional fee.

The examination papers shall form a part of the records of the board and shall be kept on file by the secretary for a period of one year after each examination. In said examinations the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application. The secretary of the board shall be ineligible to participate as an examiner in any examination held by the board. All questions in the subject in which examination is required under this Act shall be prepared by the board of medical examiners upon the morning of the day upon which examination is given in such subject, and when it shall be shown that the secretary or any member of the board has in any manner given information in advance of examination questions to any applicant it shall be the duty of the governor to remove such person from the board of medical examiners, or from the office of secretary.

All certificates issued hereunder must state the system and character of practice which is permitted thereunder and shall be in such form as shall be prescribed by the board.

SEC. 14. Any medical director, medical inspector, past assistant surgeon or assistant surgeon of the United States navy, honorably discharged, or temporarily detached or placed upon the retired list without being discharged from the medical department of the United States army, or who by resignation has honorably severed all connection with the service and any surgeon of the United States army, honorably discharged, or temporarily detached or placed upon the retired list without being discharged from the medical department of the United States army, or who by resignation has honorably severed all connection with the service, is hereby authorized to practice medicine and surgery within the State of California, by filing a sworn copy of his commission, if he be discharged, or of the order temporarily detaching him or the order placing him upon the retired list, with the state board of medical examiners or by proving to the satisfaction of the board that by resignation he has honorably left the service of either the army or navy, and paying said board a fee of fifty dollars ($50); provided, however, that this provision shall not apply to any contract surgeon in the United States army or navy, and shall not apply to the medical reserve corps of either said army or navy.

SEC. 15. Said board must also issue a "Physician and Surgeon" certificate to any applicant, without any examination, authorizing the holder thereof to practice medicine and surgery in the State of California, upon payment of a reciprocity fee of fifty dollars ($50.00), upon the following terms and conditions, and upon satisfactory proof thereof, viz:

The applicant shall produce a certificate entitling him to practice medicine and surgery, as provided for in said "Physician and Surgeon" certificate, issued either by the medical examining board, or by any other board or officer authorized by the law to issue a certificate entitling such applicant to practice medicine and surgery, either in the District of Columbia, or in any state or territory of the United States; or if such certificate shall have been lost, then a copy thereof, with proof satisfactory to the board of medical examiners of the State of California that the copy is a correct copy. Said certificate must not have been issued to such applicant prior to the first day of August, 1901, and the requirements from the medical college from which such applicant may have graduated, and the requirements of the board which was legally authorized to issue such certificate permitting such applicant to practice medicine and surgery shall not have been, at the time such certificate was issued, in any degree or particular less than those which were required for the issuance of a certificate to practice medicine and surgery in the State of California at the date of the issuance of such certificate, or which may hereafter be required by the law which may be in force at the time of the issuance of any such certificate; and provided, further, that said applicant shall also furnish from the board which issued said certificate, evidence satisfactory to the board of medical examiners of the State of California, showing what the requirements were of the college, or board, issuing said certificate, at the date of such issuance.

If, after an examination of such certificate, and the production on the part of the applicant of such further reasonable evidence of the said requirements as may be deemed necessary by the board of medical examiners of the State of California, and any other or further examination or investigation, which said board may see fit to make, on its own part, it shall be found that the requirements of the board issuing such certificate were, when said certificate was issued, in any degree or particular less than the requirements provided by the laws of the State of California, at the

date of the issuance of such certificate, he will not be entitled to practice within the State of California without an examination.

This section shall not authorize the admission to practice, without examination, of any holder of any certificate, unless the existing power of the state or territory granting the certificate grants the same privilege to persons holding certificates to practice within the State of California, upon the same conditions.

Any person may file an application with the said board to practice medicine and surgery within the State of California, in the event that such applicant has been duly licensed prior to August 1, 1901, and has practiced medicine and surgery in another state or territory, or the District of Columbia, for a period of time commencing prior to the first day of August, 1901.

Such application shall be verified and shall contain a statement showing: (*a*) the full name of the applicant; (*b*) all institutions at which he has studied and the period of such study, and all institutions from which he has graduated; (*c*) a statement of whatever certificate or certificates to practice medicine and surgery may have been issued to him, together with the date of such certificate and a description of the same, and, if required by the board, the certificates themselves, or satisfactory proof of their issuance; (*d*) a statement of all places in which said applicant has practiced medicine and surgery; (*e*) such other general information as to his past practice, as may be required by the said board.

The said board shall make such independent investigations of the character, ability and standing of the applicant as it may deem proper and necessary, and if it shall find after such investigation that said applicant has been a practicing physician and surgeon in any other state or territory or the District of Columbia, prior to August 1, 1901, and prior to said last named date has been duly licensed so to practice, and that his reputation as such physician and surgeon is good in the community in which he has so practiced medicine and surgery, they shall afford him an examination on a day suiting the convenience of the board not more than six (6) months subsequent to the presentation of said application.

Said examination shall be oral, practical, and clinical in nature, and full consideration shall be given to the duration and character of the applicant's practice.

If after such last mentioned examination it is determined by a majority vote of the said medical examiners conducting said examination, that such applicant is so qualified to practice medicine and surgery within the State of California, and that his reputation and standing in the community in which he has previously practiced is good, the said applicant shall be entitled to receive a "Physician and Surgeon" certificate.

Each applicant on making such application shall pay to the secretary of the board, a fee of fifty dollars ($50), which shall be paid to the treasurer of the board, of which sum forty dollars ($40.00) shall be returned to him should he not receive a certificate hereunder. All certificates issued pursuant to this section shall be marked across the face thereof "Reciprocity Certificate."

SEC. 16. Said board must refuse a certificate to any applicant guilty of unprofessional conduct. On the filing with the secretary of a sworn complaint, charging the applicant with having been guilty of unprofessional conduct, the secretary must forthwith issue a citation, under the seal of the board, and make the same returnable at the next regular session of said board, occurring at least thirty days next after filing the complaint. Such citation shall notify the applicant when and where the charges of said unprofessional conduct will be heard, and that the applicant shall file his written answer, under oath, within twenty days next after the service on him of said citation, or that default will be taken against him and his application for a certificate refused. The attendance of witnesses at such hearing may be compelled by subpœnas issued by the secretary of the board under its seal. Said citation and said subpœnas shall be served in accordance with the statutes of this state then in force as to the service of citations and subpœnas generally, and all the provisions of the statutes of this state then in force relating to subpœnas and to citations are hereby made applicable to the subpœnas and citations provided for herein. Upon the secretary's certifying to the fact of refusal of any person to obey a subpœna or citation to the superior court of the county in which the service was had, said court shall thereupon proceed to hear said matter in accordance with the statutes of this state then in force as to contempts for disobedience of process of the court, and should said court find that the subpœna or citation has been legally served, and that the party so served has wilfully disobeyed the same, it shall proceed to impose such penalty as provided in cases of contempt of court. In all cases of alleged unprofessional conduct arising under this Act, depositions of witnesses may be taken, the same as in civil cases, and all the provisions of the statutes of this state then in force as to the taking of depositions are hereby made applicable to the taking of depositions under this Act. If the applicant shall fail to file with the secretary of said board his answer, under oath, within twenty days after service on him of said citation, or within such further time as the board may allow, and the charges on their face shall be deemed sufficient by the board, default shall be entered against him, and his application refused. If the charges on their face be deemed sufficient by the board, and issue be joined thereon by answer, the board shall proceed to determine the matter, and to that end shall hear such proper evidence as may

be addressed before it, and if it appears to the satisfaction of the board that the applicant is entitled thereto, the certificate shall be granted to him. The certificate shall be issued to the person by examination, unless such applicant has been guilty of such conduct within two years next preceding his application.

Whenever any holder of a certificate herein provided for in such professional business, he may make it subject to this Act, and the said professional conduct has been brought to the attention of the board, proving such conviction, or the record before the court, or whenever a certificate has been procured by fraud or misrepresentation or issued by mistake, or the person holding such certificate is found to be practicing contrary to the provisions thereof, or of this Act, or guilty of the duty of said board either to suspend the right of the holder of said certificate to practice for a period not exceeding one year, or to revoke the certificate. In the event of such suspension, the holder of such certificate shall not be entitled to practice thereunder during the term of suspension; but upon the expiration of the term of said suspension, he shall be reinstated by the board and shall be entitled to exercise his privileges, unless it shall be established to the satisfaction of the board that said person has misconducted himself during the term of such suspension, practiced in the State of California in which event the board shall revoke the certificate of such person. No such suspension or revocation shall be made unless such holder is cited to appear and the same proceedings are had as is hereinbefore provided in this section in case of refusal to issue certificate. Such surrender in all cases of suspension or revocation shall occur on the expiration day of such suspension or revocation as the case may be, and shall satisfy the fact of such suspension or revocation under the seal of the board, to the county clerk of the county in which the certificate of the person whose privilege has been revoked is recorded; and said clerk upon thereafter being upon the request to cause the fact of his deposit of the certificate of such person, the following: "The holder of this certificate was on the ..... day of ....., suspended for ..... or this certificate was revoked on the ..... day of ....." as the case may be, giving the day, month and year of such revocation or suspension, as the case may be, to be in accordance with said certificate of his by said applicant. The record of such suspension or revocation so made in said record shall be prima facie evidence of the fact stated and of the regularity of all the proceedings of said board in the matter of said suspension of revocation.

The words "unprofessional conduct," as used in this Act, are hereby declared to mean:

First—The procuring or aiding or abetting in procuring of a criminal abortion.

Second—The wilfully betraying of a professional secret.

Third—All advertising of medical business which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, and all be false, fraudulent or tending to public deception or injury.

Fourth—All advertising of any medicine or of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed.

Fifth—Conviction of any offense involving moral turpitude, in which case the record of such conviction shall be conclusive evidence.

Sixth—Habitual intemperance.

Seventh—The personation of another licensed practitioner.

Eighth—The use by the holder of any certificate, in any way or advertisement in connection with his said practice or in any advertisement or announcement of his practice, of any fictitious name, or any name other than his own.

Ninth—The use by the holder of a "Diploma Practitioner" certificate, of drugs or what are known as medicinal preparations in or upon said human being, or the severing or penetrating by the holder of said "Drugless Practitioner" certificate of the tissues of any human being in the prevention of any disease, injury, deformity, or other physical or mental condition of such human being excepting the severing of the umbilical cord.

Tenth—Advertising, announcing, or stating, directly, indirectly, or in connection with any such announcement advertisement or other matter or method used or advertisement that the holder of such certificate or any other person, company or association by which he is employed or in whose service he is, will treat or attempt to treat, or will treat any venereal disease, or will cure or attempt to cure or treat any person or persons for any sexual disease, for lost sexual vitality, sexual weakness or sexual disorder, or being employed by or living in the service of any person, firm, association or corporation so advertising, announcing or stating.

Eleventh—The use by the holder of a Drugless Practitioner certificate of the letters "M.D." or the words "Doctor of Medicine" or the term "Physician and Surgeon" or the term "Physician" or the term "Surgeon", in connection with his name or in connection with his practice or otherwise upon any sign, card, advertisement or announcement, or otherwise.

SEC. 17. Every person holding a certificate under the terms of this Act prohibiting him to advertise any system or mode of treating the sick or afflicted in which he may engage, upon a conspicuous place on the outside door of the office of practice in which the holder of said certificate is practicing his profession, and the face of such certificate shall be exhibited on the request by the county clerk examining the

same. Any person holding a certificate as aforesaid, who shall practice or attempt to practice any other system or mode of treating the sick or afflicted in this state, without having first filed his certificate with the county clerk, as herein provided, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00), or by imprisonment for a period of not less than thirty days nor more than sixty days, or by both such fine and imprisonment.

SEC. 18. The county clerk shall keep in a book provided for the purpose a complete list of the certificates recorded by him, with the date of the record, and said book shall be open to public inspection during his office hours.

SEC. 19. Any person who shall practice or attempt to practice, or who advertises or holds himself out as practicing, any system or mode of treating the sick or afflicted in this state, or who shall diagnose, treat, operate for, or prescribe for, any disease, injury, deformity, or other mental or physical con- valid unrevoked certificate as provided in this Act, or who shall in any sign or in any advertisement use the word "Doctor", the letters or prefix "Dr.", the letters "M. D.", or any other term or letters indicating or implying that he is a doctor under the terms of this or any other Act, or that he is entitled to practice hereunder, or under any other law, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than six hundred dollars ($600.00), or by imprisonment for a term of not less than sixty (60) days nor more than one hundred and eighty (180) days, or by both such fine and imprisonment. Upon each such conviction the fine shall be paid, when collected, to the state treasurer, and a report thereof shall be made to the state controller.

SEC. 20. Any person, or any member of any firm, or official of any company, association, organization or corporation shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by imprisonment in the county jail for not less than ten (10) days nor more than one (1) year, or by a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00), or by both such fine and imprisonment who, individually or in his official capacity shall himself sell or barter, or offer to sell or barter, any certificate authorized to be granted hereunder, or any diploma, affidavit, transcript, certificate or any other evidence required in this Act for use in connection with the granting of certificates or diplomas, or who shall purchase or procure the same either directly or indirectly with intent that the same shall be fraudulently used, or who shall with fraudulent intent alter any diploma, certificate, transcript, affidavit, or any other evidence to be used in obtaining a diploma or certificate required hereunder, or who shall use or attempt to use fraudulently any certificate, transcript, affidavit, or diploma, whether the same be genuine or false, or who shall practice or attempt to practice any system of treatment of the sick or afflicted, under a false or assumed name, or any name other than that prescribed by the board of medical examiners of the State of California on its certificate issued to such person authorizing him to administer such treatment, or who shall assume any degree or title not conferred upon him in the manner and by the authority recognized in this Act, with intent to represent falsely that he has received such degree or title, or who shall wilfully make any false statement on any application for examination, license or registration under this Act, or who shall engage in the treatment of the sick or afflicted without causing to be displayed in a conspicuous manner and in a conspicuous place in his office the name of each and every person who is associated with or employed by him in the practice of medicine and surgery or other treatment of the sick or afflicted, or who shall, within ten days after demand made by the secretary of the board, fail to furnish to said board the name and address of all such persons associated with or employed by him or by any company or association with which he is or has been connected at any time within sixty (60) days prior to said notice, together with a sworn statement showing under and by what license or authority said person or persons, or said employee or employees, is or are, or has or have been, practicing medicine or surgery or any other system of treatment of the sick or afflicted (provided that such affidavit shall not be used as evidence against said person or employee in any proceeding under this section).

SEC. 21. Every person filing for record, or attempting to file for record, the certificate issued to another, falsely claiming himself to be the person named in or entitled to, such certificate, shall be guilty of a felony, and, upon conviction thereof, shall be subject to such penalties as are provided by the laws of this state for the crime of forgery.

SEC. 22. Any person not a member of the state board of medical examiners who shall sign, or issue, or cause to be signed or issued, any certificate authorized by this Act, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than six hundred dollars ($600.00), or by imprisonment for a term not less than sixty (60) nor more than one hundred and eighty (180) days, or by both such fine and imprisonment.

SEC. 23. Nothing in this Act shall be construed to prohibit the practice by any person heretofore legally granted a certificate under the laws of this state, whose certificate is now in force, to the extent to which the provisions of the law then

existing, and said certificate remained such unless so [illegible] by the [illegible] of [illegible].

SEC. 24. Nothing in this Act shall be construed to prohibit persons in the case of emergency, or the [illegible] administration of [illegible], and shall not apply to any [illegible] medical office in the United States [illegible] hospital, or public health service, to the [illegible] of the [illegible] [illegible] and to any licensed doctor when engaged exclusively in the practice of [illegible]. Nor shall this Act apply to any [illegible] from [illegible] which is [illegible], while he [illegible] continues with a [illegible] practitioner of the same, if such practitioner is in the [illegible] of such consultation, a licensed practitioner in the state, or nothing be [illegible]: provided that such [illegible] shall not apply to [illegible] a [illegible] to [illegible] [illegible] [illegible]

AMENDMENT No. 4.

On page 7 of the printed bill, on line 24 thereof, strike out the word "said" and insert in lieu thereof the word "the".

Also: On the same line, after the word "department" and before the word "may", insert the following: "of health or other department charged with the enforcement of this Act".

Also: Strike out from and including the word "The" in line 25, page 7, down to and including the period at end of line 26, same page.

AMENDMENT No. 5.

On page 10 of the printed bill, strike out from and including the word "or", in line 20, down to and including the word "purpose", in line 21 of the same page.

AMENDMENT No. 6.

On page 10 of the printed bill, strike out from and including the word "or", in line 28, down to and including the word "purpose", in line 29 of same page.

AMENDMENT No. 7.

On page 11 of the printed bill, strike out from and including the word "or", in line 7, down to and including the word "purpose", in line 8 thereof.

AMENDMENT No. 8.

On page 11 of the printed bill, line 19, after the word "the" and before the word "of", strike out the word "board", and insert in lieu thereof the word "department".

AMENDMENT No. 9.

On page 11 of the printed bill, line 37, after the word "coal" and before the word "gas", strike out the comma (,) and insert a hyphen (-).

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1407, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and adopted

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At eleven o'clock and forty-five minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Friday, April 25, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—37.

Quorum present.

PRAYER.

Prayer by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 24, 1913, the further reading was dispensed with, on motion of Senator Hall.

COMMUNICATIONS.

The following communication was received:

SAN FRANCISCO, CAL., April 19, 1913.

Lieutenant Governor WILLIAM STEPHENS, *President pro tempore of the Senate, Sacramento, Cal.:*

(Please present to Senate.)

The Executive Committee of Pacific Coast Chapters, consisting seven district bodies now organized in and for the development of the proposed Sierra Nevada Forest Reserve, Federal Legislation, Central Pacific Railroad Company, Southern Pacific Company, Sierra Railway Company, Yosemite Park and Curry Company, Yosemite Stage and Turnpike Company, Sierra Nevada Wood and Lumber Company, and over 50 of the local business men's associations, Board of Trade, Chamber of Commerce, and Merchants' Exchanges of the United States, unanimously favor the passage of the bill.

We urge you that the bill be acted upon at the earliest possible moment, as the passage or postponement of this bill will have a most important bearing upon the future welfare of the Sierra Nevada Forest Reserve, and the development of the timber resources of the State of California.

ROBERT [illegible], *President*,
San Francisco.

WM. C. ATLEE, *Secretary*,
San Jose, Cal.

LEAVES OF ABSENCE.

Senator Cogswell was on motion of Senator Thompson granted leave of absence for this day.

Senator Sanford was on motion of Senator Campbell granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE CHAMBER.

On request of Senator Ayer, the privilege of the floor of the Senate Chamber, for this day, was [illegible] extended to Mr. Frank D. Mathews, of Redlands.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were [illegible] and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 830—An Act to Amend Section 4041 of the Political Code of the State of California, relating to the general powers of boards of supervisors.

Also Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violations of this Act.

Also Assembly Bill No. 1294—An Act creating a reclamation district to be called and known as "Reclamation District No. 1498," and providing for the management and control thereof.

Also Assembly Bill No. 1029—An Act to provide for the observance of the fiftieth anniversary of the battle of Gettysburg, appointing a commission to supervise the same, and making an appropriation therefor.

Also Assembly Bill No. 548—An Act providing for the licensing and inspection of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

J. B. MALLORY, *Chief Clerk of Assembly*.
By THOMAS G. WATSON, *Assistant Clerk*.

Assembly Bill No. 830 read first time, and referred to Committee on County Government.

Assembly Bill No. 85 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1194 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1629 read first time, and referred to Committee on Finance.

Assembly Bill No. 503 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 56—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title to said Act and by amending Sections 1, 15, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes, and to add a new section, to be known as Section 1104.

Also: Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Also: Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2167*b*, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the superior court sitting as a lunacy court in each county, providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Also: Assembly Bill No. 2093—An Act to repeal an Act entitled "An Act to create the office of attorney for the State Board of Health and the board of health of the city and county of San Francisco," approved March 31, 1891.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 56 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 2027 read first time, and referred to Committee on Finance.

Assembly Bill No. 1951 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2093 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 828—An Act to amend Section 1 of an Act entitled "An Act to promote the agricultural interests of the State of California by providing county inspectors of apiaries and defining their duties, and providing for their compensation, and repealing the Act entitled 'An Act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883", approved February 20, 1901.

Also: Assembly Bill No. 1126—An Act to provide for a health certificate for marriage, to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Also: Assembly Bill No. 1065—An Act to amend Section 476*a* of the Penal Code of the State of California, relating to the making, drawing, uttering, or delivering of bank checks with intent to defraud.

Also: Assembly Bill No. 1281—An Act appropriating the sum of $5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Also, Assembly Bill No. 1719—An Act to amend section [illegible] of the Civil Code of the State of California, relating to the annulment of articles of incorporation.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Assembly Bill No. 828 read first time and referred to Committee on Agriculture.

Assembly Bill No. 1126 read first time and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 1065 and 1710 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1281 read first time and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. [illegible], relative to memorializing the Congress of the United States to submit a proposition relative to the amendment of the Constitution of the United States providing for the election of United States Senators by the people, and the concurrence of the Assembly is therein requested.

Also, Senate Joint Resolution No. [illegible]—Relative to the purchase by the United States of the Yuba levee.

Also, Senate Joint Resolution No. [illegible]—Relative to the establishment of a permanent location for the [illegible] Exposition.

Also, Senate Joint Resolution No. 15—Relative to the appointment of a committee to investigate the economic control of the use of Pacific Ocean by railroads, and the effect of the Panama Pacific International Exposition.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Joint Resolutions Nos. 20, 27, 29 and 18 ordered to engrossment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. [illegible], entitled: "A proposition to amend section [illegible] of the State of California, by adding thereto a new section, to be numbered [illegible], relating to the payment of bonds issued by the State of California for the purpose of [illegible] and improving the navigable waters of the State of California, and providing for the payment of said bonds," and the concurrence of the Senate is therein requested.

Also, Senate Constitutional Amendment No. 12—A proposition to amend section 14 of Article XI of the Constitution of the State of California, relating to the [illegible] payment of bonds, and the interest thereon, of counties, cities and counties, cities, municipalities, irrigation districts, and other public corporations, and to the funds in which such bonds and interest may be made payable.

Also, Senate Constitutional Amendment No. 17—A proposition to submit to the people of the State of California an amendment to the Constitution of the State of California by adding a new section thereto, to be numbered [illegible], to amend Article XIII thereof, relating to taxation, and providing for the exemption of [illegible] of the State of California and of [illegible] and other educational institutions of [illegible] grade from taxation.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Constitutional Amendments Nos. 14 and 15 ordered to engrossment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 770—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to improve and equip the same at Agricultural Park in the city of Sacramento, State of California, to be known as the Women's Building and making an appropriation therefor.

Also, Senate Bill No. 1761—An Act to make an appropriation for the purpose of repairing and protecting the water supply system of the Pacific School of Industry.

Also, Senate Bill No. 126—An Act appropriating money for the purchasing, equipping and furnishing of the normal school building at San Francisco State Normal School.

Also, Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Also, Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Also: Senate Bill No. 104—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 750, 1701, 126, 128, 227 and 104 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol building and making an appropriation therefor.

Also: Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Also: Senate Bill No. 269—An Act appropriating twenty thousand dollars therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 268—An Act appropriating five thousand five hundred dollars for the construction of septic tanks, and making such repairs, alterations and additions as may be necessary, to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 85, 1725, 200, 269 and 268 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to pass Senate Bill No. 1104—An Act to amend Section 1685 of the Political Code, relating to causes for the suspension or expulsion of school children.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 16—Relative to the appointment of a committee of the Legislature to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county, school and municipal buildings, grounds and public works throughout this State.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Concurrent Resolution No. 16 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home of California.

Also: Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Also: Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto

a new section to be numbered Section 5a relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States or any foreign nation to practice as a certified public accountant in the State of California.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WORKS, Assistant Clerk.

Senate Bills Nos. 101, 186, 192, 70 and 1332 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1000, An Act to amend Section 1064 of the Code of Civil Procedure of the State of California, relating to the extension of time in which one may go to the sheriff.

Also: Concurred in Senate amendment to Assembly Bill No. 1078, An Act permitting school districts in counties containing [illegible] to grant right of way for street or alley or any easement over, or across, their property, or the property of any such school district, and prescribing how the easement is granted.

Also: Concurred in Senate amendment to Assembly Bill No. 1080, An Act permitting counties in counties containing [illegible] to grant right of way for street or alley in any incorporated city or town lying adjacent to or within the boundaries of such county and providing for the manner thereof.

Also: Concurred in Senate amendments to Assembly Bill No. 1086, An Act permitting the board of supervisors in counties and [illegible] any streets in any incorporated city within the county thereof when [illegible] one thousand dollars, and providing for the payment of costs and [illegible].

Also: Concurred in Senate amendments to Assembly Bill No. 1140, An Act to amend the Penal Code of the State of California by adding [illegible] to be numbered 653c, relating to [illegible].

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WORKS, Assistant Clerk.

Also

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1088, An Act amending Section 2 of an Act entitled "An Act to appoint engineers on behalf of the State in relation to the swollen rivers, their overflow, control and improvement of any state reclamation, levee or other work connected therewith, and to repeal an Act entitled 'An Act to appoint engineers on behalf of the State in relation to swollen rivers and [illegible] approved March 28, 1870,' approved March 11, 1909.

Also: Concurred in Senate amendments to Assembly Bill No. 958, An Act to amend Section 367a of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle, providing a penalty for the failure to perform such duty.

Also: Concurred in Senate amendments to Assembly Bill No. 1196, An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 10, 17, 42, 56, 57, 59 and 86 thereof.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WORKS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 987, An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California and establishing the State Board of Health to enforce its provisions and prescribing penalties for the violation thereof," approved March 23, 1907, as amended April 1, 1911.

Also: Concurred in Senate amendment to Assembly Bill No. 988—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of an additional Superior Court judge in counties of the first class and providing for their compensation.

Also: Concurred in Senate amendment to Assembly Bill No. 974—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prescribing the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing [illegible] violation thereof," approved February 20, 1905, and amended April 14, 1911.

Also: Concurred in Senate amendment to Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 1633—An Act establishing a memorial school and home for orphans and crippled children at the city of Orange, county of Orange, State of California, and making an appropriation for purchasing ground therefor.

Also: Senate Bill No. 1100—An Act appropriating money for the purchase and installation of electric generators and connections and equipment therefor at the Stockton State Hospital.

Also: Senate Bill No. 113—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

RUSH, Chairman.

Senate Bills Nos. 1633, 1100, and 113 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California state trades and training school for dependent orphans, half orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RUSH, Chairman.

Assembly Bill No. 1815 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1588—An Act making an appropriation of $25,000 for purchasing machinery and equipment for the State Printing Office.

Read third time.

Section 8, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Burnett, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hare, Harris, Lyon, Owens, Rush, Sanford, Thompson, and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1588 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cartwright, Campbell, Carr, Cobb, Curtin, Flint, Filcher, Gerdes, Gibson, Grant, Hans, Larkins, Lyon, Owens, Regan, Rush, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 341 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Breed, Bryant, Butler, Cartwright, Campbell, Carr, Cobb, Curtin, Flint, Filcher, Gerdes, Gibson, Grant, Hans, Larkins, Lyon, Owens, Regan, Rush, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1252—An Act reappropriating $994.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Breed, Bryant, Butler, Cartwright, Campbell, Carr, Cobb, Curtin, Flint, Filcher, Gerdes, Gibson, Hans, Larkins, Lyon, Mott, Owens, Regan, Rush, Thompson, and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1252 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Breed, Bryant, Butler, Cartwright, Campbell, Carr, Cobb, Curtin, Flint, Filcher, Gerdes, Gibson, Hans, Larkins, Lyon, Mott, Owens, Regan, Rush, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 484 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hans, Kehoe, Larkins, Owens, Regan, Rush, Thompson, and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry buildings on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 405 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Thompson, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948." and approved April 10, 1911, Statutes of California of 1911, page 860.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 389 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Finn, Flint, Gates, Gerdes, Grant, Hans, Kehoe, Larkins, Mott, Owens, Shanahan, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 804 was passed on file.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled, "An

Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof."

In the absence of the author, Senate Bill No. 526 was passed on the file.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1903.

In the absence of the author, Senate Bill No. 1724 was passed on the file.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections to be numbered Section 7 and Section 8, relating to indeterminate sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was passed on the file.

Senate Bill No. 1089—An Act to grant to boards of health or health officers in cities and cities and counties the power to regulate the plumbing and drainage of buildings and to provide for the registration and examination of plumbers.

On motion of Senator Finn, Senate Bill No. 1089 was passed on the file.

Senate Bill No. 1302—An Act to amend Section 655 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1302 was passed on the file.

Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185 of the Political Code, relating to arrest, keeping and treatment of inebriates and drug habitués in a state hospital.

On motion of the author, the Committee Substitute for Senate Bill No. 629 was passed on file to retain its place.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, conveying and disposition of property, real and personal, within said State of California.

On motion of Senator Birdsall, Senate Bill No. 5 was passed on the file.

Senate Bill No. 1525—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2801, relating to disputes between employers and employees concerning terms and conditions of employment.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Kehoe moved to refer to Senator Bryant, as a special committee of one, to amend as follows:

By striking out of Section 1, line 7, page 2, the period and inserting in lieu thereof the following: "; *provided*, that nothing herein shall confer any right to enter upon private property."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1520, with instructions to amend, respectfully reports the same back, amended as per instructions.

BRYANT, Special Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Bryant, the Secretary was directed to issue a rush order for printing Senate Bill No. 1520.

BILL RECALLED FROM PRINTER.

On motion of Senator Avey, Senate Bill No. 1543 was recalled from print and engrossment.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights, and the laying of bets or wagers upon the result thereof.

Read third time.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SENATOR BREED IN THE CHAIR.

At two o'clock and five minutes p.m., Senator Breed, of the Fifteenth District, in the chair.

PRESIDENT WALLACE IN THE CHAIR.

At two o'clock and thirty minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The Senate resumed the consideration of Senate Bill No. 735.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Brown moved a call of the Senate.

Motion carried.

Time, three o'clock and fifteen minutes p.m.

The President directed the Sergeant at Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Baker, Brown, Bulkley, Burgess, Bissell, Bitzer, Bivens, Bogue, Campbell, Cate, Cook, Cozine, Fay, Field, Ingram, Griffith, Harris, Hayes, Jones, Kinkead, Kohn, Lawlor, Metz, Regan, Sandford, Shanahan, Stockton, Thompson, and Wright—30.

The Secretary announced the absentees.

The Sergeant at Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and forty minutes p.m., Senator Ayres was brought to the bar of the Senate, and, on motion of Senator Brown, he was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE SUSPENDED.

At three o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Brown.

The roll of absentees was called, and Senate Bill No. 735 was refused passage by the following vote:

AYES—Senators Anderson, Ayres, Brown, Bulkley, Bissell, Bitzer, Cockrell, Carr, Cotton, Cozine, Hayes, Jones, Kohn, Lawlor, Metz, Stockton, and Thompson—17.

NOES—Senators Baker, Bidwell, Bogue, Bryant, Fay, Field, Gordon, Grant, Hubbard, Lyon, Regan, Shanahan, Tyrrell, and Wright—14.

EXPLANATION OF VOTE.

MR. PRESIDENT: The proposed law is for the good business purpose of stopping an evil, seems to have continued for over such a unreasonable space, and I propose to put an end to both. I can see no objection to good, clean boxing shows of the semi-finals go to the extreme of prize fighting, and this bill recognizes this by permitting boxing contests of four rounds under proper restrictions, provided no admission is charged. To prohibit the admission charge to clean boxing as this bill provides for would practically stop legitimate boxing as a healthful institution, as well as the evils of the extreme of prize fighting. If it is useful to permit clean boxing as this bill provides for, it should be lawful to charge admission.

EDWIN E. GRANT.

NOTICE OF MOTION TO RECONSIDER.

Senator Brown gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 735 was refused passage.

LEAVES OF ABSENCE.

Senators Boynton, Juilliard, Reed, Tyrrell, Larkins, Shanahan, Lyon, Grant, Kehoe and Hewitt were, on their several motions, excused for the balance of the day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Wright moved to reconsider the vote whereby Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court—was passed.

SPECIAL ORDER SET.

Senator Wright moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 296 was passed be made a special order for Monday, April 27, 1913, at three o'clock and thirty minutes p.m.

Motion carried.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Strobridge:

Resolved, That F. B. Wood be transferred from the position of stenographer at $5.00 per day to the position of clerk of the Judiciary Committee at $6.00 per day.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Brown, Bryant, Caminetti, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Regan, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Also:

By Senator Strobridge:

Resolved, That Frank B. Mayers be and he is hereby dropped from the list of attachés of the Senate.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Brown, Bryant, Butler, Caminetti, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Regan, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Also:

By Senator Strobridge:

Resolved, That W. W. Hamilton be and he is hereby appointed to the position of stenographer at $5.00 per day, payable weekly, and the Controller is hereby directed to draw his warrant for said amount, and the Treasurer is hereby directed to pay the same.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Bryant, Caminetti, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Regan, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Gates, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Dr. John R. Haynes, of Los Angeles.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 282—An Act to amend Section 718 of the Polit-

ical Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

On motion of Senator Strobridge, Assembly Bill No. 282 was passed on file.

Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 26 passed by the following vote:

AYES—Senators Anderson, Avey, Baker, Benson, Bennett, Bonnet, Burke, Campbell, Cobb, Curtin, Flint, Gates, Gerdes, Grant, Inman, Jackson, Main, Stetson, Strobridge, Thompson and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Assembly Bills.

Assembly Bill No. 164—An Act to amend Section 628½ of the Penal Code of the State of California, relating to clams, and prescribing a penalty for taking or gathering clams under a certain size or having a certain number in possession during any one calendar day.

During second reading of the bill, the following amendment was **offered by the committee:**

In line 8, after the words "or who," at end of line insert the following: "during the months of May, June and July only, without the aid, or purpose for sale, any clam known to commerce as 'razor' clam, and shall return said razor clam (*Mya arenaria*) or any clam of shellfish known to commerce as mussels, clam, and Pacific bay clam (*Tapes staminea*), shall be guilty of a misdemeanor; and provided, further, that every person who,"

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SENATOR THOMPSON IN THE CHAIR.

At four o'clock p. m., Senator Thompson, of the Thirty-fifth District, in the chair.

SECOND READING OF BILLS—[RESUMED].

Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626b and 626c of the Penal Code of the State of California, relating to the protection of fish and game.

During second reading of the bill, the following amendments were **offered by the committee:**

AMENDMENT NO. 1.

On page 2, line 32, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NO. 2.

On page 3, line 1, strike out the word "thirty", and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 11, after the word "any" strike out the words "cottontail rabbit or any bush rabbit or who at any time hunts, pursues, takes, kills or has in his possession any".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city or city and county.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of the officials to carry into effect provisions of this Act and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6 and 7½ thereof, by adding a new section thereto, to be known and numbered as Section 6¾, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in the creameries of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile to provide for the division of municipalities into sewer districts, and establishments and places of amusement, and to provide for the enforcement thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1548—An Act to amend an Act entitled "An Act for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 7, of printed bill, strike out the words "and some municipal".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 11 and 12, strike out the words "and some municipal".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 11, 12 and 32 of "An Act to provide for the acquisition by municipalities of land for public park and public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a certain section to be numbered Section 3½, relating to the manner of effecting certain local improvements.

Bill read second time, and ordered to go for third reading.

Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and reclamation of the channels of navigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1911.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 25, after the word "within" and before the word "three", strike out the word "two" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 2.

On page 3, in line 27, strike out the words "and provided, that", and strike out all the words in line 28 of said page and all the words in line 29 of said page to the word "and".

Amendment adopted.

AMENDMENT No. 3.

On page 3, lines 35, 36 and 37, after the word "owned", strike out the words "by a majority of property owners in said district, which said property on the aggregate amounts", and insert in lieu thereof the following: "of the owners of property within said district representing in the aggregate".

Amendment adopted.

AMENDMENT No. 4.

On page 4, lines 15, 16, 17 and 18, strike out all the words after the word "the", in line 15, down to the word "for", in line 18.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of

Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, in line 7, of the printed bill, before the figures "14", insert the word "Section".

Amendment adopted.

AMENDMENT No. 2.

On page 2, in line 7, of the printed bill, after the word "franchise", insert a comma.

Amendment adopted.

AMENDMENT No. 3.

On page 2, in line 9, of the printed bill, after the word "year", insert a comma.

Amendment adopted.

AMENDMENT No. 4.

On page 2, in line 12, of the printed bill, after the word "copartners", insert a comma.

Amendment adopted.

AMENDMENT No. 5.

On page 2, in line 14 of the printed bill, after the word "secretary", insert a comma.

Amendment adopted.

AMENDMENT No. 6.

On page 3, in line 8, of the printed bill, strike out the word "describe", and insert in lieu thereof the word "prescribe".

Amendment adopted.

AMENDMENT No. 7.

On page 3, in line 14 of the printed bill, after the word "California", insert a comma.

Amendment adopted.

AMENDMENT No. 8.

On page 3, make a new paragraph commencing with the word "In", in line 16, of the printed bill.

Amendment adopted.

AMENDMENT No. 9.

On page 3, in line 19, of the printed bill, after the figure "5", insert a comma.

Amendment adopted.

AMENDMENT No. 10

On page 3, in line 37, of the printed bill, strike out the word "bears", and insert in lieu thereof the word "bear".

Amendment adopted.

AMENDMENT No. 11

On page 4, of the printed bill, make a new paragraph commencing with the word "The", in line 9.

Amendment adopted.

AMENDMENT No. 12.

On page 4, in line 11, of the printed bill, after the word "votes", insert the following: "on the first Monday in March of said year".

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 12, of the printed bill, after the word "President", insert a comma.

Amendment adopted.

AMENDMENT No. 14.

On page 4, in line 18, of the printed bill, after the word "returns", insert a comma.

Amendment adopted.

AMENDMENT No. 15.

On page 4, in line 20, of the printed bill, after the word "votes", and preceding the word "of", insert the following: "on the first Monday of March of said year".

Amendment adopted.

AMENDMENT No. 16.

On page 5, line 1, of the printed bill, after the word "Commissioner", insert the following: "and all other outstanding warrants".

Amendment adopted.

AMENDMENT No. 17.

On page 5, line 3, of the printed bill, after the word "vote", insert the word "on".

Amendment adopted.

AMENDMENT No. 18.

On page 5, of the printed bill, strike out all of page 25, 26, 27, 28, and 29.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1419—An Act to amend Section 4205 of the Political Code of the State of California, relating to the compensation of officers of counties of the third class.

Bill read second time, and ordered on the file for third reading.

Assembly Bill No. 341—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to entitle voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 4, Section 1, of the printed bill, after the word "days" and before the word "to", insert the words "in person".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

Bill read second time, and ordered on file for third reading.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second reading of Senate Bills.

Senate Bill No. 499—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1471—An Act to amend Section 635½ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the sixth district.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, the State of California, and providing a penalty therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 604—An Act to amend Sections 628*a* and 634, and to repeal Section 636½, of the Penal Code of the State of California, all relating to the protection and preservation of fish.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts and places in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1312.

An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

The people of the State of California do enact as follows:

SECTION 1. Whenever the public interest or convenience may require, the legislative body of any city is hereby empowered to establish or change or modify the grade of any public street, lane, alley, court, place, or right of way in said city, or any

portion thereof, and in any case where in the opinion of said legislative body any damage to private property would result from the improvement thereof as under the whole, or any part, either in length or width, of such public street, place, or right of way to be improved to conform to such official grade by grading or regrading, paving or repaving, planting or replanting, constructing or reconstructing or recoiling, sewering or resewering, sidewalking or residewalking, curbing or recurbing, guttering or regguttering, or by the building of retaining walls, viaducts or bridges, bridge work of roads or of other structures, to protect the same from overflow or injury, or by the construction of connections, culverts, tunnels, tunnels, conduits, subways, drainage ditches, parking of such ways, and the construction of reconstructions to open or through property of public or said owned by such city or to open, widen, lengthen, extend, straighten, straighten, subways and channels for sewerage and drainage purposes or either, or both opened, with necessary curbs, sidewalks, approaches, and bridges, bridge work, culverts, connecting or open ditches, drains, conduits, sewers and other appurtenances and breakwaters, levees, bulkheads and walls of such, or other necessary to protect the streets, bays, wharfs, docks, piers, public ways, and other property in any such city from overflow or injury by water, or otherwise, or to the doing of any other work which shall be necessary to improve the whole or any portion of such streets, lanes, alleys, courts, places, or rights of way or such city.

Sec. 2. Before entering any contemplated change or modification of grade or any improvement proposed to be made, the council shall pass what shall be known as an ordinance or resolution, declaring its intention to do said thing or improvement. Damage to private property would result from such improvement, describing the proposed grade, describing the proposed improvement, being a time and place for the hearing of protests in relation thereto and appointing a time which shall be not less than ten days from the date of the passage of said ordinance or resolution of intention, and specifying the general boundaries of the district of land to be benefited by said improvement, and to be specially assessed to pay the costs and expenses thereof, and the district owned by said improvement, which shall be known as the assessment district. Said ordinance or resolution may include two improvements, under one ordinance or resolution of intention and order and contract. The whole or any portion of one or more streets, lanes, alleys, courts, places, or rights of way, and the contemplated change or modification of grade of all or any of the streets, lanes, alleys, courts, places, or rights of way, and the contemplated improvement thereof, and

If any lots or parcels of land in the assessment district be assessed to "unknown owners" on the tax rolls of said city, no such postal cards need be mailed to the owners thereof.

The city clerk shall immediately upon the completion of the mailing of said cards file in the office of the superintendent of streets an affidavit setting forth the time and manner of his compliance with this requirement: *provided*, that the failure of the city clerk to address said cards or any of them to the true owners of said property, or to mail said cards, or the failure of the property owners to receive the same, shall in no wise affect the validity of the proceedings or prevent the legislative body from acquiring jurisdiction to order the work: *provided, however*, that the legislative body shall not pass any ordinance or resolution ordering the work until such affidavit is made and filed as herein prescribed.

SEC. 4. At or before the time fixed for the hearing, any person interested, objecting to the proposed improvement or to the extent of the assessment district described in the ordinance or resolution of intention, may file a written protest with the clerk of said legislative body. Every protest must contain a description of the property in which each signer thereof is interested and set forth the nature of his interest therein and must be accompanied by the affidavit of one of the signers thereof that each signature thereto is the genuine signature of the person whose name is thereto subscribed, and in case any signature is made by an agent, there must be attached to the protest the affidavit of the agent that he is duly authorized to sign such protest. Any protest not complying with the foregoing requirements shall not be considered by said legislative body. The clerk shall endorse on every such protest the date of its reception by him, and at the time fixed for the hearing, or at any other time to which the hearing may be adjourned, he shall present to said legislative body all protests so filed with him. Before the hearing of any protest there shall be filed with such legislative body affidavits showing that the said notices have been posted and published as hereinbefore required, and the said legislative body shall thereupon cause to be entered in its minutes an order reciting that notice of said hearing has been posted and published as required by law, and such order shall be prima facie evidence of the truth of the facts therein recited.

The legislative body shall hear said protests at said meeting, or at any time to which the hearing thereof may be continued, and pass upon the same, and its decision shall be final and conclusive. If such protests are sustained, no further proceedings shall be had under said ordinance or resolution of intention, but a new ordinance or resolution of intention for the same improvement may be passed at any time. If such protests are denied, the proceedings shall continue as if such protests had not been made.

SEC. 5. If no protests are filed at or before the time fixed for the hearing thereof by the ordinance or resolution of intention, or if protests are filed, and after hearing are denied, as above provided, the legislative body shall have jurisdiction to order the establishment, change or modification of grade and the improvement described in the ordinance or resolution of intention. Having acquired such jurisdiction, it shall by ordinance or resolution order establishment, change or modification of grade and such improvement to be made, and refer the same to the commission hereinafter provided for, to estimate the damages caused thereby, and report an assessment of said damages, and of all costs and expenses of the improvement, on the property benefited thereby.

SEC. 6. In any city having a board of public works created by its charter or by law, such board, and in other cities the mayor, city engineer or surveyor and superintendent of streets, or if all of such officers last mentioned do not exist in cities having no board of public works, any three competent and disinterested persons appointed by said legislative body, shall act as a commission to estimate the damages caused by said proposed improvement and to assess the same, and all costs and expenses of said proposed improvement upon the property benefited thereby. Such commissioners, if they are appointed by said legislative body as aforesaid, shall be sworn to make the assessment of benefits and damages faithfully, impartially and to the best of their ability. Said commission shall have power to subpoena witnesses to appear before it to be examined under oath, which any of said commissioners may administer.

SEC. 7. Upon the passage of the final ordinance or resolution referred to in section five hereof, said commission shall appoint a time and place for the hearing of petitions for damages caused by said improvement, and shall cause notice of such time and place to be published for at least ten days in a daily newspaper or three times in a weekly newspaper, published in said city, or if no such newspaper is so published and circulated then by posting for two days in three public places in said city. The time set for hearing such petitions shall be not less than thirty days from the first publication or posting of such notice. Before said hearing said commission shall view the location of the proposed improvement, and the property affected thereby. Said hearing may be continued from time to time by said commission.

SEC. 8. At or before the time set for the hearing of petitions for damages any person owning property and claiming that the same will be damaged by said proposed improvement, shall file with the superintendent of streets, who shall transmit the same to the commission, a petition showing the fact of such ownership, a

description of the property claimed to be damaged, the nature of the claim and the amount of damages which it is claimed such property will sustain by the proposed improvement, and the post office address of such petitioner or his agent. Upon such petition being filed as herein provided and after hearing the petitioners with their agents, and after viewing the location of the proposed improvement and the property affected thereby, said commission shall proceed to determine the amount of damages if any, which will be sustained by each such petitioner because of the proposed improvement. No damages or compensation whatsoever shall be claimed or assessed to any person of any property affected by said improvement unless a petition therefor be filed as provided in this section, and such adequate relief who fails to file a petition for damages as hereinbefore provided, shall be deemed to have waived any and all claims for damages caused by said improvement.

SEC. 9. Before the execution of any contract by the commission body for doing any work authorized by this Act, said commission body shall cause notice, with specifications to be posted conspicuously for ten days in or near the proposed work of said legislative body, stating where proposals or bids for doing the work desired, and shall also cause notice to be given by publication once a week for two weeks in the specifications posted as aforesaid, to be published for four days in a daily or weekly newspaper published and circulated in said city designated by said legislative body for that purpose, and in case there be no newspaper published in said city, then it shall only be posted as hereinbefore provided. Every bid shall be delivered to the clerk of the legislative body and shall be accompanied by a check certified by a responsible bank guaranteeing to pay ten per cent of the amount of the bid payable to the order of the said clerk, in case a bond for the said proposal and as provided thereof by the bidder and by two sureties, who shall qualify before some officer competent to administer an oath, in double the said amount, and such said person all conditions, covenants and said amount shall be forfeited to the city in case the bidder accepting the same does not within ten days after written notice that the contract has been awarded to him, enter into a contract with the city to do the work, give the bond hereinafter required. Said bids shall be opened by the legislative body or some person or persons designated and act by them in conjunction with the commission body in public session and publicly announced by said board or said designated person. The legislative body may let the contract to the lowest responsible bidder, who shall give bond for the faithful performance of the work in such sum as may be required by it, with sureties satisfactory to said legislative body, providing, however, that the legislative body may reject any and all bids, should it deem this for the public good, and may also for any cause satisfactory to it, withhold the contract from the lowest bidder who has been delinquent or unfaithful in the performance of any former contract with the city, or of any other contract let by or under the authority thereof. The contract must provide that the work shall be done under the supervision of the commission body or some officer or employee designated by it, and that the decision of such commission body or officer or employee upon all questions in relation to said work shall be final and conclusive upon the parties to the contract. Each bid must be accompanied by a certified check or money order payable to the order of the city, or of the legislative body, for a sum not less than five per cent of the amount of the bid, and no bid shall be considered unless accompanied by such check or money order. Upon the filing of such bond and check or money order the clerk of the commission body shall give not less than five days' notice by publication in two issues of a daily or weekly newspaper published and circulated in the city, or as provided for publication of notices in the city, or in case no such newspaper is published and circulated therein, then in at least three public places in the city, of the time when the bids will be opened, which notice shall state briefly the work to be done, and shall refer to the plans and specifications on file. The commission body may reject any and all bids, and may require new bids to be made upon the same or different plans and specifications, and may postpone the awarding of the contract for not more than sixty days from the first opening of bids. Upon the acceptance by the legislative body of the bid of the successful bidder, the commission body shall enter into a contract in writing with such bidder for the performance of the work, which contract shall be executed by the mayor and the clerk of the legislative body in the name of the city, and shall be approved as to form by the city attorney. Said contract shall require the contractor to furnish a bond in such amount as the commission body may require, not exceeding the contract price, conditioned for the faithful performance of the contract. The commission body may require a bond from any bidder before awarding the contract to him, if it has reason to believe that the bidder is not responsible, and may require a bond from the successful bidder in such amount as it may deem necessary, not exceeding the contract price, conditioned for the faithful performance of the contract. The commission body may require a bond from any bidder before awarding the contract to him, if it has reason to believe that the bidder is not responsible, and may require a bond from the successful bidder in such amount as it may deem necessary, not exceeding the contract price, conditioned for the faithful performance of the contract.

persons, companies or corporations who performed labor on or furnished materials to be used in the said work or improvement, and shall provide that if the contractor to whom said contract was awarded fails to pay for any material so furnished for the said work, or for any work or labor done thereon of any kind that the sureties will pay the same to an amount not exceeding the sum specified in said bond. Any materialman, person, company or corporation furnishing materials to be used in the performance of said work specified in said contract, or who performed work or labor upon the said improvement, whose claim has not been paid by the said contractor to whom the said contract was awarded may, within thirty days from the time said improvement is finally accepted, file with the superintendent of streets a verified statement of his or its claim, together with a statement that the same, or some part thereof, has not been paid. At any time within twenty days after the filing of such claim, the person, company or corporation filing the same, or their assigns, may commence an action on said bond for the recovery of the amount due on said claim, together with the costs incurred in said action and a reasonable attorney fee, to be fixed by the court, for the prosecution thereof. Upon the signing of the contract for the doing of the work, the clerk of the legislative body, if there be no board of public works in said city, shall certify to such commission the amount of the contract price.

SEC. 10. The commission shall, as soon as practicable, after determining what damages will be caused by said improvement, and, after the signing of the contract for the work, assess the total amount of all the incidental expenses of such improvement, which shall include the necessary expenses and disbursements of the commission, the cost of making the assessment, and all expenses necessarily incurred by the city in connection with the proposed improvement for maps, diagrams, plans, surveys and other matters incident thereto, upon the respective lots or parcels of land in the assessment district described in the ordinance or resolution of intention, in proportion to the benefits to be received by such lots or parcels of land, respectively, from the said improvement, and shall make and file with the clerk of the legislative body a report in writing containing the following:

1. A schedule describing the lots or parcels of land belonging to each petitioner for damages and which will be damaged by said proposed improvement, stating the amount of damage to each lot or parcel as determined by the commission, and the name of the owner of each such lot or parcel of land so damaged.

2. A diagram showing the assessment district, and also the boundaries and dimensions of the respective lots or parcels of land within said district, and each of such lots or parcels of land shall be given a separate number in red ink upon said diagram.

3. A proposed assessment of the total amount of damages that will be caused by said improvement, as determined by the commission, the total amount of the contract price for the work and the total amount of the incidental expenses thereof as above specified, upon the respective lots or parcels of land in said district in proportion to the benefits to be received by such lots or parcels of land, respectively, from said improvement. Said assessment shall refer to such lots or parcels of land upon said diagram by the red ink numbers thereof, and need contain no other description thereof, and shall show the names of the owners, if known, otherwise designating them as unknown; but no mistake in the name of the owner of any lot or parcel of land shall affect the validity of the assessment thereon.

In case the commissioners do not all agree, a majority of the whole number may make such report.

SEC. 11. Upon the filing of the report provided for in section ten hereof, the clerk of the legislative body shall present such report to the legislative body, which shall fix a day for the hearing thereof by said legislative body, which day shall not be less than twenty days from the date of filing such report, and shall cause a notice of such hearing to be published by the clerk thereof, by three insertions in a daily newspaper published and circulated in said city, or if there be no daily newspaper in said city, then by two successive insertions in a weekly newspaper so published and circulated; or if no newspaper is so published and circulated, then by posting for two days in three public places in said city. Such publication shall be completed at least ten days before the date fixed for the hearing. Said notice shall state the fact that such report has been filed, and the date set for the hearing thereof, and require all persons interested to file with the clerk their objections, if any they have, to the confirmation of said report at or before the time fixed for the hearing.

SEC. 12. Any objection to said report shall be in writing signed by the objector, or his agent, and shall comply with the requirements of section four hereof for the form and substance of protests, and shall be filed with the clerk of the legislative body at or before the time fixed for the hearing. At the time fixed, or at any other time to which the hearing may be continued, the legislative body shall hear said report and any objections thereto, and any person interested may appear and be heard upon said report and objections. After such hearing the legislative body shall pass upon the report, and may confirm, modify, or correct the same, or may confirm the report as modified or corrected, or order the commission to make and file a new report which shall be based in like manner as the first report and after like notice of hearing. If no objections are filed, or if the objections filed are not

of such certificate in the office of the superintendent of streets, the lien of the assessment shall vest in the purchaser and is only divested by a redemption of the property as in this Act provided. The superintendent of streets shall also enter upon the assessment roll opposite the description of each piece of property offered for sale, the description of the portion thereof sold, the amount for which the same was sold, the date of the sale, and the name of the purchaser.

SEC. 16. At any time before the expiration of one year from the date of sale, any lot or parcel of land sold for a delinquent assessment may be redeemed by any party in interest by the payment to the superintendent of streets of the amount for which the property was sold, and in addition thereto, ten per cent thereon if paid within six months from the date of sale; and twenty-five per cent if paid within twelve months. When redemption is made the superintendent of streets shall note that fact and the date thereof on the duplicate certificate of sale on file in his office, and deposit the amount paid with the city treasurer, who shall credit the purchaser named in the certificate of sale with the said amount and pay the same to such purchaser, or to his assigns, upon the surrender of the certificate of sale and upon satisfactory proof of assignment thereof, if any. When the city is the purchaser, the superintendent of streets shall notify the clerk of the legislative body of the redemption, and such clerk shall thereupon cancel the certificate of sale thereof on file in his office.

SEC. 17. At any time after the expiration of twelve months from the date of sale the superintendent of streets must execute to the purchaser, or his assignee on his application, if such purchaser or assignee has complied with the provisions of this section, a deed of the property sold, in which shall be recited substantially the matters contained in the certificate, also any assignment thereof, and the fact that no person has redeemed the property. The superintendent of streets shall receive from the applicant for a deed, one dollar for making such deed, unless the city is the purchaser, in which case no charge shall be made therefor. The purchaser or his assignee, must at least thirty days before he applies for a deed, serve upon the owner of the property, and upon the occupant of such property, if the same is occupied, a written notice, setting forth a description of the property, that said property has been sold for a delinquent assessment (specifying the improvement for which the same was made), the amount for which it was sold, the amount necessary to redeem at the time of giving notice, and the time when such purchaser or assignee will apply to the superintendent of streets for a deed. If the said owner cannot be found, after due diligence, said notice must be posted in a conspicuous place upon said property at least thirty days before the time stated therein, at which the application for a deed will be made. The person applying for a deed must file with the superintendent of streets an affidavit or affidavits, showing that notice of such application has been given, as herein required, and if the notice was not served on the owner of the property personally, that due diligence was used to find said owner; which affidavit or affidavits must be filed by the superintendent of streets in his office. If redemption of the property is made after such affidavits are filed, and more than eleven months from the date of sale, the person making such redemption must pay, in addition to the other amounts required, three dollars for the service of notice and the making of such affidavits, which amount shall be paid over to the purchaser, or his assignee, in the same manner as other sums paid for redemption. No deeds for any property sold for delinquent assessment shall be made until the purchaser, or his assignee, has complied with all the provisions of this section, and filed the proper affidavits with the superintendent of streets. Such deed shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the execution thereof, and of title in the grantee.

SEC. 18. The funds collected by the superintendent of streets under the proceedings herein provided for, either upon voluntary payment or as the result of sales, shall be paid by said superintendent of streets as fast as collected to the treasurer of said city, who shall place the same in a special fund designated by the number or name of the proceedings, and payment shall be made out of said special fund only for the purposes provided for in this Act. To expedite the making of any such improvement the legislative body may at any time transfer into said special fund out of any money in the general fund such sums as it may deem necessary, and the sums so transferred shall be deemed a loan to such special fund, and shall be repaid out of the proceeds of the assessments provided for in this Act; *provided, however*, that the legislative body of any municipality may, in its discretion, order by resolution entered upon its minutes that the whole, or any part, of the costs and expenses of any of the work mentioned in this Act shall be paid out of the treasury of the municipality from such fund as the legislative body may designate, and whenever a part of such cost and expenses is so ordered to be paid the commission in making up the assessment heretofore provided for such cost and expenses shall first deduct from the whole cost and expenses such part thereof as has been so ordered to be paid out of the municipal treasury, and shall assess the remainder of said costs and expenses proportionately upon the lots, part of lots and lands within the district to be assessed for such work, and in the manner heretofore provided.

SEC. 19. Whenever any lot, piece or parcel of land belonging to the United States or to the State of California, or to any county, city, public agent, mandatory of the government, school board, public educational, penal, or reform institution, or

institution for the feeble-minded or the insane and being so use in the performance of any public functions is intended within the purpose mentioned in the legislative body in the exercise of discretion to be the charges to be assessed to pay the costs and expenses of the improvement, the legislative body may in the discretion in the exercise of discretion declare that such real estate or parcels of land so owned and in use, or any of them, shall be exempt from the assessments as to apply to cover the costs and expenses of said work or improvement. In the event that said real estate or parcels of land, or any of them, shall be said exemptions be exempted from the assessment, then the total expense of all such improvements shall be assessed on the remaining lots lying within the limits of the assessment district adjacent thereto in such manner as provided for assessments of benefits against such lots, parcels or parcels of land, but such real estate so exempt as aforesaid may be assessed against such lots, parcels or parcels of land as owned and used shall be payable by the city out of the general fund, unless the legislative body shall in its discretion, if possible, distribute another fund, and the contractor for said work or improvement therefore shall contract in connection to that effect. After all notice provided for in section fourteen of this Act have been given, the city attorney or other officer of the city shall report to the city council the amount estimated.

Sec. 20. When authority therefor in the hands of the city treasurer, or the special fund thereof to the proposed improvements to pay the total amount of assessment damages, the costs of the proceedings and the cost of doing the work, or shall be the duty of the superintendent of streets to notify the contractor for the work of that fact, and to draw demands on said special fund for the proportionate amounts of damages awarded by the council and he notify the owners of such parcels of land assessed by the report to be delivered, in the name of such owner to contend to the report, that the awards of damages are payable, and that he may receive the same upon application to him on executing a release to the city of all claims for damages caused by said improvement. Such notification may be given by depositing a written notice addressed in the post office addressed to such person at his last known place of residence.

Sec. 21. If any owner of property that will be damaged by the proposed improvement shall fail or refuse to accept the amount awarded to him by the report provided for in section ten hereof, the legislative body may cause proceedings to be brought against him in the name of the city in the proper court, to have the amount of damage to such property determined. Such proceedings shall conform as nearly as may be to the provisions of the Code of Iowa [Procedure regarding eminent domain] provided, however, that the plaintiff shall not be required to pay the amount of damages awarded within thirty days after judgment. In such proceedings the ordinance creating the improvement shall be conclusive evidence of the necessity of the same. If no such proceedings be brought, nothing in the owner of property that is damaged by the proposed improvement shall prevent him from the amount awarded him, if any, and being an action against the city to recover the amount to which he claims to be entitled. Any such action must be brought within thirty days after the final completion of the improvement. If he finally wins, he fails to recover more than the amount awarded to him by the report thereof he shall not pay the costs.

Sec. 22. If the first assessment for any improvement fails to raise a sufficient amount of money to pay all costs, damages and expenses of the improvement, including any judgments rendered in the action and proceedings mentioned in section twenty-one and the costs and expenses of such action and proceedings, the legislative body may pay the deficiency out of the general fund, or may order a supplemental assessment to raise such deficit, which shall be made and collected by the same officers, as nearly as may be, as the first assessment, and no lot shall be assessed more than it will have been raised to pay for such improvement.

Sec. 23. The legislative body of any municipal corporation of this state may, in its discretion, determine that special bonds may issue in anticipation of assessments for the costs and expenses of improvements under this Act. Such determination, together with the term of such bonds, which shall not exceed twenty years from the second day of January next succeeding the date of such bonds, shall be declared in the ordinance or resolution of necessity to be said work.

Sec. 24. Whenever it is determined as provided in section twenty-three hereof that improvement bonds may be issued to represent assessments, the owner of any lot or parcel of land against which an assessment has been made, when the amount of such assessment is fifty dollars ($50.00), or over, may at any time prior to delinquency elect to pay such assessment in installments and to have an improvement bond issued against said lot or parcel of land, in the form and manner and with the other provided in this Act, provided there be no other bond or bonds outstanding against said lot or parcel of land representing any special assessment.

Sec. 25. Such election shall be made by such owner or his agent thereunto duly authorized in writing, by filing with the superintendent of streets an affidavit made before a competent officer that he or his principal, as the case may be, is the owner of the lot or parcel of land in question, and that there is no other bond outstanding against said lot or parcel of land representing any special assessment.

which affidavit must be accompanied by a certificate of a searcher of records that he or his principal is such owner, and that there is no other bond outstanding against said lot or parcel of land representing any special assessment, and also by filing with such officer a written agreement upon the form hereinafter provided, waiving all objections of whatsoever kind or nature against the assessment and all proceedings thereto and undertaking to pay the amount of such assessment in such number of equal annual installments as shall be provided in the ordinance or resolution of intention, each of which installments shall be due on the second day of January next following the date of such bond, with such rate of interest per annum as shall be designated in the ordinance or resolution of intention and which shall be payable semi-annually on the second day of January and July thereafter. Said agreement shall contain a provision to the effect that in case of default in the payment of any installment of the principal provided for therein, or interest accrued on deferred payments, at the time called for by said agreement, then, and in that event, the entire remaining unpaid installments shall become immediately due and payable, and that the same, and all liens and agreements which are security therefor, may be collected and enforced as in this Act provided. Said agreement shall be in the following or substantially the following form (filling blanks):

The undersigned, being the owner of a certain lot assessed in the proceeding for _____ said lot being assessed therein for the sum of _____ ($ _____) dollars, does hereby expressly waive and release all objections of whatsoever kind or nature against the said assessment and all proceedings prior thereto and in consideration of the benefit of said improvement and of the extension of time for paying therefor herein requested, do undertake and agree to pay the amount of said assessment, to wit: the sum of _____ ($_____) dollars in _____ yearly installments, at the time and in the manner specified and provided in _____ (title of Act), and do request and elect to have a bond issued against said lot in the manner and form and with the effect provided in said Act, and do expressly agree that in the case of default in the payment of any installment of the principal provided for in said bond, or interest accrued on deferred payments, then and in that event, that the entire remaining unpaid installments shall become immediately due and payable, and that the same and all liens and agreements which are security therefor, may be collected, and enforced as in said Act provided.

_____

Upon an election being effected as herein provided the superintendent of streets or other officer having in his custody said assessment shall make a note thereof in his records opposite the assessment as to which such election is made. All agreements and affidavits made and filed hereunder shall be bound in a substantial book and kept among the records of the superintendent of streets, or other officer having custody of such assessments. At the time of delinquency, such officer shall advise, in writing, the city treasurer respecting the assessments as to which the owners have elected to pay in installments. The city treasurer shall thereupon prepare a separate bond representing each assessment as to which such right of election has been exercised, as specified in the agreement made as herein provided, which bond shall be in the following or substantially the following form (filling blanks):

IMPROVEMENT BOND.

Series _____

No. _____

Under and by virtue of and pursuant to the provisions of _____ (title of Act), I, out of the fund for the above designated improvement bonds, series _____ will pay to bearer the sum of _____ ($_____) dollars with interest at the rate of _____ per cent per annum, as is hereinafter specified, at the office of the city treasurer of the city of _____, State of California. This bond is issued to represent an assessment for _____ in the city of _____, as the same is more fully described in the assessment therefor. Its amount is the amount assessed in said assessment against the lot numbered _____ therein and in the diagram attached thereto, and which now remains unpaid; but until paid, with accrued interest, is a first lien upon the property affected thereby, as the same is described herein, and in said recorded assessment with its diagram, to wit: the lot or parcel of land in the city of _____, county of _____, State of California, described as follows:

_____

_____

and it is issued in accordance with the written request therefor on file in the office of _____ the _____ of said city.

This bond is payable exclusively from said fund, and neither the city of _____, nor any officer thereof is to be holden otherwise for its principal or interest. The term of this bond is _____ years from January second, 19____, and at the expiration of said time the whole sum then unpaid shall be due and payable; but on the second day of January of each year, after the date hereof,

an even annual proportion of its principal, to date and payable upon presentation of the coupon therefor, with the whole or part of such annual payment to be paid on any interest paying date prior to maturity, at the option of the city, to be determined by the proper officers of the city before the issuance of the bonds, and may be made redeemable before

or to be derived from said improvement, notwithstanding that the proceedings of the city council or other officers or agents of the city, or other persons connected therewith may have been irregular, illegal or defective, or not in full conformity with the requirements of this Act. Such reassessment shall be made without a repetition of the proceedings had prior to the issuance of the assessment and shall be made and issued in the following manner: The superintendent of streets shall, upon the entering of a decree of court directing the reassessment, or upon the passage of a resolution of the city council directing a reassessment, proceed at once to make a reassessment in accordance with the said decree of court or said resolution of the city council thereof. Such reassessment shall be made upon the district described in the ordinance of intention for said improvement, and in the event that there shall have been informalities, uncertainties or ambiguities in the description of the limits of said district, then upon the district which the court or council shall find to be that actually benefited by said improvement, but in so finding said court or council shall follow the lines described in the ordinance of intention so far as the same can be ascertained, and in all cases of uncertainty or ambiguity they shall give regard to the lines described and make such a determination as to the lines where there is any uncertainty or ambiguity in the ordinance of intention as may be just and equitable. In the event that a portion of the improvement has been found to be entirely without the power of said city to order, then said assessment shall be for the remainder of the improvement only, and the benefits arising from the improvement entirely without the jurisdiction of the city to order shall not be considered in making the reassessment. Upon the completion of the reassessment it shall be presented to the city council and a day of hearing shall be fixed by it which shall be at least twenty days after the filing of the reassessment. The city clerk shall then advertise the fact of filing by publishing a notice in the official newspaper, or in such other paper as the council may direct, by five insertions, if the paper be a daily, or by two insertions, if it be a weekly or semi-weekly newspaper, stating the fact that the reassessment has been filed with him and that objections to said reassessment will be heard at the time specified by the city council. At the time fixed for said hearing, or at such time or times to which the same may be adjourned, the city council shall consider the objections to said reassessment and in its discretion revise, correct and modify such reassessment in such manner as is most equitable, and it shall thereupon pass a resolution approving and confirming such reassessment and such decision shall be a final determination of all matters relating to the actual benefits derived or to be derived from the improvement by the respective lots, pieces and parcels of land enumerated in the reassessment. Said reassessment shall thereupon be recorded by the street superintendent and it shall in all respects have the same effect and weight as the original assessment, and shall be enforced in the same manner. All payments made upon the original assessment shall be credited upon the reassessment and in the event that the reassessment in any instance is less than the amount of the original assessment, the excess shall be payable to the persons who paid the original assessments.

SEC. 27. The city treasurer shall enter in a book kept for that purpose in his office, a record of each bond issued hereunder, specifying the date of its issue, the amount for which issued, to whom delivered, its duration and a description of the lot against which issued. Payments of principal and interest on account of any bond issued hereunder shall be made to the city treasurer, who shall keep a separate account of all such payments, (entering the same in the record herein required to be kept) and place the same in appropriate funds for the payment of principal and interest of the bonds on account of which paid, and who shall, upon the surrender of the coupons attached to said bond, pay to the holder thereof, or his order, the amount called for by said coupons out of the funds in his possession applicable thereto.

SEC. 28. The improvement bonds issued hereunder shall take the place of and have the same force, validity and effect as assessment liens that the assessments would have had if no bonds had been issued, and the lien of said bonds shall not be held or construed to be merely contractual. Said bonds shall by their issuance be conclusive evidence of the regularity and validity of all proceedings leading up thereto. The amount due upon any such bond shall be a lien upon the lot described in such bond superior to all other liens, charges and incumbrances, except the liens of prior assessment and of municipal, state and county taxes.

SEC. 29. Improvement bonds or any number of such bonds, issued hereunder, except as otherwise provided in this Act, shall be sold to the highest cash bidder, after advertisement for bids, which advertisement shall be published for at least three times in a daily newspaper published and circulated in said city, or if there be no such daily newspaper, then such advertisement shall be published at least once in a weekly or semi-weekly newspaper so published and circulated, or shall be sold in such other manner as the legislative body may determine; provided however, that said bonds shall not be sold by said city, or any officer thereof, for less than par. If any bond be sold for an amount in excess of par such excess shall be paid into such fund of the city as the legislative body thereof may prescribe. The proceeds of the sale of such improvement bond shall be paid into the fund of the proceeding to represent assessments in which said bonds were issued.

SEC. 30. Any bonds not sold at the first expiration of fifteen days after the completion of the publication of the advertisement provided for in the preceding section shall be turned into the fund for the improvement for which the assessment is made, and shall be disposed and traded as the bonds accruing to said fund, and upon their presentation at said improvement to the board authorized to the contractor for the work of the section, or payment per metes of the assessment upon it under the provisions, provided there is sufficient money in the said fund to pay all such contractors and all contracts of assessment that may be made prior to the letting of the work. Whenever in the construction of any improvement, bonds are authorized under the provisions of this Act, and at the expiration of fifteen days after the completion of the publication of such advertisement, there is not sufficient money in the said fund for the improvement to pay the contractor's engineer and the estimate of work done upon the improvement, or any part thereof, or payments that shall be paid either in the doing of the work, the contractor may advance to the fund for said improvement all moneys sufficient to pay said incidental expenses and damages, and receive therefor bonds in sufficient amount at their par value, conformable to any assessment warrant thereon, to repay the moneys so advanced to him. If the said contractor to whom such bonds are delivered refuses to accept for a period of ten days after written notice from the city treasurer that said bonds are ready for delivery, or upon the completion of said advertisement, the expenses and that there is not sufficient money in said fund to pay said incidental expenses and said awards or damages, he advances as said fund a sum sufficient for said purposes, the legislative body of the municipality may, by its favorable motion and contract forfeited, and said warrants and thereafter void all rights under said contract.

SEC. 31. The owner of any property assessed to whom damages have been awarded as provided in this Act, more than ten days before the time of the sale of the property for taxes of such damages. Where no taxes were levied, shall be entitled to have the property sold for the amount of such damages, and he is entitled shall be entitled to be entitled by the county of such bonds as fairly at their par value. Such owner may also at any time after such assessment become delinquent, and before the sale of said property for non-payment thereof, demand of the proper superintendent that such assessment be set against the amount of damages to which he is entitled. Thereupon, if the amount of such damages be equal to or greater than such assessment, including any penalties and costs due thereon, the assessment shall be marked "Paid to offset," and if said amount be less than said assessment and any penalties and costs due thereon, the person presenting such offset shall at the same time pay the difference to the street superintendent in money, and the assessment shall be made payment, be marked paid the entry showing what part thereof is paid by offset and what part in money.

SEC. 32. The legislative body of any municipality may, by the favorable vote of the failure of any contractor to advance sufficient money to pay the incidental expenses and the amount of damages as herein above provided, advance from the general fund or bonds said fund as such legislative body may designate to said fund the amount necessary for such purposes. Thereupon the city treasurer shall issue to said city bonds of the denomination of $1,000 each, in an amount equal at their par value to the amount of money so advanced by the said city, and in any event in such denomination that payable to whatever to the said general fund the par value of all of the said bonds, he which case the said bonds shall be issued to the city, and the said city shall have the same rights in respect to the enforcement and collection thereof as other purchasers. When any such bonds advanced money as in this section described, it shall have full authority to sell said bonds at a public auction to the highest bidder thereof.

SEC. 33. Whenever the treasurer of the city has collected in the assessment fund an amount sufficient to pay the purchasers expenses and damages and has received bonds at their par value in the manner and for the purposes as aforesaid, or has otherwise provided the funds therefor, he shall give notice that said bonds shall be received and registered on and after a time to be stated in said notice, and shall be issued and delivered to the purchasers in payment of the assessments and damages.

SEC. 34. Whenever through the neglect or the refusal of any of the officers of land upon which said bond is issued to enumerate the assessments, warrants, orders of the municipality or the payments to be made upon the same for whatever time, and the power of the said municipality to collect the said assessments, warrants or otherwise and said bonds are payable, or having previously been paid, which bond or its interest thereafter, which the assessed warrants or assessments are said bond, said bonds shall become delinquent and be due and collectible from and after the date of such delinquency.

SEC. 35. Upon the application of the holder of any bond issued by a city levying assessments or municipality, pursuant to the said city, assessment shall produce to or in a court of competent jurisdiction, to be designated by such bond or the city, such bond, and shall establish to the satisfaction of the court the number and series of the delinquent bond, a description of the property assessed in said bond, and the name of the owner of such property, if known, and if

unknown, the fact shall be so stated, the amount due thereon, and a statement that unless the amount of said bond and the interest due thereon, together with the cost of publication of such notice are paid, the real property described in said bond will be sold at public auction on a day to be therein fixed, which shall not be less than fifteen nor more than thirty days from the date of the first publication of said notice, and the place of such sale, which must be in or in front of the office of the said city treasurer. A like notice shall not less than fifteen days before the day of sale so fixed be served upon any such owner if known either personally or by depositing the same in the post office at such city addressed to such owner at his address if known with the postage thereon prepaid. At any time prior to the sale, the owner or person in possession of any real estate offered for sale under the provisions of this Act may pay the whole amount of said bond then due, with costs, and such bond shall thereupon be canceled; but in case such payment is not made by such owner or person in possession, or by some one in behalf of such owner, or person in possession, the property subject thereto shall be sold at public auction to the bidder offering to pay the amount due on the bond with costs for the least portion of such lot or parcel of land offered for sale.

SEC. 36. The city treasurer, before the day of sale hereinafter provided for, must file with the city clerk a copy of the publication, with an affidavit of the publisher of such newspaper, or some one in his behalf, attached thereto, that it is a true copy of the same; that the publication was made in a newspaper, stating its name and place of publication and the date of each issue thereof in which such publication was made, on which affidavit is prima facie evidence of all the facts stated therein.

SEC. 37. The city treasurer must collect, in addition to the amount due on such bond, the cost of the publication of such notice, and fifty cents for the certificate of sale delivered to the purchaser as hereinafter provided.

SEC. 38. The city treasurer, before delivering any certificate of sale, must, in a book kept in his office for that purpose, enter the date, number and series of the bond, description of the lands sold, corresponding with the description in the certificate, the date of sale, purchaser's name, the amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate. Such book must be open to public inspection during office hours, when not in actual use, and he shall enter on the record of the bond the words "canceled by sale of the property," giving the date of such sale.

SEC. 39. Immediately on the sale, the purchaser shall become vested with a lien on the property, so sold to him, to the extent of his bid, and is only divested of such lien by the payment to the city treasurer of the purchase money, including costs herein provided for, with interest thereon, at the rate of one per cent per month from the date of sale.

SEC. 40. A redemption of the property sold may be made by the owner of the property, or any party in interest, within twelve months from the date of purchase, or at any time prior to the application for a deed, as hereinafter provided. Redemption must be made in lawful money of the United States, and when made to the city treasurer he must mark the word "Redeemed," the date and by whom redeemed on the margin of the book where the entry of the certificate is made, and credit the amount paid to the purchaser named in the certificate, and pay the same to such purchaser, or his assignee, upon the surrender of the certificate of sale, and upon satisfactory proof of an assignment thereof, if any.

SEC. 41. If the property is not redeemed within the time allowed by the provisions of the foregoing section, the city treasurer, or his successor in office, upon application of the purchaser, or his assignee, must make to said purchaser, or his assignee, a deed to the property, reciting in the deed, substantially, the matter contained in the certificate, and that no person has redeemed the property during the time allowed for its redemption. The treasurer shall be entitled to receive from the purchaser two dollars for making said deed, which shall be deposited in the city treasury for the use of the city after payment has been made therefrom for the acknowledgment of said deed; *provided, however*, that the purchaser of the property, or his assignee, or agent, must, thirty days prior to the expiration of the time of the redemption, or thirty days before his application for a deed, serve upon the owner or agent of the property purchased, if named in such certificate of sale, and upon the party occupying the property, if the property is occupied, a written notice, stating that said property, or a portion thereof, has been sold to satisfy the bond lien, the date of sale, the date, number, and series of the bond, the amount then due, and the time when the right of redemption will expire, or when the purchaser will apply for a deed, and the owner of the property shall have the right of redemption indefinitely, until such notice shall have been given and said deed applied for, upon the payment of the fees, penalties, and costs in this Act required. In case of unoccupied property, a similar notice must be posted in a conspicuous place upon the property at least thirty days before the purchaser applies for a deed; and no deed to the property sold, in accordance with the provisions of this Act, shall be issued by the city treasurer to the purchaser of such property until such purchaser shall have filed with such treasurer an affidavit showing that the notice hereinbefore required to be given has been given as herein required, which said affidavit shall be filed and preserved by the said treasurer as other records kept by him in his office. Such purchaser shall

be entitled to receive the sum of fifty cents for the service of such notice and the making of such affidavit, which sum of fifty cents may be paid by the commissioner at the time and in the same manner as the other costs and fees are paid.

SEC. 42. The deed shall also contain a recital of all facts which are necessary to the existence of all things which the land upon which it is based is conditioned upon, and prima facie evidence of the regularity of all proceedings subsequent to the issue of the bond, and conveys to the grantee the absolute title to the lands described therein, free of all encumbrances, except the lien for state, county and municipal taxes.

SEC. 43. The legislative body of any municipality may, by its resolution, at any time prior to the letting of the contract for any improvement under this Act, determine that said proceedings shall be abandoned, which determination shall be declared by ordinance or by resolution entered upon the minutes. Such legislative body may in like manner abandon such proceedings after the letting of such contract in any case where the contractor has failed to begin work within the time provided in this Act, or has failed to complete the same within the time specified in the contract, or has failed to diligently prosecute the said work after beginning the same. Such legislative body may also by like manner abandon any proceedings where the contractor has failed, neglected or refused for a period of ten days after receiving the notice from the city engineer that there is not sufficient money in the fund for the improvement to pay the contractor's warrants and the process of abandonment as herein before provided, to advance to said fund an amount sufficient for such purpose. Such legislative body may in case of the contingencies specified in this section, instead of abandoning the said proceedings, direct the superintendent of streets to readvertise for bids for the doing of said work, or any part thereof, and the said contract may be let as in the first instance, but the fact of any contractor who has failed to do any of the obligations assumed by him by this Act, or any engineer, shall not be considered in any subsequent bidding for the same work.

SEC. 44. In all conditions, notices, orders and determinations subsequent to the ordinance or resolution of intention a description of the improvement district by reference to the ordinance or resolution of intention which originally gave to all resolutions, notices, orders and determinations subsequent to the "Notice of award of work" a description of the work by reference to the ordinance or resolution of intention shall be sufficient.

SEC. 45. The term "lot or parcel of land" whenever mentioned in this Act shall be deemed to include, and shall include, property owned or controlled by any person, firm or corporation, as a undivided estate, an improvement district right of way and whenever a railroad, street or townships railroad right of way shall be included within any district to be assessed for the cost of any improvement provided for in this Act such railroad right of way shall be liable to respond to the lien of an assessment or under a foreclosure shall be included in the assessment and shall be assessed in the same manner and with the same effect as other lots or parcels of land are assessed, as provided in this Act, and such railroad, street, or township railroad right of way shall be subject to sale for nonpayment of assessments as in this Act provided.

SEC. 46. The following words and phrases shall, when used in this Act, have the following meaning:

1. The term "superintendent" includes the road commissioner, foreman or superintendent of streets, or any one of the superintendents mentioned in section one of this Act.

2. The term "city" includes every incorporated city, city and county, or other corporation organized for municipal purposes.

3. The word "treasurer" includes any officer who has charge and makes payment of the city funds.

4. The term "owner" means all persons, associations and bodies corporate shown by the last assessment roll of the county in which the property is situated to be the owner of the property, or any part thereof, or any interest therein, or any city, county, state or municipal corporation, or public body, or any corporation having a lien thereon, or any person in possession of the property, or any person who, by the last assessment roll of the city, or other person so required the duties imposed by this Act on the superintendent of streets, was assessed for the property named, or any person who shall appear to be the owner of the property from the records in the office of the superintendent of streets, and as to the proceedings hereof applicable to the superintendent of streets shall apply to the officer so designated.

5. The word "agent" as the term is used herein, unless otherwise provided, is deemed to be the person acting upon or the person in whom is vested any power or duty. The term includes any person who appears by deeds duly recorded in the county recorder's office of the county in which said land is situated to be any person in possession of real property as the owner or executor, executor under an express trust, guardian or other legal representative of the owner or any person in possession of said property under written contract of purchase duly executed.

6. The term "expenses" whenever used or held to mean and include all the necessary expenses and disbursements of the commissioners, the cost of making the assessment and of expenses necessarily incurred by the city in connection with the proposed improvement for surveys, engineers, clerks, attorneys, the printing of any pamphlets and other necessary incident expenses.

7. The term "delinquency" as herein used shall mean delinquency in the payment of an assessment made under the provisions of this Act, and the expression "time of delinquency" shall mean the time in this Act fixed when assessments become delinquent.

SEC. 47. An Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, is hereby repealed; *provided*, that proceedings taken under the Act hereby repealed, commenced prior to the taking effect of this Act, may be continued to completion under the provisions thereof with the same force and effect as if said Act were not hereby repealed.

SEC. 48. Except as to the Act hereby expressly repealed this Act shall in no wise affect any other Act or Acts on the same subject, nor apply to any proceedings taken thereunder, but is intended to and does provide an alternative system for making the improvements provided for by this Act; and it shall be within the discretion of the legislative body of any city to proceed, in making said improvements, under the provisions either of this Act or of such other Acts; but when any proceedings commenced by this Act, the provisions of this Act, and of such amendments thereof as may be hereafter adopted, and no other, shall apply to all such proceedings, and any provisions contained in such other Acts or any Acts in conflict herewith shall be void and of no effect as to the proceedings commenced under this Act.

SEC. 49. The provisions of this Act shall be liberally construed to promote the objects thereof. This Act may be designated and referred to as the "Street Improvement Act of 1913."

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 771—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 13, of the printed bill, strike out the words "The terms works", also strike out lines 14 to 19, inclusive.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 32, of the printed bill, strike out the words "Section 8 of Article XI"; also, at the beginning of line 33, strike out the word "of".

Amendment adopted.

AMENDMENT No. 3.

On page 3, of the printed bill, strike out lines 18 to 37, inclusive; also, on page 4, lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC. 5. No franchise shall be granted except by ordinance or until the terms and conditions thereof have been approved by the railroad commission. A franchise may be granted by initiative proceedings. Before any election is called upon an initiative petition, the terms of the ordinance must be approved by the railroad commission."

Amendment adopted.

AMENDMENT No. 4.

On page 4, of the printed bill, strike out all of Section 6, and insert in lieu thereof the following:

"SEC. 6. No franchise shall be granted for a longer term than thirty years unless the railroad commission, after hearing, shall specifically find that the franchise should be granted for a longer term. In no instance shall the term be longer than fifty years."

Amendment adopted.

AMENDMENT No. 5.

On page 4 of the printed bill strike out lines 25 to 27, inclusive; also on page 5 strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SEC. 7. No franchise shall be granted which does not reserve to the proper compensation for the privilege conferred. Such compensation may consist of

(a) Payments in the nature of a rental proportioned to the value of the works constructed under the franchise; or

(b) The payment annually of a percentage of gross receipts derived under the franchise; or

(c) The payment of a percentage of the net profits derived under the franchise."

Amendment adopted

AMENDMENT No. 6.

On page 5 of the printed bill strike out lines 8 to 17, inclusive; also, on page 6 strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SEC. 8. The railroad commission shall by general rules established prescribe and conditions to be attached to franchises, and for this purpose shall classify the different kinds of franchises. When such a general order has been made, any franchise proposed to be granted hereunder shall be considered as to terms and conditions without hearing if it conforms to the classifications of such order. In other cases the commission must determine the terms and conditions of any franchise proposed to be granted, only upon notice and a hearing.

SEC. 9. Reasonable and appropriate conditions shall be imposed to secure purchase to facilitate the public ownership of an unexpired interest concentrated under the franchise, at reasonable terms and without franchise valuation."

Amendment adopted.

AMENDMENT No. 7.

On page 6 line 8 of printed bill, strike out the figures "12", and insert in lieu thereof the figures "10"

Amendment adopted.

AMENDMENT No. 8.

On page 6 line 24 of the printed bill strike out the figures "13", and insert in lieu thereof the figures "11"

Amendment adopted

AMENDMENT No. 9.

On page 6 line 29 of the printed bill strike out the figures "14" and insert in lieu thereof the figures "12"

Amendment adopted.

AMENDMENT No. 10.

On page 6 line 37 of the printed bill, strike out the figures "15" and insert in lieu thereof the figures "13"

Amendment adopted.

AMENDMENT No. 11.

On page 7 of the printed bill in line 8, strike out the words "The railroad may make and enforce all"; page strike out lines 9 to 18, inclusive.

Amendment adopted.

AMENDMENT No. 12.

On page 7 of the printed bill, strike out lines 23 to 37, inclusive.

Amendment adopted.

AMENDMENT No. 13.

On page 7 line 36 of the printed bill strike out the letter "(a)" and insert in lieu thereof the letter "(a)"

Amendment adopted.

AMENDMENT No. 14.

On page 8, line 7, between the words "under" and "the" insert the words "or over".

Amendment adopted.

AMENDMENT No. 15

On page 8, line 9, between the words "mountain" and "all", insert the words "good crossings and".

Amendment adopted.

AMENDMENT No. 16

On page 8, line 15, strike out the letter "(e)" and insert in lieu thereof the letter "(d)".

Amendment adopted.

AMENDMENT No. 17

On page 8, line 21, strike out the letter "(f)" and insert in lieu thereof the letter "(e)".

Amendment adopted.

AMENDMENT No. 18.

On page 9, line 3, strike out the letter "(g)" and insert in lieu thereof the letter "(f)".

Amendment adopted.

AMENDMENT No. 19

On page 9, strike out lines 9 to 17, inclusive.

Amendment adopted.

AMENDMENT No. 20

On page 9, line 18, strike out the figures "16" and insert in lieu thereof the figures "14".

Amendment adopted.

AMENDMENT No. 21.

On page 9, line 21, strike out the words "by judgment may" and strike out lines 22 to 25, inclusive, and insert in lieu thereof the following: "levy be appointed by the aggrieved corporation."

Amendment adopted.

AMENDMENT No. 22

On page 9, line 26, strike out the figures "17" and insert in lieu thereof the figures "15".

Amendment adopted.

AMENDMENT No. 23.

On page 10, line 2, [illegible] the figures "18" with the figures "16".

Amendment adopted.

AMENDMENT No. 24.

On page 10, line 6, [illegible] the figures "19" with the figures "17".

Amendment adopted.

AMENDMENT No. 25

On page 10, [illegible] lines 27 to 34, inclusive, page 11, line 35, the words "as herein provided".

Amendment adopted.

AMENDMENT No. 26

On page 12, line 5, [illegible] the figures "20" with the figures "18".

Amendment adopted.

AMENDMENT No. 27

On page 14, line 23, after the word "appointment", in the proposition of the [illegible] and [illegible] strike out [illegible] and [illegible] and [illegible] and insert in lieu thereof the following: "to be selected by agreement of the parties, or if they cannot agree, then by the judge of the district court of the county in which the proceeding is pending."

Amendment adopted.

AMENDMENT No. 28

On page 11, line 1, strike the figures "25" in the heading "29"

Amendment adopted.

AMENDMENT No. 29

On page 12, line 16, replace the figures "22" with the figures "20"

Amendment adopted.

AMENDMENT No. 30

On page 12, line 17, replace the word "the" by the word "not"

Amendment adopted.

AMENDMENT No. 31

On page 12, line 25, replace the figures "23" by the figures "21"

Amendment adopted.

AMENDMENT No. 32

On page 12, line 30, between the words "under" and "Continental" insert the word "the"

Amendment adopted.

AMENDMENT No. 33

On page 12, line 30, strike out the words and figures "Sections 8 and 52 of Article XI", and at the beginning of line 31 strike out the word "of"

Amendment adopted.

AMENDMENT No. 34

On page 12, line 32, replace the figures "24" by the figures "22"

Amendment adopted.

AMENDMENT No. 35

On page 12, line 35, replace the figures "19" by the figures "17".

Amendment adopted.

AMENDMENT No. 36

On page 12, strike out lines [illegible] 37, page 12, strike out lines 1 and 2

Amendment adopted.

AMENDMENT No. 37

On page 13, line 3, replace the letter "and" by the letter "AF"

Amendment adopted.

AMENDMENT No. 38

On page 13, line 6, replace the letter "and" by the letter "and"

Amendment adopted.

AMENDMENT No. 39

On page 13, line 8, replace the letter "and" by the letter "AF"

Amendment adopted.

AMENDMENT No. 40.

On page 13, line 10, replace the figures "25" by the figures "23".

Amendment adopted.

AMENDMENT No. 41.

On page 13, line 15, replace the figures "26" by the figures "24"

Amendment adopted.

AMENDMENT No. 42.

On page 13, line 23, replace the figures "27" by the figures "25".

Amendment adopted.

AMENDMENT No. 43.

On page 13, line 29, replace the word "it" by the words "this act".

Amendment adopted.

AMENDMENT No. 44.

On page 13, line 30, strike out the words and figures "Sections 7, 8, 9, 10 and"; also, in line 31, strike out the figures "11", and insert in lieu thereof the words and figures "Sections 7 and 9".

Amendment adopted.

AMENDMENT No. 45.

On page 13, line 31, replace the word "steam" by the word "commercial".

Amendment adopted.

AMENDMENT No. 46.

On page 13, line 33, replace the comma after the word "franchise" by a period, and strike out the balance of the line; also, strike out lines 34 and 35.

Amendment adopted.

AMENDMENT No. 47.

On page 13, line 36, replace the figures "28" by the figures "26".

Amendment adopted.

AMENDMENT No. 48.

On page 15, at the end of the Act, insert the following: "This Act shall not, however, affect or impair any powers now or which may hereafter be vested in the railroad commission".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 4, line 27, of the printed bill, after the period following the word "protests", at the end of Section 6, add the following: "In case there is no daily or weekly newspaper published and circulated in said city, then said notice shall be posted in three of the most public places in such city at least ten days before the date set for the hearing of said protests."

Amendment adopted.

AMENDMENT No. 2.

On page 8 of the printed bill, strike out the words "*provided, however*, that the", in line 16, all of lines 17 to 21, inclusive, and the words "territory of said city", in line 22, and insert in lieu thereof the following: "and in case of a deficiency in the fund for such improvement, the city council, in its discretion, may provide for such deficiency by an appropriation out of the general fund of the treasury, or by ordering a supplementary assessment to be made upon the same property, in the same manner and form, and subject to the same procedure as the original assessment; and in the last named case, in order to avoid delay, the city council may advance such deficiency out of any money in the general fund of the treasury, and reimburse the treasury from the collections under such supplementary assessment."

Amendment adopted.

AMENDMENT No. 3

On page 9 of the printed bill at the end of Section 20, add a new subdivision as follows:

"(8½) The terms 'owner' and 'any person interested' include the person owning the fee, or the person in whose name the title appears to be vested, of the real property affected by the proceedings, and the agent of such person, as the executor, administrator, trustee, guardian, trustee, or other legal representative of the owner, or each person in possession of such property under a written contract of purchase thereof duly executed, or any person in possession of real property as tenant thereof, duly executed, or any person in possession of real property as tenant thereof under a lease which would require such lessee to pay or discharge all assessments that accrue on other taxable improvements that may be placed or erected upon such real property."

Amendment adopted

AMENDMENT No. 4.

On page 9 of the printed bill, strike out all of Section 20 and insert in lieu thereof the following:

SEC. 20. Proof of publication of any notice required by this Act shall be made by affidavit, as provided in the Code of Civil Procedure, and proof of the posting of any such notice shall be made by the affidavit of the person posting the same, setting forth the facts establishing such posting. In case by the terms of any notice, it is required by this Act to have any notice published or posted in relation and the affidavit or other affidavits or proofs thereof, provided, that the failure so to do shall not affect the validity of any proceedings under this Act. Any such affidavit so filed shall be prima facie evidence of the facts therein stated regarding such publication or posting.

SEC. 21. This Act shall in no wise affect or apply to [illegible] and shall not be construed as amendatory thereof or supplemental thereto, or any other Act on the same subject, or apply to proceedings [illegible] but it is intended to and does provide an alternate system of proceedings for making the improvements provided for in this Act, and it shall be within the discretion of the city council at any time to proceed in making such improvements either under the provisions of this Act, or under the provisions of said other Acts; but when any proceedings are commenced under this Act, the provisions of this Act and of such supplementary thereof as may be hereafter adopted, and no other, shall apply to all such proceedings, and any provisions contained in said Acts or any Acts in conflict with the provisions hereof shall be void and of no effect as to the proceedings commenced under the provisions of this Act. The election of the city council to proceed under the provisions of this Act shall be expressed in the resolution of intention to order the work done.

SEC. 22. The provisions of this Act shall be liberally construed to promote the objects thereof, and no publication or notice other than proceedings for an ordinance shall be necessary to give validity to any proceedings and assessments. This Act may be designated and referred to as the "Improvement Act of 1913."

Amendment adopted

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts, for supplying the inhabitants thereof with water, for levying and collecting taxes on property in such districts, and for the issuance of water district bonds and the payment thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1756—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within boundaries of said city, situate in the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo in furtherance of navigation

and commerce and the fisheries, and providing for the government, management and control thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by inserting in line 4 thereof, after the word "in", the words "the Napa Creek,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 14, after the word "in", insert the words "the Napa Creek."

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 24, after the word "in", insert the words "the Napa Creek.".

Amendment adopted.

AMENDMENT No. 4.

On page 3, commencing with the word "sale" in line 33, strike out all of lines 34, 35, 36 and 37 and on page 4 all of lines 1 and 2 down to and including the word "same" and insert in lieu thereof the following: "and said railroad lease may be terminated at any time by mutual agreement of the city and the lessee, on such just and reasonable terms for compensation for improvements as may be mutually agreed upon."

Amendment adopted.

AMENDMENT No. 5.

Add a new section to the bill to be numbered Section 2 and to read as follows:

"Sec. 2. The foregoing conveyance is made upon the condition that the city of Vallejo shall, within ten years from the approval of this Act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, cause to be expended for harbor improvement purposes an amount not less than twenty-five thousand (\$25,000) dollars. If said harbor improvement work be not done and if said amount be not expended for harbor improvement as herein provided, then the lands by this Act conveyed to the city of Vallejo shall revert to the State of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners," approved March 23, 1893.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 11, of the printed bill, strike out all of line 11, and in lieu thereof insert the following: "regulations, to grant paroles thereunder, and to retake and imprison any convict so upon".

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 4 to 15, of the printed bill, strike out all of lines 4 to 15, inclusive, and in lieu thereof insert the following: "ordinary criminal process, *provided however*, that no prisoner imprisoned under a life sentence shall be paroled until he shall have served at least seven calendar years; *provided, further*, that no prisoner who has served a definite term in any state prison in this or any other state shall be paroled until he has served at least two calendar years, and no person who has had imposed upon him two or more cumulative or consecutive sentences shall be

paroled until he has served at least ten years of the aggregate time of said consecutive or consecutive sentences. The governor of"

Amendment adopted.

AMENDMENT No. 3.

On page 2, after Section 1, ending on line 29, add the following new section:

"SEC. 2. 'An Act to establish a board of parole commissioners for the parole of and government of parole prisoners,' approved March 23, 1893, is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 182.—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all of the bill after the [illegible] on page 1, line 8, of the printed bill, and insert in lieu thereof the following:

"The board of pharmacy shall have a seal [illegible] in which the business is done, authorize the employment of a registered pharmacist and place the name of each pharmacist [illegible] three miles distant from the store of a registered pharmacist, [illegible] STATE authorize the persons so [illegible] to sell or vend poisons, and [illegible] elsewhere and under such precautions and regulations as said board may [illegible] to time adopt, the following classes [illegible] in such manner and [illegible] to wit:

[illegible] of arsenic, [illegible] of strychnine, [illegible] syrup of the bark, [illegible] of nitric [illegible] Rochelle salts, [illegible] of hydrocyanic [illegible] the poles, [illegible] of [illegible] metals, [illegible] of hydrogen, [illegible] salts, [illegible] salts, [illegible]

The board shall charge an annual fee of [illegible] and it shall be unlawful for any dealer to sell any [illegible] without complying with the requirements of this section. Whenever a registered pharmacist shall consider a [illegible] from the [illegible] of business of such person, [illegible] granted, and the license [illegible] that the following drugs, medicines and chemicals [illegible] poisons and [illegible] without restriction, viz:

[illegible] of soda, [illegible] of [illegible] of [illegible] of

AMENDMENT No. 2.

On page 1, lines 4 and 5 of the title of the printed bill, strike out all of lines 4 and 5 of the title, and in lieu thereof insert the following: "retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds; and making an appropriation for the uses of said funds."

Amendment adopted.

AMENDMENT No. 3.

On pages 1 to 7, of the printed bill, strike out all of lines 1 to 17, inclusive, on page 1, and all of pages 2 to 7, inclusive, and in lieu thereof insert the following

SECTION 1. There are hereby established two funds in the state treasury, to be known, respectively, as the public school teachers' retirement salary fund and the public school teachers' permanent fund. The public school teachers' permanent fund shall be made up of all moneys received from the following sources, or derived in the following manner:

(1) All contributions made by teachers, as in this matter provided.

(2) The income and interest derived from the investment of the moneys contained in such fund.

(3) Five per cent of the taxes collected during the fiscal year ending July 1, 1913, and each fiscal year thereafter under the inheritance or transfer tax laws of this state, which said amount shall be and is hereby appropriated and set aside to constitute part of the public school teachers' permanent fund. It is hereby made the duty of the state controller, at the beginning of each fiscal year, including the fiscal year ending July 1, 1914, to transfer from the general fund to the public school teachers' permanent fund an amount equal to five per cent of the total sum paid into the state treasury during the preceding fiscal year on account of inheritance taxes.

(4) All donations, legacies, gifts and bequests which shall be made to such fund, and all moneys which shall be obtained or contributed for the same purposes from other sources.

(5) Appropriations made by the state legislature from time to time to carry into effect the purposes of this Act.

SEC. 2. The public school teachers' retirement salary fund shall be made up of such moneys as shall be transferred from time to time under authority of this Act from the public school teachers' permanent fund.

SEC. 3. It shall be the duty of the state controller and of the state treasurer to make, when notified by the public school teachers' retirement salary fund board, or by the state superintendent of public instruction, under authority of this Act, transfers of such amounts from the public school teachers' permanent fund to the public school teachers' retirement salary fund as will be sufficient to meet the claims which may be legally drawn against said public school teachers' retirement salary fund: *provided*, that no part of any sums derived from any public school teachers' annuity fund existing in any city, county, or consolidated city and county, at the time of the adoption of this Act shall ever be transferred from the public school teachers' permanent fund, but the income and interest derived from the investment of these or any other moneys which have been paid into the public school teachers' permanent fund may be transferred under authority of this section.

SEC. 4. It is hereby declared to be the intention of this Act that there shall be an annual accumulation of funds amounting to ten thousand dollars per year in the public school teachers' permanent fund and no transfer of moneys derived from any source shall be made which shall interfere with or prevent the annual accumulation of moneys in the public school teachers' permanent fund to that extent.

SEC. 5. There shall be deducted monthly from the salary of every teacher subject to the burdens of this Act, one dollar, and every official whose duty it is to pay said teacher's salary shall make said deduction at the time of payment and shall, at the end of each quarter, draw a warrant in favor of the state treasurer for the amounts deducted. The amounts thus deducted shall be deposited in the state treasury to the credit of the public school teachers' permanent fund, and shall constitute part thereof.

SEC. 6. No person shall, except as hereinafter otherwise provided, be eligible to receive the benefits of this Act who shall not have paid into said public school teachers' permanent fund, or partly into said fund and partly into the public school teachers' annuity and retirement fund, maintained under the Act of the legislature of the State of California approved March 26, 1895, and Acts amendatory thereof, an amount equal to twelve dollars for each year of service up to and including thirty years: *provided, however*, that the difference between the amount actually paid by such teacher of thirty years service, and three hundred and sixty dollars, may be paid into said fund by such teacher at the time of retirement, with the same effect as if the full sum of three hundred and sixty dollars had been paid at the rate of twelve dollars per year before retirement; or, the sum of twenty dollars per month may be withheld from such teacher's retirement salary until the amount so withheld shall equal the difference between said sum of three hundred and sixty dollars and the amount theretofore paid into said permanent fund, or partly into said last mentioned fund and partly into said public school teachers' annuity and retirement fund.

SEC. 7. The state board of education shall constitute the public school teachers' retirement salary fund board. The president and secretary of the state board of education shall be the president and secretary, respectively, of said public school teachers' retirement salary fund board.

SEC. 8. The public school teachers' retirement salary fund board, subject to the provisions of this Act, shall have power, and it shall be its duty:

(1) To approve and allow retirement salaries of public school teachers entitled to the same under the provisions of this Act;

(2) Directly the expenditure of public school funds provided for in this Act, and to draw and transmit for same requisition on authority to be given to it, and warrants and drafts issued. The public school teachers' retirement salary fund and the public school teachers' retirement salary fund, including all retirement salary funds to the state treasurer, who shall charge his general account with the state treasury payable out of said fund; warrants shall not be drawn until the allowed salary after warrants have been signed by a majority of the board by a majority of the members which allowance shall be entered on the minutes;

(3) To require the boards of education, school trustees and other public officials and all others having control of the records of persons entitled to benefits from said retirement fund, to furnish to the board from time to time all such matters pertaining to the payment of such contributions, as it may deem advisable;

(4) To invest the moneys in the retirement fund in securities such as prudent men of business, trustees and investors use in investing their own funds, and to sell or exchange such securities, and to reinvest the proceeds thereof, and to make and execute any contracts, deeds or other instruments necessary or proper for the purpose of carrying out the powers granted to it by this Act; provided, that all of the moneys in the public school teachers' retirement salary fund shall be invested in the securities issued by the state of Texas, the retirement fund shall be invested in the securities issued by the state of Texas, the retirement fund shall be invested in the securities issued by the state of Texas, the retirement

school teachers' permanent fund to the public school teachers' retirement salary fund. It shall be the duty of the state controller thereupon to make such transfer and to notify the state treasurer in order that he may make corresponding entry in the records of his office. When claims for payment of retirement salaries have been duly audited under the provisions of this Act the controller shall draw his warrant therefor upon the said public school teachers' retirement salary fund.

SEC. 13. Every public school teacher who shall have complied with all the requirements of this Act, and who shall have served, as a legally qualified teacher in public day or evening schools, or partly as such teacher and partly as superintendent or supervising executive or educational administrator, for at least thirty school years, at least fifteen of which shall have been in the public schools of this state, including the last ten years of service immediately preceding retirement, under a legal certificate shall be entitled to retire; or if physically or mentally incapacitated for the proper performance of the duties of teacher, may be compelled to retire by the board of education, school trustees or other school authorities employing such teacher. Upon retirement, voluntary or involuntary, such teacher shall be entitled to receive, during life, an annual retirement salary of five hundred dollars, payable in installments quarterly by warrant drawn as provided in section eight of this Act; *provided*, that application for such salary be made within two years after the last month of service, except in cases where at the time the right to the retirement salary accrues such teacher has been absent two years or more from service, on leave duly granted by the board of education, board of trustees or other public school authorities employing such teacher. In such cases the application may be made at any time during the said leave of absence. All teachers heretofore retired after thirty years of service, under the provisions of the Act of the legislature of the State of California approved March 26, 1895, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties and cities and counties in the state," and Acts amendatory thereof, shall be entitled to an annual retirement salary of five hundred dollars, payable in installments quarterly by warrants drawn as provided in section eight of this Act.

SEC. 14. Any public school teacher who shall have complied with all the requirements of this Act and who shall have served, as a legally qualified teacher, for at least fifteen years in the public schools of this state, and who shall have by reason of bodily or mental infirmity become physically or mentally incapacitated for further school service, under a legal certificate shall be entitled to retire, or may, by the board of education, school trustees or other school authorities employing such teacher, be compelled to retire. Upon retirement, voluntary or involuntary, such teacher shall be entitled to receive during the period of such disability, an annual retirement salary, payable in installments quarterly, which shall be the same fraction of the maximum retirement salary of five hundred dollars as said teacher's time of service is of thirty years; *provided*, that application for such retirement salary shall be made within two years of the last month of service. Each teacher who, by reason of incapacity due to bodily or mental infirmity, shall have retired under the aforesaid Act approved March 26, 1895, and Acts amendatory thereof, after fifteen years' service, shall receive upon the taking effect of this Act and during the period of disability, an annual retirement salary which shall be the same fraction of the maximum retirement salary of five hundred dollars as said teacher's time of service is of thirty years.

SEC. 15. Service of a teacher, with or without a certificate, in a state normal school, shall be equivalent to service under legal certificate in a day or evening school, and the time of said service in a state normal school shall be reckoned in determining the right to retirement salaries under the provisions of sections thirteen and fourteen of this Act.

SEC. 16. In counting actual experience for the purposes of this Act, the state board of education shall determine what constitutes a school year; *provided*, that in no case shall leaves of absence amounting to school years, or half school years, be counted as service; *and provided, further*, that in reckoning the time of service for the purposes of this Act, the night school term shall be considered the same as and equivalent to the day school term.

SEC. 17. This Act shall be binding upon all such teachers employed in the public schools of this state at the time of the approval of this Act, as shall, on or before January 1, 1914, sign and deliver to the superintendent of public instruction and the superintendent of public schools of the city, county, or consolidated city and county in which said teachers are in service, a notification that said teachers agree to be bound by and to avail themselves of the benefits of this Act.

SEC. 18. This Act shall be binding upon all teachers elected or appointed to teach in the public schools of this state after the approval of this Act, who, not being in the service of the public schools at the time of the approval of said Act, were not competent to sign or deliver the notification specified in section seventeen.

SEC. 19. If any teacher retired under the provisions of this Act shall be re-employed in the public schools of this state, such teacher's retirement salary shall

cense; and if any teacher having qualified under section [illegible] service in the public schools of the state and thereafter continue [illegible] teen hereof, there shall be deducted from the willingness salary payable [illegible] teacher under the provisions of section [illegible] salary, theretofore actually received by such teacher under the provisions of section fourteen hereof; such amount to be deducted in equal quarterly installments until the whole amount so received under said section [illegible] *provided, however*, that the amount of such deduction to be made hereunder shall not exceed thirty-five dollars.

SEC. 20. No one shall be appointed or otherwise [illegible] more than one retirement salary. Nothing in this Act shall be so construed [illegible] as to prevent [illegible] or duties of [illegible] from supplementing the retirement salary received from the state.

SEC. 21. Every public school [illegible] or consolidated city and county established under the aforesaid Act approved March 26, 1856, shall within one month after this Act goes into effect, be delivered to the state treasurer and by him turned into the [illegible] created by this Act and shall be added to and become part of the permanent fund provided for in section one of this Act.

SEC. 22. Said Act of the legislature of the State of California, approved March 26, 1856, and all Acts amendatory thereof, [illegible] repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 472—An Act amending Section 1142 of the Political Code, relating to the appointment of election boards and the qualifications and duties of the members of such boards.

Bill read second time, ordered engrossed and on file for third reading.

AMENDMENTS TO ENGROSSED BILLS.

Senator Jones moved that Assembly Bill No. 1879 be recalled from print.

Motion carried.

Senator Jones moved that the vote whereby Senate committee amendments to Assembly Bill No. 1879 were adopted be reconsidered.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Benson, the Senate took up the consideration of the third reading file of Assembly Bills.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as Section 670c, relating to wages of employees.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Jones, as a special committee of one, to amend as follows:

By striking out of Section 1, line 32, page 2, the words "the representative of".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1495, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and adopted.

Bill ordered to print.

RECESS.

At four o'clock and thirty minutes p.m., on motion of Senator Wright, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At four o'clock and thirty-five minutes p.m., the Senate reconvened. Senator Thompson, of the Thirty-fifth District, in the chair.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 888—An Act to amend Sections 658, 659, and 660 of the Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

On motion of Senator Strobridge, Assembly Bill No. 888 was passed on file.

Assembly Constitutional Amendment No. 84—Relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

On motion of Senator Strobridge, Assembly Constitutional Amendment No. 84 was passed on file.

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

On motion of Senator Strobridge, Assembly Bill No. 372 was passed on file.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Brown, Caminetti, Campbell, Carr, Cohn, Flint, Gates, Gerdes, Juilliard, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying procedure for levying a tax for the purposes of the Act and for disbursing the same.

On motion of Senator Strobridge, Assembly Bill No. 1463 was passed on file.

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof.

Read third time.

On motion of Senator Beban, Assembly Bill No. 418 was passed on file.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Strobridge, Assembly Bill No. 1685 was passed on file.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1578 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Bledsoe, Boynton, Chamberlain, Chandler, Curtin, Ellis, Flaxmer, Gerdes, Jones, Leavitt, Lewis, Lyon, Mott, Owens, Rigdon, Shortall, Strobridge, Thompson, and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 315—An Act to amend Section 1535 of the Penal Code of the State of California, relating to taking, authentication, and filing of transcript of testimony and recognizances in summary hearings and providing for the appointment of a shorthand reporter for such purposes and for fees in payment therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Bledsoe, Boynton, Chamberlain, Chandler, Curtin, Ellis, Flaxmer, Gerdes, Jones, Leavitt, Lewis, Lyon, Mott, Owens, Rigdon, Shortall, Strobridge, Thompson, and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Strobridge, Assembly Constitutional Amendment No. 1 was passed on file.

Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

On motion of Senator Strobridge, Assembly Bill No. 469 was passed on file.

Assembly Bill No. 795—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known as Section 196a, relating to the support and education of an illegitimate child.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, five o'clock and ten minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Birdsall, Breed, Brown, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gerdes, Hewitt, Jones, Juilliard, Larkins, Mott, Shanahan, Strobridge, Thompson, and Wright—22.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock and fifteen minutes p.m., Senators Gates and Butler were brought to the bar of the Senate, and, on motion of Senator Wright, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Juilliard.

The roll of absentees was called, and Assembly Bill No. 795 was passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Gerdes, Jones, Juilliard, Larkins, Mott, Shanahan, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Anderson, the Senate took up the consideration of Senate Bill No. 1120, out of order.

Senate Bill No. 1120—An Act to amend Section 4253 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, commencing with the word "the", in line 8, strike out all of paragraph 1, and insert in lieu thereof the following:

"1. The county clerk, two thousand four hundred dollars per annum: *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy for each department of the superior court in each of said counties, which offices are hereby created, as provided by section forty-two hundred and ninety of the Political Code of the State of California. Said deputies shall be appointed by said county clerk, shall be courtroom clerks of said departments, and shall each receive a salary of one hundred dollars per month, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county clerk is paid. There shall be also and is hereby allowed to said county clerk one office deputy, which office is hereby created. Said deputy shall be appointed by said county clerk and receive a salary of seventy-five dollars per month, which shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same funds as the salary

of the county clerk is paid. In each year in which a new and complete registration of voters is required by law, said county clerk shall appoint an additional deputy or deputies, who shall possess the same powers and shall perform the same duties in taking the affidavits of registration outside of the office of said county clerk, and the claims for their services at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions in this paragraph are to apply to the present incumbent."

Amendment adopted

AMENDMENT No. 2

On page 2, commencing with the word "The", in line 18, of the printed bill, strike out all of paragraph 2 and insert in lieu thereof the following:

"2. The sheriff, twenty-five hundred dollars per annum and such mileage as is now allowed by law, and also all fees for service of process in actions or proceedings outside of this county, provided, that in connection with such fees each party for and against is allowed to the sheriff such deputies, actual witnesses and bailiffs necessarily employed, to an amount of one thousand dollars per annum each, and who shall be appointed by the sheriff; one of said deputies shall be a person who shall have been for not less than two years a regularly appointed and qualified deputy sheriff of the county of Los Angeles, and who shall be appointed by the sheriff with the approval of the presiding judge of the superior court of said county, one for each department thereof, as provided by section forty-two hundred and ninety-six of the Political Code of the State of California, and there shall be and hereby is created in and shall be established in said county, which office is hereby created, who shall be an office deputy, at a salary of seven hundred and twenty dollars per year, and who shall be appointed by the sheriff. The salaries of all said deputies shall be paid in said monthly or equal installments simultaneously at the same time and in the same manner and out of the same funds as the salary of the sheriff is paid. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions in this paragraph mentioned are to apply to the present incumbent."

Amendment adopted

AMENDMENT No. 3

On page 2, line 26, of the printed bill commencing with the word "The", strike out all of paragraph 3 and insert in lieu thereof the following:

"3. The recorder, twenty-five hundred dollars per annum, payable short or commutes of any other there shall be and there is hereby created the position and office who shall be appointed by the recorder and shall be paid the following salaries, to wit: One chief deputy at a salary of one thousand dollars per annum; two deputies at a salary of one hundred dollars each per annum, and one deputy at a salary of seven hundred and twenty dollars per annum. The salaries of said deputies shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the county officer are paid. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions in this paragraph are to apply to the present incumbent."

Amendment adopted

AMENDMENT No. 4

On page 3, line 8, commencing with the word "The", strike out all of paragraph 4, and insert in lieu thereof the following:

"4. The auditor, two thousand dollars per annum. In addition to this shall the auditor may employ assistant auditors, which salaries are hereby created and whose compensation shall not exceed the sum of twenty thousand dollars per annum, in the aggregate for all assistants so employed; and provided that the auditor shall file with the county court a verified statement, showing in detail the persons paid and the persons to whom such compensation has been paid for such assistants as aforesaid. The salaries herein provided for shall be paid for the said county at the same time and in the same manner and out of the same funds as the salary of the auditor is paid."

Amendment adopted

AMENDMENT No. 5

On page 3, line 19, of the printed bill commencing with the word "The", strike out all of paragraph 5, and insert in lieu thereof the following:

"5. The treasurer, fifteen hundred dollars per annum, payable each in connection of this class there shall be and there hereby is created in the treasurer's office the deputy, who shall be known as the cashier. The salary of said cashier herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the treasurer is

paid: *provided*, that on and after January 1, 1915, the treasurer shall receive two thousand dollars per annum."

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 28, of the printed bill, commencing with the word "The", strike out all of paragraph 6, and insert in lieu thereof the following:

"6. The tax collector, two thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the tax collector the following deputies, whose offices are hereby created, and who shall be appointed by the tax collector: One chief deputy, for a period not to exceed nine months in any one year, at a salary of seventy-five dollars per month, and such assistants as the tax collector may appoint; *provided*, that the compensation of such assistants shall not in the aggregate exceed the sum of fifteen hundred dollars in any one year; *and provided*, that the tax collector shall file with the county auditor a verified statement, showing in detail the amounts and the persons to whom said compensation is paid. The salaries of said deputy and assistants herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid."

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 7, of the printed bill, commencing with the word "the", strike out all of paragraph 7, and insert in lieu thereof the following:

"7. The assessor, three thousand dollars per annum; *provided*, that in counties of this class there shall be allowed to the assessor the following deputies, whose offices are hereby created, and who shall be appointed by the assessor: one deputy who shall be chief office deputy at a salary of twelve hundred dollars per annum; one office deputy at a salary of seven hundred and twenty dollars per annum, and such field deputies as the assessor may require, and whose compensation in the aggregate shall not exceed five thousand dollars in any one year; *and provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom said compensation is paid. The salaries of such deputies shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as county officers are paid. All fees and commissions, including commissions on poll taxes, collected by this office shall be turned over to the county and become the property of the county. All the provisions of this paragraph are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 33, of the printed bill, commencing with the word "the", strike out all of paragraph 8, and insert in lieu thereof the following:

"8. The district attorney, twenty-five hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the district attorney, two deputies, to be appointed by the district attorney, and who shall be regularly admitted to practice before the courts of the State of California. Each of said deputies shall receive a salary of twelve hundred dollars per annum, which salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the said district attorney is paid. On and after January 1, 1915, there shall be and there is hereby allowed to the district attorney a stenographer, to be appointed by the district attorney, at a salary of sixty dollars per month, which said salary shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the district attorney. All the provisions of this paragraph, except that relating to the creation of the office of stenographer, are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 9.

On page 6, line 12, of the printed bill, at the end of paragraph 13, insert the following:

"On and after January 1st, 1915, all commissions and fees, including marriage fees, received by this office shall be turned over to the county and become the property of the county."

Amendment adopted.

AMENDMENT No. 10.

By adding a new paragraph, to be numbered 19, and to read as follows:

"19. If any paragraph, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The legislature hereby declares that it would have passed

this section and each paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more paragraphs, sentences, clauses or phrases is declared unconstitutional."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Anderson, the Secretary was directed to issue a rush order for printing Senate Bill No. 1120.

CONSIDERATION OF BILL — OUT OF ORDER.

On motion of Senator Mott, the Senate took up for consideration Senate Bill No. 666, out of order.

Senate Bill No. 666—An Act to amend Section 4240 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Mott moved to refer to Senator Jenkins, as a special committee of one, to amend as follows:

AMENDMENT NO. 1.

On page 2, line 25, after the word "and", strike out down to and including the word "month" on line 26 and insert in lieu thereof the following: "upon proving that the auditor shall be allowed such additional assistant as may be found necessary by the board of supervisors for such term as the board may deem extra help not to exceed the sum of five hundred dollars in any one year."

AMENDMENT NO. 2.

On page 4, line 28, strike out the word "forty" and insert in lieu thereof the word "ten".

Motion carried.

REPORT OF SENATE COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 666, with instructions to amend, submits herewith the same duly amended as per instructions.

LARKINS, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF BILL — OUT OF ORDER.

On motion of Senator Carr, the Senate took up for consideration Senate Bill No. 586, out of order.

Senate Bill No. 586—An Act to amend Section 1662 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending the courses of study.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Flint, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 12 of the printed bill, strike out the word "schools", and insert in lieu thereof the word "school".

AMENDMENT No. 2.

On page 2, line 4, strike out the words "but not in", and insert in lieu thereof the words "and not including".

AMENDMENT No. 3.

On page 2, line 15, strike out the word "each", and insert in lieu thereof the word "the".

AMENDMENT No. 4.

On page 2, line 15, strike out the words "or city," where they first appear in the line.

AMENDMENT No. 5.

On page 2, line 20, before the word "in" at the beginning of the line, insert the word "except".

AMENDMENT No. 6.

On page 2, strike out line 21 and the word "the" in line 22.

AMENDMENT No. 7.

On page 2, line 27, after the word "necessary", strike out the words "the city".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 586, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 1251, An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage, providing for an appropriation therefor and fixing a penalty for violations of this Act.

Also: Senate Bill No. 1134, An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage, providing for an appropriation therefor and fixing a penalty for violations of this Act.

Have had the same under consideration, and respectfully report that Assembly Bill No. 1251 is identical with Senate Bill No. 1134, and recommend that it be withdrawn.

GRANT, Chairman.

Assembly Bill No. 1251 ordered on file for second reading.

Senate Bill No. 1134 ordered on file of unfinished business.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1549—An Act providing for the payment by the insurance carrier of a death benefit to the widow of the person who is killed by accident and leaves no person dependent upon him for support, or to those persons partially dependent; providing for the enforcement of the Act, fixing penalties for failure to comply therewith, fixing compensation carriers, creating a fund for the reception of such payments and providing how and for what purposes such fund shall be expended.

Also: Senate Bill No. 501—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 149, relating to the granting of a loan during the pendency of actions for divorce, by filing a notice of lis pendens and providing methods for the release thereof.

Also: Senate Bill No. 1287—An Act to amend Section 728 of the Political Code, relating to the printing of laws and journals.

Also: Senate Bill No. 902—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Senate Bill No. 1016—An Act making an appropriation for office equipment for the State Board of Health.

Also: Senate Bill No. 1059—An Act appropriating money to provide a cash revolving fund for the use of the adjutant general and defraying the cost and expense thereof.

Also: Senate Bill No. 1529—An Act to permit municipal corporations and counties to declare certain property sold for non-payment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

Also: Senate Bill No. 1195—An Act appropriating money to pay for the erection of monument Lost Grove in the city of Chico, marking the gathering of the state patriotic school in that city.

Also: Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered 620a, to prevent the use of pigeons in racing pools, pari-mutuel pools, trust or other pools and providing for penalty thereof.

Also: Senate Bill No. 1098—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and monuments," approved April 1, 1874.

Also: Senate Bill No. 1225—An Act authorizing corporations on the Railroad Commission to prescribe and enforce reasonable rules and regulations from extending their services beyond their reasonable capacity.

Also: Senate Bill No. 724—An Act to amend the Civil Code, Part IV, Title I, Chapter II, Article I, relating to corporate stock and amendments, by adding a new section thereto, to be numbered 309a.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 52—An Act to create a harbor for the southern waters and ports within the counties of Monterey and Santa Cruz, to be known as the Port of San Francisco and the bay of San Pedro, and to provide for the taking of the water front, such reservation to include all public lands below high water mark, and report that the same has been correctly engrossed.

GRANT, Chairman.

ON ENGROSSING AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1036—An Act to amend Sections 1 and 1a of an Act entitled "An Act to provide for alteration of the boundaries of and for the annexation of territory to municipal corporations, and for the incorporation of such territory as may be a part of such municipal corporation, and for the government and regulation and control of municipal boundaries," approved March 14, 1909, have had the same under consideration, and respectfully report the same back with a committee substitute, and recommend that the substitute be adopted.

CARR, Chairman.

Senate Bill No. 1060 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto—have had the same under consideration, and respectfully report the same back, with a committee substitute, and recommend that the substitute be adopted.

CARR, Chairman.

Senate Bill No. 440 ordered on file for second reading.

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: Your Committee on Civil Service, to whom was referred Senate Bill No. 668—An Act to establish a state school to train experts for practical service in governmental work of city, county and state, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommended that it do pass as amended

ANDERSON, Chairman.

Senate Bill No. 668 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 1103—An Act requiring all persons, corporations, receivers or trustees operating lines of railway in the State of California, to provide toilets on certain classes of cars used on such railways, for the convenience of passengers, and providing a penalty and damages to be paid by such persons, corporations, receivers or trustees, to the State of California, for failure to provide such toilets—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KEHOE, Chairman.

Senate Bill No. 1103 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 380—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARR, Chairman.

Senate Bill No. 380 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 79—An Act to amend Section 607c of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Also: Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Also: Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Also: Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to form of judgments and notice thereof to be given to litigants.

Also: Assembly Bill No. 2092—An Act to create a State Housing Commission, defining its powers and duties, providing for the appointment of a secretary and fixing penalties.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 79, 1145, 1191, 1765 and 2062 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 43—An Act to amend Section 2261 of the Civil Code of the State of California, relating to the appointment of trustees.

Also: Assembly Bill No. 975—An Act to amend Section 177 of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Also: Assembly Bill No. 1106—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 870a, 870b, 870c and 870d thereof, relating to proceedings in probate courts.

Also: Assembly Bill No. 1581—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other person, from any person or persons assisting or hiring or procuring to go into the service of or take or leave the employ of another without the consent of the employer, and to repeal all laws in conflict herewith.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they be passed as amended.

GATES, Chairman.

Assembly Bills Nos. 42, 655, 1192 and 1481 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 519—An Act to amend Section 4461 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Also: Assembly Bill No. 1209—An Act to amend Section 1264 and 1265 of the Code of Civil Procedure of the State of California, relating to partition for sale of real property, conversion of the proceeds of sale of unknown persons and to repeal Section 1266 of said Code.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they be passed as amended.

GATES, Chairman.

Assembly Bills Nos. 510 and 1703 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 460—An Act to amend Section 1[illegible] of an Act entitled "An Act to provide for the organization, government and disposition of swamp and overflowed lands belonging to the State of California, and for the construction of levees and other protective purposes, the establishment of necessary districts, the holding and conducting of elections in such districts, the assessment, levy, collection, payment and reimbursement of taxes thereon, the issuance and disposal of the bonds thereof, and the determination of their validity, and making appropriations for the payment of such taxes, and the payment of their proceeds," approved March 31, 1861, approved March 9, 1868—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JONES, Chairman.

Senate Bill No. 459 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 944—An Act to [illegible] districts, providing for [illegible] of bonds for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict with this Act—have had the same under consideration, and respect-

fully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

BIRDSALL, Vice-Chairman.

Senate Bill No. 944 ordered re-referred to Committee on Finance.

RESOLUTION.

The following resolution was introduced:

By Senator Birdsall:

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of Edward K. Strobridge for one hundred eleven and 15/100 ($111.15) dollars out of the Contingent Fund of the Senate in payment of the claim attached for the expense of visiting the different institutions during the constitutional recess in accordance with a resolution adopted February 4, 1913.

Resolution referred to Committee on Contingent Expenses.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:

By Senator Gates: Senate Concurrent Resolution No. 29—Relative to the appointment of a senatorial inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California; including recreation in rural communities as well as in the small and large towns.

LEAVE OF ABSENCE.

Senator Gerdes was, on his motion, granted leave of absence for Saturday, April 26th.

ADJOURNMENT.

At five o'clock and forty minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, April 26, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—32.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL

During the reading of the Journal of Friday, April 25, 1913, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE

Senator Cogswell was, on motion of Senator Thompson, granted leave of absence for this day.

COMMUNICATIONS

The following communications were received:

SAN FRANCISCO, CAL., April 25, 1913.

HON. LIEUTENANT GOVERNOR WALLACE, Sacramento:

Recognizing the changing conditions brought on the Pacific Coast, causing us anxiously such relationships as will promote commercial harmony and goodwill with and between in the western states of Oriental extraction among Occidentals on both sides of the Pacific as a prime factor in commercial industrial prosperity, we, the Standing Committee of Associated Chinese among Occidentals, desirous for the passing of any obnoxious immediately near by our State which will result in discouraging a friendly spirit and hence must emphatically protest against any such movement.

A. WONG, ET AL.

GEO. W. HEXMAN, Vice-President.
MILTON S. VAIL, Secretary.

Also:

VALLEJO, CAL., April 25, 1913.

President of Senate, State Legislature, Sacramento:

The council, representing about hundred union men, unanimously in favor Workmen's Compensation and Employers' Liability Bill, Senate Bill No. 906.

VALLEJO TRADES AND LABOR COUNCIL,
By E. C. BERRY, Secretary.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed ASSEMBLY BILL No. 991, An Act to amend Sections 1, 2, 3, 4, 5, 6a and 8 of and to add two new sections to be known as Sections 6 and 7 to the Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act now reads and Section 1 thereof as amended March 19, 1909, and said Act was amended April 25, 1911.

Also: ASSEMBLY BILL No. 1002, An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the diversion and distribution of the waters thereof, and the distribution of the cost thereof, and for the payment of the bonds thereof by the districts, and the levy of assessments therefor, and to provide for the formation of such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, Sections 2, 3, 4a, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 41, 43 and 61 thereof, and to add two new sections to said Act to be numbered 32½ and 34½, and to repeal existing provisions relating to the issuance of warrants on bonds of such districts authorizing the same, and to regulate the duties of officers of said districts in the State Engineer and recommendations to be made by him.

Also: Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital at Stockton, to provide for a commission for effectuating the Stockton State Hospital to purchase and empower such commission to sell and to purchase the improvements of the lands, buildings and appurtenances of said Stockton State Hospital, to authorize said commission to select and designate a new and additional site therefor and from the proceeds of said sale to improve said site and erect and construct upon said new buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the cost and expense of said condemning the same and other expense in purchase thereof, expense, improvements and other things necessary for said Stockton State Hospital, to construct sewers, water works, gutters, water pipes, also and to levy taxes and issue bonds for the purchasing and condemning to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to erect and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings and to declare when the said hospital in operation said Stockton State Hospital, other said subsidiary.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 907 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1162 read first time, and referred to Committee on Immigration.

Assembly Bill No. 2083 read first time, and referred to Committee on Hospitals and Asylums.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1851—An Act to Amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489*a*, relating to reclamation and swamp land districts.

Also: Assembly Bill No. 1416—An Act to amend Section 626½ of the Penal Code of the State of California, relating to the shooting of wild ducks.

Also: Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

Also: Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled, "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Also: Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

Also: Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1851 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bills Nos. 1416 and 2058 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 311 and 1535 read first time, and referred to Committee on County Government.

Assembly Bill No. 395 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2024—An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2024 read first time, and referred to Committee on Mines and Mining.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

Also: Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Also: Assembly Bill No. 1381—An Act to amend Section 16 of that certain Act of the Legislature of the State of California entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers;

providing for detention homes for such children, providing for the management of persons responsible for or contributing to the maintenance or delinquency of children, and giving to the Superior Courts jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909.

Also: Assembly Bill No. 1050—An Act conferring police power upon cities fronting or bordering on state-owned lands for purposes of quarantine.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1318 read first time and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 2070 and 1950 read first time and referred to Committee on Municipal Corporations.

Assembly Bill No. 1381 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 35, Relative to the meeting of sessions of the Legislature, and respectfully requests its concurrence therein, and amendments to codes to enable judges of Superior Courts, county treasurers and county clerks of the counties and cities and counties of the State.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 27 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. [illegible], An Act to amend Section [illegible] of the Penal Code, relating to the punishment for the crime of rape.

Also: Senate Bill No. 10, An Act to amend Section 250 of the Penal Code, relating to the crime of rape.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 55 and 10 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in SENATE AMENDMENTS to Assembly Bill No. [illegible], An Act appropriating money for the purchase of instruments for public police plant and laboratories of the California Penitentiary, Subject.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and in this day passed as amended, Senate Bill No. 21, An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning and respectfully asks that the amendments be concurred in.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 21.

On page 1, line 12, strike out the period after the word "seminary" and insert in lieu thereof the following: "or at such place as shall be designated by the board of trustees."

Also: On page 1, line 18, after the word "place" and before the semicolon insert the following: "who shall hold office for the time and under the conditions prescribed in the by-laws of the corporation".

Also: On page 2, line 29, strike out the word "To" and insert in lieu thereof the following: "Subject to the consent and approval of the organization, society or plenary

to which it is required by the articles of incorporation that said trustees shall belong to".

Also: On page 1, line 7, strike out the word "offices", and insert in lieu thereof the word "office".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 21?"

The roll was called, and Assembly amendments to Senate Bill No. 21 concurred in by the following vote:

AYES—Senators Anderson, Beban, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Gates, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Strobridge, and Thompson—22.

NOES—None.

Senate Bill No. 21 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. PRESIDENT: I am directed to inform your honorable body, that the Assembly amended, and on this day passed as amended, Senate Bill No. 154, "An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof.

Also: Senate Bill No. 847, "An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, by amending Sections 1, 2, 3, 4, 5 and 6 thereof and by adding a new section thereto, to be numbered Section 7.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 847.

AMENDMENT No. 1.

On page 1, in line 5 of the title, of the printed bill, strike out the period, and insert in lieu thereof a comma, and the following words: "by amending Sections 1, 2, 3, 4, 5 and 6 thereof, and by adding a new section thereto, to be numbered Section 7".

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the first word "An," and insert in lieu thereof the following words: "Section 1 of an".

AMENDMENT No. 3.

On page 1, line 4, of the printed bill, strike out the words "and each section thereof".

AMENDMENT No. 4.

On page 1, line 6, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "1".

AMENDMENT No. 5.

On page 2, line 1, of the printed bill, strike out the words "motor or power car", and insert in lieu thereof the word "train".

AMENDMENT No. 6.

On page 2, after the paragraph ending on line 9, of the printed bill, insert the following paragraph:

"SEC. 2. Section 2 of said Act is hereby amended to read as follows:"

AMENDMENT No. 7.

On page 2, line 10, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "2".

AMENDMENT No. 8.

On page 2, line 21, of the printed bill, strike out the words "motor or power car", and insert in lieu thereof the word "train".

AMENDMENT No. 9.

On page 3, after the paragraph ending on line 2, of the printed bill, insert the following paragraph:

"SEC. 3. Section 3 of said Act is hereby amended to read as follows:"

AMENDMENT No. 10

On page 2, line 2, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "3".

AMENDMENT No. 11

On page 2, line 14, of the printed bill, strike out the words "section or portion of", and insert in lieu thereof the word "charge".

AMENDMENT No. 12

On page 3, after the paragraph ending on line 20, of the printed bill, insert the following paragraph:

SEC. 4. Section 4 of said Act is hereby amended to read as follows:

AMENDMENT No. 13

On page 3, line 21, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT No. 14

On page 4, of the printed bill, strike out all the words beginning with the word "SEC." in line 1, and ending with the period in line 4 thereof.

AMENDMENT No. 15

On page 4, of the printed bill, after the paragraph ending on line 4, insert the following paragraph:

SEC. 5. Section 5 of said Act is hereby amended to read as follows:

AMENDMENT No. 16

On page 4, line 5, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "6".

AMENDMENT No. 17

On page 4, after the paragraph ending on line 12 of the printed bill, insert the following:

SEC. 7. A new section is hereby added to said Act, to be numbered Section 7 and to read as follows:

SEC. 7. Nothing contained in this Act shall be construed as be held to apply to persons [illegible] unless [illegible] three cases shall be similar [illegible] than three cases provided by [illegible]

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 847?"

The roll was called, and Assembly amendments to Senate Bill No. 847 concurred in by the following vote:

AYES—Senators Anderson, Boynton, Brownell, Burnett, Campbell, Chandler, Cogswell, Cory, Cobb, Curtin, Dunn, Gerdes, Gerrit Hoeffle, Hadsell, Hatch, Hewitt, Hurd, Inman, Johnson, Kehoe, Lane, Lee, Leeds, Lewis, Lyon, Mahan, Mitchell, Rigdon, Sanford, Shortridge, Stephens, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright—32.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. PRESIDENT. I am directed to inform your honorable body that the Assembly amended and on this day passed as amended Senate Bill No. 15, An Act to amend Section 4191 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Also, Senate Bill No. 238, An Act amending Section 632a of the Political Code of the State of California, relating to the deposit of [illegible] insurance business.

And respectfully ask that the amendments be concurred in.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 15, ADOPTED APRIL 10, 1913.

On page 9, line 31, strike out the figures "14" and the words following, to and including the word "paid", on page 10, line 11, and insert in lieu thereof the following:

"14. In counties of this class justices of the peace shall be compensated as follows, and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of 25,000 or more, justices of the peace shall each receive a salary of three hundred ($300) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(2) In townships having a population of 5,000 and less than 25,000, justices of the peace shall receive the sum of one hundred and forty ($140) dollars per month as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(3) In townships having a population of 3,000 and less than 5,000, justices of the peace shall each receive the sum of one hundred and twenty-five ($125) dollars as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein the justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(4) In townships having a population of 2,000 and less than 3,000, justices of the peace shall each receive the sum of one hundred ($100) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(5) In townships having a population of 900 and less than 2,000, justices of the peace shall each receive the sum of seventy-five ($75) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(6) In townships having a population of less than 900, justices of the peace shall each receive the sum of fifty ($50) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury; *provided, however*, that justices of the peace in townships contiguous to municipalities containing 25,000 or more inhabitants, or in which a penal institution is located, shall be allowed a salary of one hundred and forty ($140) dollars a month each as full compensation for all services rendered by them in both criminal and civil cases and in all cases wherein the justices of the peace perform the duties of coroner, and all fees chargeable and collectible by said justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

The population referred to in classifying the townships for the purpose of regulating the compensation of justices of the peace shall be the population found and determined by the federal census taken in the year 1910; *provided*, that if the township census be taken after the taking of the federal census under the provision of Section 4055, then said section shall be known and shall become the official census of the township in which the same is taken, and the population therein determined shall be and become the official population of such township."

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 15, ADOPTED APRIL 14, 1913.

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section 4235 of the Political Code of the State of California is hereby amended to read as follows:

4235. In counties of the sixth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The county clerk, three thousand six hundred dollars per annum, and also such

compensation as are now or may hereafter be allowed to law examiners, but in counties of this class there shall be such clerks in addition to the county clerk, the following deputies, clerks and assistants to be appointed in such county, who shall perform the duties required, and the salaries of which are hereby fixed as follows: One chief deputy county treasurer at twenty-four hundred dollars per annum; two additional deputies, three hundred dollars each per annum; five deputies to act as tellers during twelve months each year and assistant bank inspectors to act as stenographers, twelve hundred dollars each per annum; three inspectors to act as cashiers, twelve hundred dollars each per annum; three inspectors to act as cashiers, twelve hundred dollars each per annum; three inspectors to act as cashi

paid for such additional assistants, as aforesaid, shall be filed with the county clerk, and the auditor shall certify thereon to the correctness of said claim. The salaries herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid.

5. The treasurer, thirty-six hundred per annum: *provided*, that in counties of this class there shall be and there is hereby allowed the following deputies, to be appointed by said treasurer, which positions are hereby created: One deputy, who shall be the assistant treasurer, who shall receive a salary of twenty-one hundred dollars per annum; one deputy, to act as warrant clerk, at a salary of eighteen hundred dollars per annum. The salaries of each said assistant and clerk to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officials. It is hereby further provided that in counties of this class the treasurer shall receive the commission heretofore or hereafter allowed by law.

6. The tax collector, three thousand dollars per annum: *provided*, that in counties of this class there shall be and there is hereby allowed to the tax collector, the following deputies, bookkeepers and assistants to be appointed by said tax collector, which positions are hereby created: one chief deputy at a salary of eighteen hundred dollars per annum; one office deputy at a salary of fifteen hundred dollars per annum; and one bookkeeper at a salary of fifteen hundred dollars per annum, and one deputy which office is hereby created who shall be correspondence and mail clerk at a salary of twelve hundred dollars per annum; *provided, further*, that the tax collector shall have two additional deputy tax collectors to serve as such for a period of six months in each year and who shall receive a salary of one hundred dollars per month, also three additional deputy tax collectors to serve as such for a period of three months in each year and who shall receive a salary of one hundred dollars each per month; also one additional deputy tax collector to serve as such for two months in each year and who shall receive a salary of one hundred dollars each per month, all of which shall be paid by the county. The salaries of all deputies, assistants and bookkeepers herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as the tax collector is paid.

7. The license collector, one thousand eight hundred dollars per annum. Said license collector shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties and he shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

8. The assessor, four thousand dollars per annum: *provided*, that in counties of this class there shall be and there hereby is allowed to the assessor the following deputies, clerks and assistants, to be appointed by said assessor, which positions are hereby created, and the salaries of which are hereby fixed as follows: One assistant county assessor at twenty-one hundred dollars per annum; one chief deputy assessor, eighteen hundred dollars per annum; one office deputy assessor fifteen hundred dollars per annum; one city real estate valuation deputy, fifteen hundred dollars per annum; one country real estate valuation deputy, for not exceeding eight months in any one year, at a salary of one hundred and twenty-five dollars per month; one mortgage and transfer assistant assessor, twelve hundred dollars per annum; one field deputy assessor, for not exceeding six months in any one year, at a salary of one hundred and twenty-five dollars per month; one head country field deputy, for not exceeding four months in any one year, at a salary of one hundred and fifty dollars per month; one head city field deputy, for not exceeding four months in any one year at a salary of one hundred and twenty-five dollars per month; six field deputy assessors, for not exceeding four months in any one year, at a salary of one hundred and twenty-five dollars each per month; ten field deputy assessors, for not exceeding four months in any one year, at a salary of one hundred dollars per month each; two clerks, for not exceeding two months in any one year, at a salary of one hundred dollars each per month. The salaries of the assistant county assessor, chief deputy assessor, office deputy assessor, city real estate valuation deputy, country real estate valuation deputy, head country field deputy, head city field deputy, clerks, mortgage and transfer assistant assessor, and field deputy assessors herein provided for shall be paid by the said county in monthly installments at the same time, manner and out of the same fund as the county assessor is paid. It is hereby further provided that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes.

9. The district attorney, five thousand dollars per annum: *provided*, that in counties of this class there shall be, and there is hereby created and allowed to the district attorney, the following assistant, deputies and employees, who shall be appointed by the district attorney of said county, and who shall be paid salaries as follows: One assistant district attorney, whose salary is hereby fixed at the sum of thirty-six hundred dollars per annum; one chief deputy district attorney, whose salary is hereby fixed at the sum of twenty-seven hundred dollars per annum; one

deputy district attorney whose services he hereby fixed at the sum of twenty-four hundred dollars per annum; one deputy district attorney, whose services he hereby fixed at the sum of eighteen hundred dollars per annum; whose duty it shall be, in addition to performing services as deputy district attorney, to attend coroner's examinations held in all police and justice courts in the county and inquire into the facts of the proper all proceedings for habeas corpus in such proceedings; and also, to attend and appear before the magistrate sitting at said courts and examining proceedings therein; one clerk, who shall be a stenographer, whose services he hereby fixed at the sum of twenty hundred dollars per annum; one executive secretary, who shall perform such duties as may be required of him by the district attorney or by the chairman of the board of supervisors of the county, whose services he hereby fixed at the sum of eighteen hundred dollars per annum; provided, further, that in addition to the salaries hereby fixed the said district attorney shall be allowed and paid the actual and necessary expenses incurred by him in the performance of his official duties; provided, further, that the said county supervisors shall, upon the board of supervisors, a verified statement and sworn showing in detail the amount paid and the persons to whom and the purpose for which such payments were made; and provided, further, that in addition to the above expenses or allowance to the salary herein fixed, shall be allowed his traveling and other personal expenses incurred in criminal cases arising in the county and in civil actions and proceedings in which the county is interested, and all other necessary expenditures incurred by him in the investigation and detection of crime and the prosecution of criminal cases; and in civil actions and proceedings, and all other matters in which the county is interested, all of which said charges and expenses are certified by him shall be a legal charge against the county.

10. The assessor shall have in any case not to be hereinafter allowed by law, provided the assessor, or other officer holding an interest upon the basis of a thousand dollars, may subscribe or otherwise be under an agreement or the assessor or his deputy or deputies of the basis of a population as assessed to assess the basis or hold a per annum corresponding to the foregoing, and also a proportionate amount to the extent of death; and shall cause the assessment of all the assessed at such request to be followed in writing under his direction. The assessor in counties of this class shall be and he is hereby allowed the following assistants, viz: one deputy and one stenographer, which office the board of supervisors shall have the power to and it shall be the duty of the assessor to appoint such deputy and stenographer, and all such persons employed by the assessor shall receive a salary or person employed therein and during the month of said stenographer shall be fifteen hundred dollars per annum, which salary shall be in full for all services rendered by him as such stenographer. Said stenographer shall take down in shorthand the testimony of witnesses and shall transcribe the same into longhand and file a certified copy thereof with the county clerk. The salaries of said deputy and stenographer shall be paid in the manner in the same manner as the salary fixed and that of the same board as other county officers are paid. The said deputy assessor and the said stenographer shall each be supplied by the county.

11. The public administrator such fees as he now or may be hereafter allowed by law.

12. The superintendent of schools three thousand dollars per annum, and office traveling expenses when visiting schools of the county and examining five hundred dollars per annum; and the said superintendent of schools shall appoint one assistant superintendent of schools, which office of assistant superintendent of schools is hereby created, who shall receive as compensation the sum of two thousand five hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers are paid. Upon vacation of the board of education of the county shall receive five dollars per day as compensation for the services when in actual attendance upon said board, and mileage at the rate of twenty cents per mile, one way only, from his residence to the place of meeting of said board. The secretary of said board of supervisors of said county shall receive five dollars per day for his services for the actual time that the board may be in session. Said compensation of the members of the said board and of said secretary shall be paid out of the same fund as the salaries of the superintendent of schools. Charges of such service and mileage shall be presented to the board of supervisors and shall be allowed, at the rate above named, and in the same manner as other claims against the county are allowed. The superintendent of schools of the county board of education of this county hereby provided is not in addition to that provided in section seventeen hundred and seventy of this code.

13. The assessor, two thousand four hundred dollars per annum and in addition thereto all necessary expenses for work performed in the office and all necessary expenses and transportation for work performed in the field; provided, that in counties of this class whenever the board of supervisors shall order or the assessor may require assessor's map or block books, then the assessor shall receive, in addition to the salary above named, the sum of fifteen hundred dollars additional expenses required for the preparation and completion of said maps or block books.

14. In counties of this class justices of the peace shall be compensated as follows,

and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of 25,000 or more, justices of the peace shall each receive a salary of three hundred ($300) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(2) In townships having a population of 5,000 and less than 25,000, justices of the peace shall receive the sum of one hundred and forty ($140) dollars per month as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(3) In townships having a population of 3,000 and less than 5,000, justices of the peace shall each receive the sum of one hundred and twenty five ($125) dollars as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein the justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(4) In townships having a population of 2,000 and less than 3,000, justices of the peace shall each receive the sum of one hundred ($100) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(5) In townships having a population of 900 and less than 2,000 justices of the peace shall each receive the sum of seventy-five dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(6) In townships having a population of less than 900, justices of the peace shall each receive the sum of fifty ($50) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury; *provided, however*, that justices of the peace in townships contiguous to municipalities containing 25,000 or more inhabitants or in which a penal institution is located shall be allowed a salary of one hundred and forty ($140) dollars a month each as full compensation for all services rendered by them in both criminal and civil cases and in all cases wherein the justices of the peace perform the duties of coroner, and all fees chargeable and collectible by said justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

The population referred to in classifying the townships for the purpose of regulating the compensation of justices of the peace shall be the population found and determined by the federal census taken in the year 1910; *provided*, that if the township census be taken after the taking of the federal census under the provision of Section 4055, then said census shall be known and shall become the official census of the township in which the same is taken, and the population therein determined shall be and become the official population of such township.

15. Constables, in townships having a population of between nine hundred and one thousand, and between twenty-two hundred and twenty-four hundred inhabitants, as found and determined by the last preceding federal census, shall be allowed a salary of seventy-five dollars per month each and fifteen cents per mile actually traveled in taking prisoners to the county jail, in lieu of all fees in criminal cases. In all other townships, constables, such fees as are now or may be hereafter allowed by law, except that the constables in townships containing twenty thousand or more inhabitants shall be allowed a salary of one hundred and twenty-five dollars per month each, in lieu of all fees in criminal cases; *provided, further*, that constables in townships contiguous to municipalities containing twenty-five thousand or more inhabitants, or in which a state penal institution is located, shall be allowed a salary of one hundred dollars per month each, and fifteen cents per mile for every mile actually traveled in taking prisoners to the county jail, in lieu of all fees in criminal cases; *provided, further*, that constables, in townships not contiguous to municipalities containing twenty-five thousand or more inhabitants, and con-

stables in townships as which a state board examination is not required, shall receive in addition to the base rate provided for [illegible] and three dollars for each day in actual attendance at the court in criminal cases and fifteen cents per mile for mile actually traveled in going [illegible] to the ordinary rate. The pay of deputy stables as above provided to be paid at the same rate and by the same methods as county officers are paid.

16. Each supervisor [illegible] one hundred and twenty-five dollars per month, and ten cents per mile for traveling to and from the county seat; provided, however, that no allowance whatever shall be made to such supervisor [illegible] for attendance upon any meeting of the board of supervisors [illegible] unless such meeting shall be regularly called and held as provided by law.

17. The offices of assessor and auditor shall be separate and shall not be consolidated by the board of supervisors.

18. For attending as a juror in the superior court for each day's attendance per diem three dollars. For each mile actually traveled in attending court as juror in going only, ten cents [illegible] two cents.

19. In counties of three hundred thousand inhabitants or more, the compensation of the board of supervisors, who shall receive a salary of not less than fifty dollars per month, to be paid at the same time and in the same manner as the salaries of others are paid. He shall transact his own business. He shall perform such services as may be required by the district attorney, assessor or by ordinance of the board of supervisors. He shall have been a resident of the county for at least two years and shall be a graduate of a recognized university or technical school and shall have had at least three years experience in business and practical engineering.

20. In counties containing fifteen thousand or more inhabitants the board of supervisors shall provide the powers of the county and the construction of such [illegible] ships or other [illegible] as may [illegible] and [illegible] public.

SEC. 2. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 15 AS AMENDED APRIL 17, 1913

On page 4, line 26, after the word "limited," insert the word "inclusive"

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 15?"

The roll was called, and Assembly amendments to Senate Bill No. 15 concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Brown, Bunner, Burke, Caldwell, Cohn, Curtin, Gates, Gilmore, Hewitt, Jones, Leonard, Lukins, Mott, Owens, Regan, Shumate, Strobridge, Thompson, and Wright—20.

NOES—None.

Senate Bill No. 15 ordered to enrollment.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 238.

On page 1, lines 19 and 20, strike out the words "required by section [illegible] of this chapter."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 238?"

The roll was called, and Assembly amendment to Senate Bill No. 238 concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Birdsall, Brown, Burke, Campbell, Carr, Cohn, Curtin, Flint, Gates, Gilmore, Hewitt, Leonard, Lukins, Lewis, Mott, Owens, Shumate, Strobridge, Thompson, and Wright—23.

NOES—None.

Senate Bill No. 238 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your committee on Roads and Highways to whom was referred Assembly Bill No. 507, "An Act amending Sections 1 and 3 of an Act entitled 'An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or

other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909- have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BIRDSALL, Chairman.

Assembly Bill No. 507 ordered on file for second reading.

RESOLUTION.

The following resolution was introduced:

By Committee on Contingent Expenses.

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred and fifty dollars for postage stamps to be used in the press mailing department.

GERDES, Chairman.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Cohn, Flint, Gates, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright -24.

NOES—None.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Brown moved to reconsider the vote whereby Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights, and the laying of bets or wagers upon the result thereof—was refused passage.

SPECIAL ORDER SET.

Senator Brown moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 735 was refused passage, be made a special order for twelve o'clock m. on Monday, April 28, 1913.

Motion carried.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Mott: Permission to introduce a Senate bill—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds"; to provide a fund for the acquirement of additional land, for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the

collection of revenue for such purposes, making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF BILLS OUT OF REGULAR ORDER.

Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 602 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Birdsall, Bleasdale, Boynton, Bradley, Campbell, Cartwright, Caminetti, Carpy, Chilcott, Colgan, Curtin, Dennett, Duncan, Finn, Flint, Gerdes, Gesford, Gibson, Hatch, Hayes, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Leavitt, Lewis, Lyon, Mahan, Owens, Stetson, Strobridge, Thompson and Wright—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1192—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1192 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Birdsall, Bleasdale, Boynton, Bradley, Brown, Burke, Campbell, Carpy, Chilcott, Colgan, Curtin, Dennett, Duncan, Finn, Flint, Gerdes, Gesford, Gibson, Hatch, Hayes, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Leavitt, Lewis, Lyon, Mahan, Owens, Stetson, Strobridge, Thompson and Wright—42.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp and crabs within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

In the absence of the author, Senate Bill No. 52 was passed on file.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof."

On motion of Senator Hewitt, Senate Bill No. 527 was passed on file.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

On motion of Senator Hewitt, Senate Bill No. 1724 was passed on file.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185c of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

On motion of Senator Strobridge, Committee Substitute for Senate Bill No. 629 was passed on file.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

On motion of Senator Birdsall, Senate Bill No. 5 was passed on file.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

On motion of Senator Hewitt, Senate Constitutional Amendment No. 35 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality or school district within the State in any bank or banks.

In the absence of the author, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 966—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

Read third time.

On motion of Senator Caminetti, Senate Bill No. 966 was passed on file.

Senate Bill No. 968—An Act fixing the compensation to be paid to county clerks and registrar of voters, in the several counties, or cities

and counties of the State of California, for services performed by them for the State, in primary, general and other elections held under the laws thereof.

On motion of Senator Caminetti, Senate Bill No. 965 was passed on file.

Senate Bill No. 717—An Act to amend Section 971 of the Penal Code of California.

On motion of Senator Juilliard, Senate Bill No. 717 was passed on file.

Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

Read third time.

On motion of Senator Larkins, Senate Bill No. 1025 was passed on file.

Senate Bill No. 1742—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

On motion of Senator Boynton, Senate Bill No. 1742 was passed on file.

Senate Bill No. 316—An Act to repeal Section 1288 of the Civil Code, and to amend Section 1289 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 316 passed by the following vote:

AYES—Senators Anderson, Boynton, Bunker, Burnett, Caminetti, Campbell, Carr, Cogswell, Cutten, Gates, Graves, Hans, Juilliard, Larkins, Miller, Needham, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1154—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships having a population between two hundred fifty thousand and four hundred thousand.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1154 passed by the following vote:

AYES—Senators Anderson, Bolan, Bunker, Burnett, Burnham, Bryant, Caminetti, Campbell, Carr, Cogswell, Flint, Finn, Gates, Gerdes, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Shanahan, Strobridge, Thompson, and Wright—23.

NOES—None.

AMENDMENT TO TITLE.

Senator Gates moved to amend the title as follows:

By inserting in line 4, after the word "Townships," the words "having a population."

Motion carried.

Title, as amended, read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 252—An Act entitled an Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 252 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Owens, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1304—An Act to amend Section 224 of the Civil Code of the State of California, relating to the adoption of children and the consent necessary thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1304 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 995 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1089—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability thereof.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Bidwell, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cutten, Cyr, Curtis, Finn, Flint, Gerdes, Gesmer, Juilliard, Kehoe, Larkins, Leale, Mott, Owens, Shearer, Stevenson, Thompson, and Wright—27.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1089 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Bidwell, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cutten, Cyr, Curtis, Finn, Flint, Gerdes, Gesmer, Juilliard, Kehoe, Leale, Mott, Owens, Shearer, Stevenson, Thompson, and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration, to prohibit the dredging of soil by means of the dredging process, declaring the use and cultivation of soil for agricultural purposes to be primary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use, declaring a state policy to encourage the cultivation of soil, declaring a state policy to protect the soil within the State, providing for the application to the State Water Commission for permission to carry on dredging operations, providing for the contents of applications for a permit to dredge, providing a procedure for the State Water Commission upon receipt of an application to dredge, providing for an inspection of the soil intended to be dredged, providing for a time and place for hearing said application and a procedure at such hearing, providing for a determination by said State Water Commission of said application, providing for the issuance of a license to dredge, providing the contents of said license, providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

On motion of Senator Kehoe, Senate Bill No. 713 was passed on file.

Senate Bill No. 718—An Act to amend Section 308 of the Penal Code of California.

On motion of Senator Juilliard, Senate Bill No. 718 was passed on file.

Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 730a.

On motion of Senator Juilliard, Senate Bill No. 719 was passed on file.

Senate Bill No. 720—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 308a.

On motion of Senator Juilliard, Senate Bill No. 720 was passed on file.

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure the said section to be designated eleven hundred and seventy-a (1170a), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Read third time.

On motion of Senator Gates, Senate Bill No. 885 was passed on file.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered section three thousand one hundred fifty-eight relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehouse men in the sale of unclaimed property.

On motion of Senator Boynton, Senate Bill No. 1567 was passed on file.

Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Read third time on a previous day.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1091 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Butler, Campbell, Carr, Cohn, Finn, Flint, Gates, Grant, Hewitt, Julliard, Kehoe, Larkins, Lyon, Mott, Shanahan, Strobridge, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

In the absence of the author, Senate Bill No. 1735 was passed on file.

Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1736 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hewitt, Julliard, Kehoe, Lyon, Mott, Owens, Strobridge, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Boynton gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1736 was passed.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Flint, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Joseph H. Nash and Mrs. Joseph H. Nash of Redwood City, Cal.

THIRD READING OF BILLS—[ABSENT].

Senate Bill No. 1329.—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 64 thereof, and inserting a new section relating to joint use of irrigation works.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1329 refused passage by the following vote:

Ayes—Senators Benson, Burke, Campbell, Carr, Caroe, Cheney and Leahy—7.

Noes—Senators Anderson, Birdsall, Boynton, Chamberlain, Chan, Flint, Holohan, Kehoe, Saunders, Stetson, Thompson, and Wright—13.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1329 was refused passage.

THIRD READING OF BILLS—[ABSENT].

Senate Bill No. 145.—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 145 passed by the following vote:

Ayes—Senators Benson, Burke, Birdsall, Boynton, Burke, Campbell, Chamberlain, Carr, Caroe, Cheney, Flint, Holohan, Kehoe, Leahy, Wright, Hubbard, Kehoe, Larkins, Lyon, Owens, Strobridge, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 407.—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

On motion of Senator Lyon, Senate Bill No. 407 was ordered to the file of unfinished business.

Senate Bill No. 685.—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

On motion of Senator Finn, Senate Bill No. 685 was passed on file, **to retain its place.**

Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 401 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Owens, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1000—An Act to amend Section 4300*a* of the Political Code of the State of California, relating to county clerk's fees.

In the absence of the author, Senate Bill No. 1000 was passed on file.

Senate Bill No. 844—An Act to amend Section 1246 of the Code of Civil Procedure of California, relating to eminent domain.

On motion of Senator Curtin, Senate Bill No. 844 was ordered to the file of unfinished business.

NOTICE OF MOTION TO RECONSIDER.

Senator Hewitt gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 145 was passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public drydocks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

On motion of Senator Beban, Senate Bill No. 1743 was passed on file, to retain its place.

Senate Bill No. 308—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2648, relating to county government.

In the absence of the author, Senate Bill No. 308 was passed on file.

Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 697 was passed on file.

Senate Bill No. 589—An Act to amend an Act to establish a uniform system of county and township government, approved April 1, 1897, by amending Section 58 thereof.

In the absence of the author, Senate Bill No. 589 was passed on file.

Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the

State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county and fixing the compensation to be allowed for such county officers, for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

In the absence of the author Senate Bill No. 187 was passed on the

Senate Bill No. 390—An Act to amend an Act to establish a uniform system of county and township government, approved April 1, 1867, by amending Section 278 thereof.

In the absence of the author, Senate Bill No. 390 was passed on the

Senate Bill No. 1108—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1108 passed by the following vote:

Ayes: Senators Beban, Birdsall, Boynton, Bryant, Burnett, Chandler, Cogswell, Campbell, Carr, Cobb, Finn, Flint, Gates, Gerdes, Hadfield, Hewitt, Leake, Lewis, Lyon, Mott, Owens, Sheridan, Stetson, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1115—An Act creating a reclamation district to be called and known as "Reclamation District No. 1499," and providing for the management and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1115 passed by the following vote:

Ayes: Senators Beban, Birdsall, Bryant, Burnett, Cogswell, Carr, Cobb, Curtin, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Hadfield, Kehoe, Leake, Lyon, Mott, Owens, Sheridan, Stetson, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

On motion of Senator Bryant, Senate Bill No. 134 was passed on the

Senate Bill No. 907—An Act to require physical culture and health and development supervision in the public schools and to amend Section 1668 of the Political Code.

Read third time.

On motion of Senator Beban, Senate Bill 907 was passed on the

Senate Bill No. 1748—An Act to amend the Political Code of the State of California by adding thereto two new sections to be known and numbered as Section 349b and Section 349c, relating to labor unions.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

By striking out of section 1, line 3, the words "fraudulently using union labels or trademarks."

In line 4, section 1, strike out the word "penalty".

On page 2, line 11, of the printed bill, strike out "fraudulently claiming employment of union labor".

On page 2, line 12, of the printed bill, strike out the word "penalty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1748, with instructions to amend, respectfully reports the same back, amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1718—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

In the absence of the author, Senate Bill No. 1718 was passed on file.

Senate Bill No. 1729—An Act to amend Sections 953*a*, 953*b*, and 953*c* of the Code of Civil Procedure of the State of California, relating to the duty of the clerk upon appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Court to the Supreme Court or the District Courts of Appeal.

On motion of Senator Finn, Senate Bill No. 1729 was passed on file.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 309*a*, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

In the absence of the author, Senate Bill No. 1741 was passed on file.

Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

On motion of Senator Bryant, Senate Bill No. 1519 was passed on file.

SPECIAL ORDER SET.

Senator Lyon moved that the further consideration of Senate Bill No. 466 be made a special order for three o'clock and thirty minutes p.m., Monday, April 28, 1913.

Motion carried.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At twelve o'clock and fifteen minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS. [RESUMED.]

Senate Bill No. 130—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners, providing for the appointment of the same, defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

In the absence of the author Senate Bill No. 130 was passed on file.

Senate Bill No. 532—An Act to amend Section 3804 of the Political Code, relating to taxes erroneously collected.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 532 passed by the following vote:

AYES—Senators Anderson, Beban, Bryant, Caldwell, Ryan, Rose, Rose, Campbell, Carr, Cobb, Curtis, Finn, Flint, Gates, Gerdes, Hare, Hewitt, Jennings, Kehoe, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 533—An Act to amend Section 3819 of the Political Code, relating to payment of taxes under protest.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 533 passed by the following vote:

AYES—Senators Anderson, Beban, Bryant, Caldwell, Ryan, Rose, Rose, Campbell, Carr, Cobb, Curtis, Finn, Flint, Gates, Gerdes, Hare, Hewitt, Jennings, Kehoe, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1253—An Act declaring persons, firms or corporations such common carriers and the transportation thereby of crude oil or petroleum for hire or otherwise to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

On motion of Senator Hewitt, Senate Bill No. 1253 was passed on file, to retain its place.

Senate Bill No. 9—An Act to amend Section 190 of the Penal Code, relating to the punishment of murder.

On motion of Senator Bryant, Senate Bill No. 9 was passed on file, to retain its place.

Senate Bill No. 643—An Act to amend Section 956 of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 643 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 594—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 594 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 595—An Act to add a new section to the Penal Code of the State of California, to be numbered 1075*a*, relating to examining, challenging and excusing jurors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 595 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 639—An Act to repeal Sections 950, 951, 952, 953, 953*a*, 953*b* and 953*c* of the Code of Civil Procedure, relating to records on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 639 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 640—An Act to enact a new section of the Code of Civil Procedure of the State of California, to be known as Section 950, relating to records on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 640 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Brown, Burnett, Carr, Chaw, Cogswell, Elliott, Gates, Gerdes, Hans, Hewitt, Hoffman, Inman, Lardner, Leake, Mott, Owens, Shumway, Strobridge, Thompson, and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 642—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 972, relating to transcripts of reporter.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 642 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Brown, Burnett, Carr, Chaw, Cogswell, Elliott, Gates, Gerdes, Hans, Hewitt, Hoffman, Inman, Lardner, Leake, Mott, Owens, Shumway, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 596—An Act to amend Section 1027 of the Code of Civil Procedure of the State of California, relating to costs of appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 596 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Brown, Burnett, Carr, Chaw, Cogswell, Elliott, Gates, Gerdes, Hans, Hewitt, Hoffman, Inman, Lardner, Leake, Mott, Owens, Shumway, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 597—An Act to amend Section 631 of the Code of Civil Procedure of the State of California, relating to waiver of trial by jury.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 597 passed by the following vote:

AYES—Senators Anderson, Benson, Brown, Boynton, Burnett, Burnett, Carr, Chaw, Gates, Gerdes, Hans, Elliott, Gates, Cogswell, Hans, Hewitt, Hoffman, Inman, Lardner, Leake, Mott, Owens, Shumway, Strobridge, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 609—An Act to repeal Section 661 of the Code of Civil Procedure of the State of California, relating to records on appeal from orders granting or refusing a new trial.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 609 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At twelve o'clock and twenty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 641—An Act to add a new section of the Code of Civil Procedure of the State of California, to be numbered 951, relating to the preparation and service of records on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 641 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 644—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 644 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended for ten minutes.

Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3938 of the Political Code, relating to the county boundary between Tuolumne and Mariposa counties.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1744 passed by the following vote:

AYES—Senators Anderson, Bonnie, Burnett, Burton, Chamberlain, Chandler, Cutten, Colas, Curtis, Dean, Flint, Gaylord, Gibson, Hayes, Hewitt, Hufford, Jackson, Lanagan, Leyden, Lyon, Mott, Owens, Shanahan, Stanchfield, Stephens, Thompson, Tuttle, Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills, to which was referred Senate Bill No. 1058—An Act to amend Sections 2304, 2311, 2307, 2309 and 2308 of the Political Code of the State of California, and to add to said Political Code two new sections, to be numbered 2310 and 2310a, and relating to property sold to the State for delinquent taxes, and providing for the disposal of same and redemption—and report that the same has been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined the following:

Senate Bill No. 1054—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment in mines under certain ages, prohibiting the employment of minors in certain occupations, requiring the age, educational and other qualifications of minors employed, requiring the age certificate issued by the Commissioner of the Bureau of Labor Statistics, and prescribing penalties for the violation thereof," approved February 20, 1905, approved April 14, 1911, as amended.

Also: Senate Bill No. 274—An Act establishing a state building bureau, creating the office of state superintendent of state buildings, and prescribing his powers and duties, providing for the maintenance of offices and employment of help therein, making it the duty of persons in charge of state buildings, appointment and vacancies to make certain reports, providing for the investigation of existing conditions, buildings and appurtenances and the preparation and submission of plans, specifications, estimates and drawings thereon, creating a state building bureau fund for the purpose of carrying out the provisions of this Act, and repealing an Act entitled "An Act to provide for the establishment, maintenance and support of a hospital, to be known as the Agnews State Insane Asylum, and for the establishment and duties of a board of trustees, to be known as the board of trustees of the state insane asylums, to be located near the city of San Jose, in the county of Santa Clara, and to provide for the direction, management and control of said state insane asylums, and to provide for the appointment, duties and compensation of a state superintendent, and to define and prescribe the duties of his office, and to provide for the appointment, duties and compensation of the board of trustees of the state asylum at Agnews, approved March 23, 1907, and all Acts amendatory thereof and supplemental thereto or to another purpose.

Also: Senate Bill No. 730—An Act to provide for the establishment of a state hospital for the insane and providing for the appointment, powers and compensation thereof, and making an appropriation therefor.

Also: Senate Bill No. 638—An Act making an appropriation to reimburse the directors of the State Board of Agriculture the amount paid for traveling expenses during the sixty-third and sixty-fourth fiscal years.

Also: Senate Bill No. 1206—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, alleys, courts, places and other walks within municipalities, and upon sewers and sewerage and system of sewerage in municipalities, and for establishing and changing the grades of such streets, avenues, lanes, alleys, courts, places and other walks, and providing for the assessment and payment of street improvement bonds to represent unpaid assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections to be numbered 51 to 56, inclusive.

Also: Senate Bill No. 1202—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto six new sections to be numbered 57 to 62, inclusive.

Also: Senate Bill No. 982—An Act to amend Section 103 of the Code of Civil Procedure relating to justices of the peace.

Also: Senate Bill No. 1389—An Act to amend Section 4248 of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON FINANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 46—An Act to establish a state training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Senate Bill No. 180—An Act appropriating money to pay the claim of Francisco Silva Brun against the State of California.

Also: Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem and making an appropriation for the payment by the State of any such judgments.

Also: Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Also: Senate Bill No. 67—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 46, 180, 1064, 1750 and 67 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883—respectfully recommend that the amendments as proposed by the Committee on Labor and Capital be adopted and that the bill do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 1416 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Also: Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of seventy-five thousand dollars therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 257 and 1014 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Also: Senate Bill No. 1290—An Act to provide for printing, binding, digesting, and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Also: Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Also: Senate Bill No. 1776—An Act appropriating money to complete, equip, and furnish the Fresno State Hospital.

Also: Senate Bill No. 870—An Act to amend Section 3 of and to add Section 3½ to an Act known as "The Building and Loan Commission Act," approved April 10, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Also: Senate Bill No. 1722—An Act creating the unexpended cash balance in Chapter 705, Statutes of 1911, Fish Commission Building, and the moneys which may be received and deposited by the said commission, refunded by the Board of Control and redeposited in Fish Book Account from Section 1 of the Act, for the said Act, available for the construction of said Fish Ponds.

Have had the same under consideration and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 1225, 1290, 1080, 1155, 870 and 1722 ordered to file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 256—An Act to amend Section 1164 of the Political Code of the State of California, relating to the salaries of the commissioners of the Hastings Fund.

Also: Senate Bill No. 1365—An Act to amend Section 1083 and 1084 of the Political Code, relating to the State Board of Control and Department of Accounts, the thereof, providing for the compensation of such board, defining the powers and duties pertaining the thereto and fixing the salaries of the members and employees thereof.

Also: Senate Bill No. 579—An Act to amend Section [illegible] of an act entitled "An Act for preventing the unwholesome, and consequently dangerous, adulteration of confectionery, established by authorized boards and [illegible] the sale thereof, providing penalties establishing a state commissioner for [illegible] and [illegible] and markets in metropolitan districts," approved March 17, 1911, relating to the salaries of the deputy and assistant deputies and to the fines and [illegible] in local cases.

Also: Senate Bill No. 295—An Act to amend Section 2060 of the Political Code, relating to the authority and [illegible] of the members of the State Board of Health.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 256, 1365, 579 and 295 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 163—An Act appropriating money to pay the claim of E. A. Stolz against the State of California.

Also: Senate Bill No. 363—An Act amending the [illegible] of oysters and other shellfish grounds and [illegible] where oysters and other shellfish are [illegible] planted or [illegible] by the [illegible], and [illegible] the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof and making an appropriation therefor.

Also: Senate Bill No. 455—An Act to amend Section 1720 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Also: Senate Bill No. 458—An Act to amend Section 1618 of the Political Code, relating to the apportioning of school moneys by the county superintendent of schools.

Have had the same under consideration and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bill No. 163 ordered on file for third reading.

Senate Bills Nos. 363, 455 and 458 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap, so, as to eliminate the grade crossing over the railroad track near Summit Station.

Also: Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

Also: Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Also: Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Also: Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1372, 383, 1168, 153 and 1481 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Also: Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith of Modoc County against the State of California, exempting this Act from the provisions of section six hundred seventy-two of the Political Code and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Also: Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 270, 344, 519 and 521 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California.

Also: Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Also: Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Also: Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 24, 90, 91, 112, 131, 132 and 135 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Also: Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Also: Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also Assembly Bill No 223—An Act to increase the number of judges of the Superior Court of the State of California in and for the county of Orange, to provide for the appointment of an additional judge and for an ...

Also Assembly Bill No 188—An Act ... for the construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos 172, 178, 179, 180, 182, 223 and 188 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance to whom was referred Assembly Bill No 140—An Act ... for the purchase of ... and dining room equipment at Napa State Hospital.

Also Assembly Bill No 141—An Act ... for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also Assembly Bill No 143—An Act ... for the construction of dairy buildings at Napa State Hospital.

Also Assembly Bill No 144—An Act ... for ... of buildings and conduits at Napa State Hospital.

Also Assembly Bill No 145—An Act ... the expenses of reconstruction of ... at the farm at Napa State Hospital.

Also Assembly Bill No 152—An Act ... for repairs and improvements at San Diego State Normal School.

Also Assembly Bill No 171—An Act ... sewer construction in the city of Santa Barbara to connect ... with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos 140, 141, 143, 144, 145, 152 and 171 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance to whom was referred Senate Bill No 175—An Act to provide for an investigation of the ... and ... by the State of California, and ... thereof, have had the same under consideration, and respectfully report the same back and recommend that the amendments as proposed by the Committee on Public Health and Quarantine and Finance be adopted and that the bill so amended do pass.

STROBRIDGE, Chairman.

Senate Bill No 175 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Constitutional Amendment No 44—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX ..., relating to elections, have had the same under consideration, and respectfully report the same back with amendments, and recommend that it be adopted as amended.

HEWITT, Chairman.

Senate Constitutional Amendment No 44 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No 1757—An Act to amend Section 1352 and Section 1353 of the Political Code of the State of California and to add four new sections thereto, to be numbered 1354, 1355, 1356 and 1357, relating to the election of Senators in Congress, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEWITT, Chairman.

Senate Bill No. 1757 ordered on file for second reading.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Gates, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. J. S. Thompson, President pro tem., of the Senate in the chair.

MOTION WITHDRAWN BY LEAVE.

On motion of Senator Thompson, the Senate took up for consideration the second reading file of Assembly bills.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d*, and 627 of the Penal Code of the State of California, relating to the prevention of riot and arson.

On motion of Senator Thompson, Assembly Bill No. 1879 was passed to the

Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings and to make the necessary appropriation therefor," approved April 14, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 79—An Act to amend Section 607*e* of the Civil Code of the State of California, relating to the compensation of masters appointed for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1115—An Act to amend Section 581 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 87 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1705—An Act to amend Section 664 of the Code of Civil Procedure, relating to forms of judgments and notice thereof to be given to litigants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2032. An Act to create a state humane commission, defining its powers and duties, providing for same, therefor and fixing penalties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 43.—An Act to amend Section 2287 of the Civil Code of the State of California, relating to the appointment of trustees.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 8, strike out the first word "the", and insert in lieu thereof the word "such."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 630.—An Act to amend Section 197 of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, lines 8 and 9, strike out all of lines 8 and 9, and in lieu thereof insert the following: "qualified to practice in all the courts of this state and actively engaged in the."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1132. An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 892, 974 and 1153 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 859a, 859b, 859c, 859d and 87a thereof, relating to proceedings in justices' courts.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, lines 3 to 7 of the title, strike out all of said lines 3 to 7, inclusive, and in lieu thereof insert the following: "Providing, proposing March 11, 1872, by amending Section 1153 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 859a, 859b, 859c and 859d, thereof, relating to proceedings in justices' courts."

Amendment adopted.

AMENDMENT No. 2.

On pages 1 and 2, strike out all of lines 1 to 26, inclusive, on page 1, and all of lines 1 to 7, inclusive, on page 2.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 8, strike out the figure "3" and in lieu thereof insert the figure "1."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 17, strike out the figure "4" and in lieu thereof insert the figure "2."

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 4, strike out the figure "5" and in lieu thereof insert the figure "3".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 14, strike out all of line 14, and in lieu thereof insert the following: "by said justice's clerk. This section shall apply to civil actions and proceedings only."

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 15, strike out the figure "6", and in lieu thereof insert the figure "4".

Amendment adopted.

AMENDMENT No. 8.

On page 3, lines 23 to 28, strike out all of Section 7, being lines 23 to 28, inclusive.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1581—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other person, from any person or persons, accepting or taking or assisting in any way in the accepting or taking of money or other thing of value in any game of chance, prohibited by the laws of this State.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out all of lines 1 to 7, inclusive, of the title, and insert in lieu thereof the following: "An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 1060, relating to the recovery of damages by a husband, wife, child, parent, guardian, or employer from any person or persons accepting or taking, or assisting in any way in accepting or taking of moneys or other thing of value in any game of chance prohibited by the laws of this state."

Amendment adopted.

AMENDMENT No. 2.

After the enacting clause, page 1 of the bill, insert the following:
"SECTION 1. The Code of Civil Procedure is hereby amended by adding a new section thereto to be numbered 1060, to read as follows:".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 1, of the printed bill, strike out the word and figure "Section 1", and insert in lieu thereof the figures "1060."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 1, strike out the word "every", and insert in lieu thereof the word "any".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 2, insert the word "or" before the word "employer".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 2, strike out the words "or other person or persons."

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 12, strike out the comma after the word "guardian", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 8

On page 1, line 12, strike out the words "or other person or persons".

Amendment adopted.

AMENDMENT No. 9

On page 2, line 14, strike out the words "or other person or persons".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, strike out all of line 7 after the period, all of line 8, and all of line 9 down to and including the word, and insert in lieu thereof the following: "Property so given as security by means of a deed of trust may be sold according to the provisions of such deed of trust and in accordance with".

Amendment adopted.

AMENDMENT No. 2

On page 1, line 9, strike out the word "said", and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT No. 3

On page 2, strike out all of line 2 after the word "instrument" and all following down to and including the word "sale" in line 10.

Amendment adopted.

AMENDMENT No. 4

On page 2, line 11, strike out the word "said" where it first occurs in said line, and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT No. 5

On page 2, line 11, after the word "thereof," insert the following: "in the office of the county recorder of the county in which the property sold is situated,".

Amendment adopted.

AMENDMENT No. 6

On page 2, line 11, strike out the word "such" where it occurs the second time in said line.

Amendment adopted.

AMENDMENT No. 7

On page 2, line 12, strike out the word "said" and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT No. 8

On page 2, line 13, strike out the word "thereof", and insert in lieu thereof the word "thereat".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 15, strike out the words "one year" and insert in lieu thereof the following: "three calendar months".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 18, strike out the words "one year", and insert in lieu thereof the following: "three calendar months".

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 23, after the word "shall", insert the following: "pay the redemption money to the purchaser at the sale, or his successor in interest, and shall execute a re-conveyance to the person entitled thereto and shall also".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

During second reading of the bill, the following amendment was offered by the committee:

On page 2 of the printed bill, strike out all of lines 6 to 12, inclusive, and in lieu thereof insert the following: "the petition, or be published once a week for such time as the court shall, by its order, direct, but in no case less than two weeks."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 1666—An Act to amend Sections 1 and 1a of an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 1666.

An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory.

The people of the State of California do enact as follows:

SECTION 1. The boundaries of any municipal corporation may be altered and new territory annexed thereto, incorporated and included therein, and made a part thereof, upon proceedings being had and taken as in this Act provided.

SEC. 2. The legislative body of any municipal corporation, upon receiving a written petition therefor, signed as hereinafter provided, containing a description of the new territory proposed to be annexed to such municipal corporation, and asking that such territory be annexed thereto, must, without delay, call a special election, and submit to the electors residing in the territory proposed by such petition to be annexed to such municipal corporation, the question whether such territory shall be annexed to, incorporated in and made a part of such municipal corporation. Such petition shall be signed by not less than one fourth in number of the qualified electors residing within the territory described therein, as shown by the registration of voters of the county in which such territory is situated. Such legislative body is hereby empowered to, and it shall be its duty to cause notice to be given of such election by the publication of a notice thereof in a newspaper of general circulation, if any such there be, printed and published outside of such municipal corporation, but in the county in which the territory so proposed to be annexed is situated, at least once a week for a period of four successive weeks next preceding the date of such

election. If there be no such newspaper, then such executive body shall cause notice of such election to be given by the posting thereof in three public places within the territory so proposed to be annexed at least forty days next preceding the date of such election. Such notice shall particularly state the time of such election, and the proposition to be submitted, as well also as a description sufficient for common purposes, of the said territory proposed to be annexed, specifically describing the boundaries thereof. In addition to said description, such territory shall also be designated in such notice by some appropriate name or other means of identification by which such territory may be referred to and understood upon the ballots to be used at said election. At least the publication of such notice as aforesaid, or the first publication thereof, if more than one publication is required, as in this Act provided. The election in such territory shall be conducted by such officers, in such manner, and at such polling places as may be provided by law for the election of officers in the municipality proposing such annexation, and as hereinbefore set forth in this section. Such municipality shall pay all the expenses of such election. The officers of such election shall make returns thereof to the executive body of such municipality, and the said executive body shall canvass the returns of such election, and declare the result thereof within ten days after such election. The executive body of such municipality shall cause a sufficient number of copies of the ordinance proposing such annexation, together with a map of the territory proposed to be annexed, to be certified by the executive officer of such municipality, and filed for record in the office of the county clerk of each county in which the territory proposed to be annexed, or some part thereof, is situated. Upon the filing of such certified copies of such ordinance and map, the territory described in said ordinance shall become annexed to such municipality. If such territory proposed to be annexed is situated in more than one county, the certified copies of said ordinance and map shall be filed for record in the office of the county clerk of each of such counties. The inhabitants of such territory shall thereupon become and be constituted citizens of such municipality, entitled to all the rights and privileges of such citizens, and shall be subject to all the ordinances and regulations of such municipality. The territory so annexed shall be and become a part of such municipality, and part of the district in which it is situated, for all purposes whatsoever. All property belonging to such municipality shall remain the property of the same, and the territory annexed shall be liable for its proportion of all city taxes levied against the property in such municipality, for the purpose of paying its proportion of the then existing debt of such municipality. The territory annexed shall be subject to the municipal laws, ordinances and regulations in force in such municipality, and the power of the municipality to enforce the same shall extend over such territory. The inhabitants of such territory shall be entitled to vote at all elections held by such municipality after the completion of such annexation, and shall be eligible to hold any office in such municipality, except such offices as may be held only by residents of a particular district in such municipality. The territory annexed shall be included within the boundaries of such districts as may be established by the municipality for the purpose of holding elections therein, and for the convenience of voters residing therein. The inhabitants of such territory shall be entitled to all the rights and privileges, and be bound by all the contracts and obligations of such municipality, and the property of such territory shall be assessed for taxation and taxes collected thereon in the same manner as the property in such municipality is assessed and taxes collected. The territory annexed shall be subject to the municipal debt, bonded indebtedness, and other liabilities

SEC. 4. Immediately upon the completion of the canvass of the returns of any election in any municipal corporation at which the question of annexation of new territory thereto was submitted, as in this Act provided, the legislative body of such municipal corporation shall cause a record of the canvass and entered upon its minutes, showing the total number of votes cast in such municipal corporation upon such question at such election, the number thereof cast in favor of annexation, and the number thereof cast against annexation. If it shall appear from the canvass of the returns of such election that a majority of the qualified electors of such municipal corporation voting on the question of such annexation are in favor thereof, the clerk or other officer performing the duties of clerk of the legislative body of such municipal corporation shall promptly make and certify, under the seal thereof, and transmit to the secretary of state, a copy of the record of the canvass of the returns of the election in such new territory and of the election in such municipal corporation at which the question of the annexation of the same was submitted, and entered upon its minutes as aforesaid together with a statement showing the form of such elections in said new territory and in said municipal corporation, the time and the result of the canvass of the returns of such elections, and containing a description of said territory. Said document shall be filed in the secretary of state's office immediately upon the receipt thereof. From and after the date of the filing of said document in the office of the secretary of state the annexation of such territory so proposed to be annexed and described therein, shall be deemed to be and shall be complete, and thereafter such annexed territory shall be to all intents and purposes a part of such municipal corporation, except only that no property within such annexed territory shall ever be taxed to pay any portion of any indebtedness or liability of such municipal corporation, contracted prior to or existing at the time of such annexation, excepting as hereinafter provided. No irregularity or defect in the form of the presentation of a petition to the legislative body of any municipal corporation for the annexation of such territory thereto, terms and part of any municipal corporation, shall be annexed under the provisions of this Act.

SEC. 5. Whenever any municipal corporation to which it is proposed to annex territory under the provisions of this Act shall have incurred, or authorized the incurring of, any bonded indebtedness for the acquisition, construction or completion of any municipal improvement or improvements, the petition presented to the legislative body of such municipal corporation, as provided in section two of this Act, may contain a prayer that the question to be submitted to the electors residing in the territory proposed by such petition to be annexed to such municipal corporation, shall be, whether such new territory shall be annexed to, be incorporated in, and made a part of, said municipal corporation, and the property therein be, after such annexation, subject to taxation, equally with the property within such municipal corporation, to pay any such bonded indebtedness of such municipal corporation, outstanding at the date of such annexation or thereafter authorized. If such prayer shall be made in said petition, proceedings shall be had thereon, and an election shall be called and held in the territory proposed to be annexed, the same in all respects as upon a petition presented under the provisions of section two of this Act, excepting that the notice of election shall distinctly state the proposition to be submitted, to wit, that it is proposed to annex the described territory which makes a part of such municipal corporation, the territory sought to be annexed, describing the same thereof, and that the property therein shall from such annexation, be subject to taxation, equally with the property within such municipal corporation, to pay such bonded indebtedness of such municipal corporation, outstanding at the date of the said annexation, or indebtedness thereafter authorized and to be represented by bonds of such municipal corporation thereafter to be issued. The said notice shall, in addition distinctly state the improvement or improvements for which such indebtedness was so incurred or authorized, and state the amount or amounts of such indebtedness already incurred, outstanding at the date of the first publication of such notice, and the amount or amounts of such indebtedness thereafter authorized and to be represented by bonds thereafter to be issued, and the maximum rate of interest payable, or to be payable on such indebtedness; and upon the canvass of the returns of the votes cast by said territory proposed to be annexed at any election held thereon, under the provisions of this section, if it shall appear that two-thirds of all the votes cast in such outside territory are in favor of annexation, the legislative body of such municipal corporation shall submit to the electors thereof the question whether such territory shall be annexed to, incorporated in and made a part of such municipal corporation. Such question may be so submitted to the electors of such municipal corporation in the same manner as provided in section three of this Act, and if it shall appear from the canvass of the returns of the election in such municipal corporation at which such question shall have been submitted that a majority of the qualified electors thereof voting upon the question of such annexation are in favor thereof, like proceedings shall thereupon be had, and with the same force and effect, as provided in sections three and four of this Act. The provisions of sections two, three and four of this Act, so far as applicable, shall apply to annexation under the provisions of this section.

From and after the date of the filing in the office of the secretary of state of a copy of the record of the canvass of the returns of the election in such new territory

and of the exercise of such municipal corporation of which the question of the annexation of the same was pending and submitted under the provisions of this section, and entered upon the exercise of the legislative duties of such municipal corporation as hereinbefore in this Act provided, together with a statement showing the dates of such elections, to which shall be attached a duly authenticated abstract of the votes cast at each of said elections, and the result of canvass of the returns of such elections by the judges of such territory as aforesaid in the thousand and hundred districts shall be prepared and shall be executed and transmitted under the seal of the municipal corporation of which the territory sought to be annexed is a part to the Secretary of State, who shall file and preserve a part of such returns, canvass, and the proposed articles of such proposed territory shall be found to vote the question of annexation by majorities of such respective districts as hereinbefore provided, then the territory within such municipal corporation, and the territory sought to be annexed, shall become annexed and a part of such municipal corporation, and the inhabitants thereof shall be entitled to all the rights and privileges and be subject to all the duties and liabilities of the inhabitants of such municipal corporation in all respects whatsoever.

SEC. 6. Nothing in this Act contained shall be construed to prevent the submission to the electors of any municipal corporation the question of annexation of any territory at any time after the expiration of two years from the date of any election held under the provisions of this Act upon the question of annexation of such territory, or any part thereof, to such municipal corporation, and the proceedings in relation thereto shall be had in the manner provided in this Act for the first election held upon the question of annexation of such territory.

SEC. 7. Whenever a petition for the annexation of any such territory to any municipal corporation has been presented to the Secretary of State, as in this Act provided, no petition asking for the annexation of territory to the same or the territory described in such petition or any other municipal corporation shall be presented to the legislative body of such municipal corporation, and the said municipal corporation legislative body shall not consider the question of the annexation of said territory or any part thereof to the district of such other municipal corporation, until the question of the annexation of said to the municipal corporation whose jurisdiction

body received the petition first in this section mentioned shall have been submitted to the electors residing in such territory, and a majority of electors voting upon such question in such territory, shall have voted against the annexation thereof to such municipal corporation, or, in the event that a majority of the electors in such territory voting therein shall have voted in favor of the annexation thereof to such municipal corporation, until the question of such annexation shall have been submitted to the electors of such municipal corporation, and a majority of the electors thereof voting upon such question, shall have voted against the annexation thereof to such municipal corporation.

SEC. 8. The legislative body of any municipal corporation which is or shall be divided into wards, and to which territory has been heretofore or shall hereafter be annexed, under the provisions of this Act, must by ordinance either so alter the boundaries of the wards of such municipal corporation as to include such annexed territory in one or more wards adjoining such annexed territory, or make of such annexed territory one or more additional wards; *provided*, that the number of wards shall not be so increased as to exceed the number which such municipal corporation may have according to law. In altering the boundaries of wards, or creating new wards, regard must be had to the number of inhabitants, so that each ward shall contain, as near as may be, an equal number of inhabitants, exclusive of persons ineligible to citizenship in this state.

SEC. 9. Nothing in this Act contained shall alter or affect the boundaries of any senatorial or assembly district.

SEC. 10. All proper expenses of proceedings for annexation of territory under this Act, whether such annexation shall be made and completed or not, shall be paid by the municipal corporation so annexing or attempting to annex such territory. In the event that a tax for road purposes has been levied by the board of supervisors of any county against property situated in territory which, subsequent to such levy, is annexed to any municipal corporation under the provisions of this Act, but which, at the time of such annexation has not been collected, then all such taxes so uncollected shall be and become the property of the municipal corporation to which such territory is annexed, and the same shall, with other county taxes, be collected by the county tax collector, and by him paid into the county treasury of said county, after which the same shall, by the county treasurer, be paid to such municipal corporation, upon proper warrant therefor. The town or city clerk, or other officer performing the duties of clerk of such municipal corporation, shall, at any regular meeting of the board of supervisors of said county, present, and file a verified claim for any money thus due such municipal corporation setting forth the fact, and the date of such annexation, and the amount in the hands of said county treasurer so due such municipal corporation. Said claim shall be audited by the board of supervisors in the manner in which other claims against the county are audited, and if the amount thereof is correct, the same shall be allowed, and the county auditor instructed to draw his warrant for said amount against the road fund of the district in which such annexed territory is situated. This section shall apply to all such taxes not paid into the county treasury prior to the taking effect of this Act.

SEC. 11. This Act shall in no wise affect an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government, and municipal control of annexed territory," approved March 19, 1889, or Acts amendatory to said Act, and this Act shall not apply to any proceedings had or taken thereunder, but is intended and does provide an alternative method for the annexation of territory to municipal corporations. When any proceedings for the annexation of territory to any municipal corporation are commenced under this Act, the provisions of this Act, and of such amendments, thereto as may hereafter be adopted, and no other, shall apply to such proceedings. This Act may be designated and referred to as the "Annexation Act of 1913."

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Con-

stitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 116.

An Act to establish police courts in cities of the first and second class, to fix the jurisdiction of such courts and to provide for the election thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and second class, to fix their jurisdiction and powers, to provide for officers of said courts and fix the compensation of such officers, and to provide for the election of justices of said courts," which became a law under the provisions of the Constitution of the State of California without the governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

The people of the State of California do enact as follows:

SECTION 1. The judicial power of every city of the first and second class shall be vested in a police court to be held therein, by the city recorder of such city, or one or more of them. Either or each justice may hold such court and may preside over the sessions of said court for the same time, or divide the day for holding the same between them, as may be directed by the ordinances of such city. In addition to the duties now required of them by law or such ordinances as may hereafter be passed, the justices of said police courts shall perform such duties as may be required of them by the ordinances of such city.

SEC. 2. Said police courts shall have exclusive jurisdiction of all misdemeanor proceedings at law or in equity, commenced by or in behalf of the said municipal corporation, or the officers thereof, for violation of any ordinance of said city, punishable by fine or imprisonment, or both such fine and imprisonment, and of all proceedings for violation of any ordinance of said city, punishable by fine or imprisonment, or both such fine and imprisonment, and of all proceedings for the collection of any license required by the ordinances of said city. In all cases of which said police courts have jurisdiction of which there cannot be any trial by jury, the same shall be tried by the court without a jury, and judgment pronounced by the same; appeals to the superior court of said city may be taken from all judgments rendered in said police courts, in the same manner and with the same effect as appeals are taken from justices' courts to the superior courts in civil cases.

SEC. 3. Each of said police courts shall have a seal, which shall be used upon the process of said courts, and which shall have power and jurisdiction to issue warrants of arrest, search warrants, subpoenas, executions, writs of attachment, writs of habeas corpus, writs of mandamus, writs of certiorari, and all other writs necessary to the full and proper exercise of the powers and jurisdiction of said courts, to punish persons guilty of contempt of said courts, in the same and by the same procedure as justices of the peace; to try all charges of misdemeanor offenses committed within its jurisdiction, as well as all charges for violation of city ordinances, and shall have jurisdiction therein with full power to render such judgment upon conviction as to order imprisonment of persons under arrest, in the county jail, in the same and like manner as justices of the peace; to try and to determine injunctions, attachments and writs of habeas or discharge pursuant thereof, with the consequences of disobedience and issue all necessary writs, warrants, orders and commitments in that behalf; to all proper cases, to stay the execution of any judgment rendered by him or either of the justices of said court.

SEC. 4. Neither of said justices shall sit in any case in which he is a party, or in which he is interested, or where he is related to either party by consanguinity or affinity within the third degree, and in case of the absence, sickness or inability of the said justices or either of them, either of said justices may call to act the justice of the peace of the county to act in his place and stead.

SEC. 5. The said police courts shall be divided into as many departments as there are judges of said courts. The judges of said courts shall choose from their number a presiding judge, who shall serve for one year. Provided, however, that the presiding judge first chosen hereunder shall serve until the first Monday in January, 1914 and provided further that the presiding judge may be removed at any time and another appointed in his place by a vote of the majority of said judges. The presiding judge shall assign the judges to their respective departments, but any judge may preside in any department in case of the absence or inability to act of the judge of such department. And in the absence or inability to act of the presiding judge, the remaining judges may select one of their number to act as presiding judge during such absence or inability, and without affecting such time shall have the same force and effect as though acted on or done by the presiding judge. The presiding judge shall have power to apportion the business of said court among the several departments and to transfer cases from one department to another as necessary or convenient to facilitate the disposition of business of said court. The judgments, orders and proceedings of any session of the court held by any one or more of the judges of said court shall be equally effectual as though all of the judges had presided at such session. The judges of said court shall have power by a majority vote of all the judges of said court, to make rules not inconsistent with the constitution or laws of this state for the government of said court and the officers thereof, and for conducting the business of said court. Such rules may be prescribed by

posting a copy of the same in each of the court rooms of said court and shall be in effect after having been so posted for a period of thirty days.

Said court shall be governed in its proceedings by the provisions of law regulating proceedings in justices' courts and police courts so far as such provisions are not altered or modified by this Act, and the same are applicable in the several cases arising therein, and no rules shall be made imposing any tax or charge on any legal proceeding or giving any allowance to any officer for services.

SEC. 6. Said police court shall have a clerk for each of the judges of said court, who shall be appointed by the judge of said court presiding in the department thereof in which the said clerk is to act, which said clerk shall hold office for the term of four years from the date of his appointment. Each such clerk shall be ex officio a clerk of the city justices of the peace. Each of said clerks shall give a bond in the sum of five thousand dollars, with at least two sureties, to be approved by the mayor, conditioned for the faithful discharge of the duties of his office. Each of said clerks shall receive an annual salary of twenty-one hundred dollars, payable in equal monthly installments out of the treasury of said city, which salary shall be full compensation for all services rendered by him. Each of the said clerks shall keep a record of the proceedings of said court and issue all processes ordered by the city justices or either of them, or by said police court or a judge thereof, and receive and pay into the city treasury all fines imposed and collected by said court, and all forfeitures of cash deposited in lieu of bail in said court, and all other moneys which may come into his hands belonging to or payable to said city. They shall also render each month to the city council an exact and detailed account under oath of all fines imposed and collected and of all fines imposed and uncollected since their last reports. They shall prepare and approve bonds and may, in the absence of a judge of said court, fix the amount of bail to be required of any defendant charged in such court with any offense of which such court has jurisdiction. Such clerk may also justify bail, and may administer and certify oaths. Said clerks shall remain at the court rooms of said court during business hours and during such reasonable times thereafter as may be necessary for a proper performance of their duties. Before receiving any monthly payment of salary, each of said clerks shall make and file with the city auditor an affidavit that he has deposited with the city treasurer all moneys that have come into his hands belonging to the city. Any violation of this provision shall be a misdemeanor. Said clerks shall keep, compile and be the custodians of the dockets, files and records of said court. Said dockets shall, in civil cases, be kept in conformity to the provisions of Sections 911, 912, 913 and 914 of the Code of Civil Procedure of the State of California.

In criminal cases the docket shall contain in each case:

1. The title of the case;
2. The demurrer, if any;
3. The motion to dismiss, if any, based upon any defect of the complaint in substance or form;
4. The ruling of the court upon any demurrer or motion to dismiss;
5. The defendant's plea;
6. Any order of the court setting the time for hearing of any demurrer or motion, or setting case for trial;
7. The names of the witnesses sworn and examined at the trial;
8. The verdict;
9. The time set for rendering judgment, if judgment is not passed immediately after verdict or plea of guilty; and the waiver of time for sentence, if there be such waiver;
10. The judgment;
11. A minute of all motions, rulings and orders made after verdict or judgment;
12. The dates of the various actions or things required to be recorded.

SEC. 7. Said police court shall have a prosecuting attorney, who shall be elected or appointed in such manner as the charter of said city shall provide. Said prosecuting attorney shall have as many assistants, deputies, clerks and stenographers as the legislative body of said city shall provide, all of whom shall be appointed by said prosecuting attorney, unless otherwise provided by the charter of said city. In case the charter of said city shall provide for the election or appointment of a city prosecutor, such city prosecutor shall have and exercise all the powers and duties of said prosecuting attorney. It shall be the duty of such prosecuting attorney, either in person or by his assistants or deputies, to draw complaints to be filed in said police court for misdemeanor offenses in which said court has jurisdiction, arising either from violations of the charter or ordinances of said city or from violations of the laws of the State of California. Such prosecuting attorney must attend the said police court, and conduct, either in person or by his assistants or deputies, in behalf of the people, all prosecutions for public offenses of which such court has trial jurisdiction. Said prosecuting attorney shall attend to all appeals and proceedings on application for writs of *habeas corpus*, in connection with such prosecutions, and shall prosecute all recognizances and bail bonds forfeited in said court, and all actions for the recovery of fines, penalties and forfeitures accruing in said court; and the district attorney of the county in which said city is located shall have no power or authority in or over any of said prosecutions, actions or proceedings.

Whenever any person held in custody on contempt by any peace officer of said city and charged with having committed any criminal offense against the provisions of the charter or ordinances of said city, or with having committed any offense in said city which is a misdemeanor under the laws of this state, shall apply for a writ of *habeas corpus*, a copy of the application for such writ shall be served forthwith upon the prosecuting attorney or assistant in the manner provided by law.

In any case where an offense has been committed in the said city that is triable in said county and any person, whose attendance as a witness at the trial is necessary in the judgment of such prosecuting attorney, refuses upon request made by such prosecuting attorney to enter into a recognizance with sufficient sureties for his appearance at said county court, the said prosecuting attorney shall have the power to make such request in the said police court or affidavit stating that he believes the evidence of such witness is material and that the appearance of such witness at the trial is necessary. And if a judge of the said police court shall upon the presentation to him of such affidavit of said prosecuting attorney endorse on the subpoena to issue for the attendance of the witness named in such affidavit, the recognizance of such witness may be enforced in the manner provided by Sections 1332, 1333 and 1334 of the Penal Code.

SEC. 8. There shall be a bailiff in each department of said court, who shall be selected from the regular police force of said city and shall be appointed by the judge presiding in such department and who by virtue of such selection and appointment, shall duly qualify as constables. It shall be the duty of the bailiff to attend all sessions of the department to which he is appointed or assigned, and to preserve order therein. It shall be the duty of the bailiff to execute and return all process issued by said court all writs, attachments and orders of commitment issued by the court or any magistrate in said county in any criminal proceeding pending in said court and if commanded, to deliver them to the officer to whom directed or to the proper officer; to perform such other duties in the conducting of the business of said court as a judge of said court may require, or as may be prescribed by a rule of said court. Each of said bailiffs shall be a chief executive officer next to the performance of his duties to the officer of said court, within the city in which said court is situated, shall have all the powers and prerogatives of a sheriff as a peace officer. He shall be present in the rooms of said court as a judge thereof may direct, and may be punished by said court as an officer thereof for contempt or disobedience of any order of said court, as a judge thereof, or the neglect of duty. Any bailiff of said court, or person acting as or performing the duties of bailiff of said court shall not while such bailiff, or while so acting or performing such duties, be appointed to or employed in rendering any other service except the request of the judge presiding in the department to which such bailiff or person so acting or performing such duties. Each of said bailiffs shall receive a salary of [illegible] hundred dollars per annum, payable in equal monthly installments out of the treasury of said city. Any police officer of said city other than the regular bailiff of said court, and while in the performance of any such duties, is declared to be a bailiff of said court, and while in the performance of any such duties, is subject to the orders and discipline of said court as a bailiff.

SEC. 9. If at any time, by the absence of the judges of said court, or a majority of them, the services of more than one court may be required in order to avoid devoting time the bailiffs of said court, or the business thereof, the judge of said court, the presiding judge may select and appoint any attorney duly admitted to practice of said city, who shall thereupon become a bailiff of said court, to act upon the order thereof to which he may be assigned by the presiding judge, and who shall thereupon be invested with all the powers and authority of a bailiff of said court, and who shall perform any of the duties as a bailiff of said court [illegible] presiding judge, or a judge of said court; and such bailiff, while so acting, shall have the rank and receive the compensation of a bailiff of said court. He shall serve as such bailiff during the pleasure of the judges of said court or a majority of them.

SEC. 10. All fines and other moneys collected on behalf of the city in the police court shall be paid into the city treasury on the first Tuesday of each month.

SEC. 11. The city council shall [illegible] annually assess for the following year police court, including jury tokens and calling for the purpose, [illegible] and shall also furnish the necessary blanks, books, stationery and supplies for the carrying on of the business of said court, provided the costs chargeable to or assessed by any judge for his disbursements.

SEC. 12. In the months of January, April, July, and October of each year there shall be selected by the judges of said police court a list of jurors to act as a term trial jury in said police court for the ensuing three months, and such a jury term trial jury is selected. Said jurors shall be selected from the persons residing in the city in which said police court is held, such jurors being citizens and qualified to serve as jurors therein, as follows: The judges of said court shall meet for the purpose of selecting a jury. The presiding judge shall preside at such meeting, and a majority of the judges of said court shall constitute a quorum. The judges shall estimate and designate the number of jurors required for the trial of cases in said court for the ensuing three months. From the jurors appearing on the last preceding completed assessment roll of the county in which said city is

located, of persons assessed on property belonging to themselves and apparently competent and suitable to serve as jurors in such court, the judges shall select names which shall not be less than two, nor more than four, times the number designated as the number of jurors required as hereinbefore provided, which names shall be written on separate slips of paper, and said slips shall be folded so as to conceal the names thereon, and said slips shall be placed in a proper receptacle and thoroughly mixed. The presiding judge shall then draw from said receptacle, one at a time, as many slips as the number designated by said judges as the number of jurors required, and there shall be made two lists of said names so drawn and one of said lists shall be delivered to the presiding judge. The other list shall then be filed in the office of the presiding judge. The presiding judge shall thereupon make an order requiring the persons whose names have been so drawn to attend in said court at a suitable time and place in said order designated; and said order shall be signed by the presiding judge and the seal of the court attached. The clerk of the department of the presiding judge shall attach to said order a copy of the list of the names drawn as above set forth, and deliver said order with said list attached to one of the bailiffs of the said court or to any police officer of said city. The said bailiff or police officer shall without delay, and without further pay, serve and return said order to said court, in the manner provided in Section 225 of the Code of Civil Procedure.

At the time and place fixed in said order for the appearance of the persons so summoned, the presiding judge shall attend and shall call the names on said list and shall make a record of those present and those absent, and shall excuse such as shall appear to him to be not competent or eligible to serve as jurors, and such as appear to be exempt from jury duty in such cases as the exemption is pressed by the prospective juror as an excuse from duty, and such as appear to him to be entitled to be excused under the provisions of Section 201 of the Code of Civil Procedure. The question of the competency or incompetency, or exemption from jury service, shall be determined according to the provisions of Sections 198, 199 and 200 of the Code of Civil Procedure.

Any juror summoned as above provided, who fails to appear, may be attached by an order issued by said presiding judge, and served by one of the bailiffs of said court or any police officer of said city, and punished as provided in Section 238 of the Code of Civil Procedure.

The names of the persons attending, whether by original service or attachment, and not excused, shall be written on separate slips of paper, which slips shall be folded so as to conceal the names, and shall be placed in a box. If, in the opinion of the presiding judge, there is not in attendance a sufficient number of jurors for the trial of cases in said court for the ensuing three months, he may cause additional names to be drawn, and the persons whose names are so drawn to be summoned in the manner hereinbefore provided, until the number of persons designated in the original order are in attendance and are qualified, and their names placed in a box; *provided, however*, that the drawing, or the attendance, or the qualifying of a greater or less number of jurors than that designated by the judges as hereinbefore provided shall not be a ground of challenge to the panel or to a juror, nor shall it affect the validity of any act as a juror of any persons so drawn and qualified.

When a jury is required in any department of said court, the judge presiding in that department, or any judge of said court, shall cause to be drawn from the box containing the names of the jurors attending, and not excused, a number of names estimated to be sufficient from which to select said jury. If the persons whose names are so drawn are not present in said court, they may by order of a judge of said court, be summoned by the bailiff of said court or a police officer in the manner hereinbefore provided. If said names so drawn are exhausted before the jury is completed, additional names shall be drawn in the same manner until the jury is completed or the slips in the box are exhausted. The slips containing the names so drawn shall be delivered to the clerk of the department in which the jury is to be selected, who shall without unfolding them, place them in a box and cause them to be thoroughly mixed; and shall then draw from said box, one at a time, said slips and call the name from each of said slips as it is drawn, until the jury box is filled. Thereupon the parties to the cause shall proceed to select a jury in the manner and under the rules laid down in Sections 1055 to 1088, inclusive, of the Penal Code.

The clerk of the court shall preserve the slips drawn as above required, and shall retain in his possession all slips containing the names of jurors sworn to try the cause, until such trial is finished, when he shall return them to the presiding judge; and shall also return to the presiding judge the slips containing the names of those drawn and rejected. The slips so returned to the presiding judge shall not be replaced in the general panel box until the jury in the cause for which they were drawn has been completed, but may be placed in and drawn from a separate box for use and service in another trial in any other department of said court. If for any reason the entire term trial panel of jurors is exhausted without completing a jury, the judge of the department in which the cause is being tried may issue an order or writ of venire and cause to be summoned additional talesmen, as provided in Sections 230, 231 and 232 of the Code of Civil Procedure. From such of these additional

talesmen as are qualified and eligible for jury duty, the jury may be completed as provided by law.

Jurors shall be paid two dollars ($2.00) per diem for such days actually served in the trial of causes in said court, which compensation shall be payable from the treasury of the city. Each juror shall also be entitled to compensation for mileage necessarily traveled from his place of residence to said court, which shall be at the rate of five cents per mile one way and such compensation shall be payable from the treasury of the city. The clerk of each department of said court shall keep an account of the time served by each juror and the distance traveled in attending said court by each juror, and shall, at the end of each month, furnish to the presiding judge thereof the number of days served by each juror and the amount of mileage due each juror and the presiding judge shall thereupon deliver to each juror on the last day of each month a certificate over his signature and the seal of said court, showing the number of days served by such juror, the mileage from one end of the county to the other, which certificate shall be a sufficient demand on the Treasurer of said city.

SEC. 13. The police court shall be always open during business hours, except upon non-judicial days, and there the same business may be transacted as required of other courts of this state.

SEC. 14. Appeals may be taken from any judgment of said police court to the superior court of the county in which such city may be located, on the same grounds and in the same manner in which appeals are taken from justices' courts in the state.

SEC. 15. In all cases of the conviction in said police court of any person charged with any offense committed in the city in which said police court is held, and the incarceration of said person or sentencing, who pending the time for appealing, or by attorney required to labor about upon the order of the police before whom such conviction is had, he imprisoned in the city jail or a police station, or in such other penal or reformatory institution as may be provided for the use of said purpose, as it deemed to which shall after be the use of the said penal or reformatory institution and the imprisonment in any county city jail or in any such penal or reformatory institution shall be deemed an imprisonment in the city jail, provided that if any person who is imprisoned in any county city jail or any such penal or reformatory institution by judgment of said police court, shall appeal therefrom, or shall fail or refuse to perform the orders of the court of such penal or reformatory institution, such person may be under of the court or any judge thereof, be required to serve the unexpired portion of his term in the city jail. In every case only so much of the sentence (any shall be deemed to have expired as has been actually served in the city jail, or a county city jail, or in such penal or reformatory institution.

SEC. 16. Said court shall have a seal, to be procured by the city.

SEC. 17. The city prosecutor shall, on the first Tuesday of each month, make to the city council a full and complete report of all cases filed and examined, and of acted upon since their last report, in which the city has an interest, or which are required to be appealed to the city jail docket or the city criminal docket; such report to be made upon blanks furnished by the city council and in such form as may require.

SEC. 18. Certified transcripts of the dockets or files of said court certified by the clerk of said court under his seal of said court, shall be evidence in any court of this state of the contents of said dockets or of said files, as the case may be, and all warrants and other process issued out of said court, and all acts done by said court and certified under its seal, shall have the same force and validity in any part of this state as though issued or done by any court or person of this state.

SEC. 19. Each clerk of said police court, before entering upon the duties of his office, take and subscribe an oath to the form prescribed in Section 364 of the Political Code before the city clerk of said city, and shall file his official bond with said city clerk.

SEC. 20. An Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and powers, the fix salaries of said courts and to the compensation of certain officers thereof," which became a law under the provisions of the constitution of this state, without the governor's approval, March 5, 1901, and all Acts amendatory thereof or supplementary thereto are hereby repealed; provided, however, that such repeal shall not affect any actions or proceedings pending in the police court established by said Act at the time of the taking effect of this Act, nor shall such repeal affect the powers or duties of the said prosecuting attorney relative thereto. All such actions and proceedings shall thereupon be deemed to be and shall be upon file transferred to the police court established by this Act, and upon the taking effect of this Act said police court, all such actions and proceedings shall upon such be and become such actions and proceedings so pending in the police court established by this Act, which last named court shall thereby have jurisdiction, power and authority to proceed with them to final judgment or other disposition, and to make and enforce judgment thereon

as fully, and with the same force and effect, as though said actions or proceedings had been originally instituted in said last named court.

SEC. 21. Nothing in this Act contained shall be construed to interfere with, terminate or in any wise affect the tenure of office of any person now holding office under and by authority of the terms of an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said court and fix the compensation of certain officers thereof," which became a law under the provisions of the constitution of this state, without the governor's approval, March 5, 1901, and all Acts amendatory thereof or supplementary thereto; and the police court established in any city of the first and one half class by this Act, shall, to all intents and purposes, and for every, any and all purposes, be deemed to be and shall be the successor of the police court existing in any such city, at the time of the taking effect of this Act, and established therein by the aforesaid Act, and all Acts amendatory thereof or supplementary thereto, repealed by this Act; and the judges and all other officers of any such existing police court shall severally be and act as the judges and other officers respectively of the police court hereby established in any such city, until their successors are elected or appointed, and qualify, as provided by law.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 668—An Act to establish a state school to train experts for practical service in governmental work of city, county and state and to make an appropriation therefor.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. There is hereby established for the State of California a school which shall be known as the California civil service training school. The purpose of this school shall be to give a practical, thorough and efficient training in all branches of state, county and municipal service and thereby to develop trained experts for public work and properly to qualify aspirants for the profession of the state civil service.

SEC. 2. Upon this Act becoming effective the governor shall appoint a director of the civil service training school. Said director shall be a civil executive officer, and shall receive a salary of eight thousand dollars per annum, payable at the same time and in the same manner as other state officers.

SEC. 3. The California civil service training school shall be located at or near the site of the state university, but shall, to the extent practicable, and as soon as practicable, maintain a branch school in or near the city of Los Angeles. Working arrangements may be made with other educational institutions in or near the city of Los Angeles to lessen the expense of the branch school. The work of the branch school shall be under the director of the civil service training school. The director shall be allowed the expense necessary for traveling and maintenance in connection with the supervision and direction of the branch school at Los Angeles.

SEC. 4. The work of said school shall be under the control of the director and his staff of instructors. The director shall have power to organize and carry forward the civil service training school under this Act, to prescribe the standards of admission, the length of curriculum and to establish such forms and courses of study as will give to the students of said school the most practical and thorough knowledge of the duties and law of the various civil offices in the state, county and municipal governments, and the most efficient methods of carrying on the public business. To this end, the director shall appoint his staff of experts, teachers, lecturers and necessary employees, and with the consent of the governor shall fix the salary of each. The work of the school shall be based on the laboratory method. As a part of the work of organization, the director shall first make investigation of such governmental work and training for such service, both in the United States and in Europe, as shall have a bearing upon and value in connection with the civil service training school herein created. The expense of such investigations shall be paid from the moneys herein appropriated.

SEC. 5. To those completing the prescribed course, which shall not be less than two years nor more than three years, at the option of the director, there shall be issued a certificate of graduation, signed by the governor and the director.

SEC. 6. The California civil service school is a technical school, and its director and teaching staff shall not be subject to the provisions of any civil service law requiring civil service examinations for appointment.

SEC. 7. The sum of forty thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated for the purpose of organizing, equipping and maintaining the California civil service training school, and to pay the

salaries of experts, teachers, lecturers and employees for the sixty-fifth and sixty-sixth fiscal years.

SEC. 8. The civil service training school may be made an affiliated unit of the University of California by the action of the board of regents of the University of California upon the adoption of such plan of arrangement with the governor of the state and the director of the school as shall carry out the essential purposes of this bill.

SEC. 9. Any appropriation, gift, or other fund, or unexpended balance or income thereof, set apart for the civil service training school, shall upon participation of this school into the University of California, become a part of the funds of the University of California, to be used solely for the purposes of the civil service training school.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 668 ordered re-referred to Committee on Finance.

RUSH ORDER TO PRINTER.

On motion of Senator Gates the Secretary was directed to issue a rush order for printing Senate Bill No. 658.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 1103—An Act requiring all persons, corporations, receivers or trustees operating lines of railway in the State of California, to provide toilets on certain classes of cars used on such railways for the convenience of passengers, and providing a penalty and damages to be paid by such persons, corporations, receivers or trustees to the State of California, for failure to provide such toilets.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 380—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2848, relating to county government.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1909.

Bill read second time, ordered engrossed and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third reading file of Assembly Bills.

Assembly Bill No. 248—An Act appropriating the sum of $1,271.94 to pay the claim of J. Harry Russell.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF SENATE.

Pending the announcement of the vote, Senator Thompson moved a call of the Senate.

Motion carried.

Time, two o'clock and fifteen minutes p.m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Avey, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Flint, Gates, Jones, Juilliard, Larkins, Owens, Regan, Thompson, and Wright—18.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and twenty-five minutes p.m., Senators Mott, Kehoe and Hewitt were brought to the bar of the Senate, and, on motion, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Thompson.

The roll of absentees was called, and Assembly Bill No. 248 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Owens, Regan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senators Hewitt, Kehoe and Grant were, on motion of Senator Thompson, granted leave of absence for the remainder of this day.

SENATOR CAMPBELL IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Senator Campbell, of the Seventeenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 166 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Brown, Bryant, Butler, Campbell, Carr, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Larkins, Mott, Owens, Regan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

On motion of Senator Thompson, Assembly Bill No. 531 was passed on file.

Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

On motion of Senator Thompson, Assembly Bill No. 532 was passed on file.

Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

On motion of Senator Thompson, Assembly Bill No. 782 was passed on file.

Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity Humboldt state road.

On motion of Senator Thompson, Assembly Bill No. 1373 was passed on file.

Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

On motion of Senator Thompson, Assembly Bill No. 1375 was passed on file.

Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

On motion of Senator Thompson, Assembly Bill No. 1377 was passed on file.

Assembly Bill No. 1405—An Act to amend the Penal Code by adding a new section thereto to be known as Section 658a, relating to wages of employees.

On motion of Senator Benson, Assembly Bill No. 1405 was passed on file.

Assembly Constitutional Amendment No. 84—Relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 11 of Article IV, relating to irrigation districts.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 84 was passed on file.

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, to persons of absent from the State for seven years, and for the administration of the estates of such absent persons.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Carr, as a special committee of one, to amend Assembly Bill No. 372 as follows:

AMENDMENT No. 1.

On page 1, line 7, after the word "years", strike out the semicolon and insert in lieu thereof a comma and the words "or fails for a period of seven consecutive years to communicate with his family or any of his relatives residing in the county where his property or some part thereof is situated,".

AMENDMENT No. 2.

On page 2, line 15, after the comma following the word "thereupon", insert the following: "by or on behalf of all persons who in good faith and for value acted upon the presumption of death herein mentioned,".

AMENDMENT No. 3.

On page 2, line 18, strike out the period after the last word "him", and insert in lieu thereof a semicolon and the following: "*provided, however*, that if at any time during such administration of said estate evidence that the said absentee is still living shall be presented to the court, the court shall thereupon suspend further proceedings in said administration until it shall be satisfied that the evidence in this proviso mentioned is unfounded; but, if from said evidence the court is satisfied that said absentee is still living, it shall make its order suspending all further proceedings in the administration of said estate."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 372, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of records for the use of county hospitals and almhouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

On motion of Senator Thompson, Assembly Bill No. 634 was passed to the foot of the file.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying procedure for levying a tax for the purposes of the Act and for disbursing the same.

On motion of Senator Thompson, Assembly Bill No. 1463 was passed to the foot of the file.

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof.

On motion of Senator Benson, Assembly Bill No. 418 was passed on file.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

On motion of Senator Hewitt, Assembly Bill No. 1685 was passed on file.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 1 was passed on file.

Assembly Bill No. 888—An Act to amend Sections 658, 659, and 660, Code of Civil Procedure, of the State of California, relating to motions

for new trial, and to repeal Section 661, relating to records on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 888 passed by the following vote:

Ayes—Senators Anderson, Ayer, Baker, Benson, Boynton, Bryant, Burnett, Cassidy, Caminetti, Campbell, Carr, Flint, Gerdes, Hewitt, Inman, Jacobsen, Lachlan, Mott, Owens, Regan, Stephens, Thompson and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure of the State of California, relating to waiver of jury trial.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 889 passed by the following vote:

Ayes—Senators Anderson, Ayer, Baker, Benson, Boynton, Bryant, Burnett, Cassidy, Caminetti, Campbell, Carr, Flint, Gerdes, Hewitt, Inman, Jacobsen, Lachlan, Mott, Owens, Regan, Stephens, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 887 passed by the following vote:

Ayes—Senators Anderson, Ayer, Baker, Benson, Boynton, Bryant, Burnett, Cassidy, Caminetti, Campbell, Carr, Flint, Gerdes, Hewitt, Inman, Jacobsen, Lachlan, Mott, Owens, Regan, Stephens, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 891 passed by the following vote:

Ayes—Senators Ayer, Baker, Benson, Boynton, Bryant, Burnett, Cassidy, Caminetti, Campbell, Carr, Flint, Gerdes, Hewitt, Inman, Jacobsen, Lachlan, Mott, Owens, Regan, Stephens, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950, 951 and 952, relating to records on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 892 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Finn, Flint, Gates, Hewitt, Jones, Juilliard, Larkins, Mott, Owens, Regan, Strobridge, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953*a*, 953*b*, and 953*c*, of the Code of Civil Procedure of the State of California, relating to papers on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 894 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Finn, Flint, Gates, Hewitt, Jones, Juilliard, Larkins, Mott, Owens, Regan, Strobridge, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure of the State of California, relating to costs on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 895 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Finn, Flint, Gates, Jones, Juilliard, Larkins, Mott, Owens, Regan, Strobridge, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

On motion of Senator Thompson, Assembly Bill No. 1001 was passed on file.

Assembly Bill No. 469—An Act to amend an Act entitled "An act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

On motion of Senator Thompson, Assembly Bill No. 469 was passed on file.

Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Senators Avey, Beban, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Finn, Flint, Gates, Jones, Juilliard, Larkins, Mott, Owens, Regan, Strobridge, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 2 was passed on file.

Assembly Joint Resolution No. 19—Relative to establishing game refuges in the national forest in the State of California.

On motion of Senator Thompson, Assembly Joint Resolution No. 19 was passed on file.

Assembly Bill No. 1647—An Act to amend Section 1 and Section 12 of an Act entitled "An Act providing for the laying out, construction, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds and the assessment of counties to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

On motion of Senator Thompson, Assembly Bill No. 1647 was passed on file.

Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

On motion of Senator Thompson, Assembly Bill No. 597 was passed on file.

Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California to be numbered 133, relating to sending by mail or otherwise, threats or statements that judgments rendered against any person will be printed or published.

On motion of Senator Thompson, Assembly Bill No. 1232 was passed on file.

Assembly Bill No. 1068—An Act to amend Section 376 of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

On motion of Senator Thompson, Assembly Bill No. 1068 was passed on file.

Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code, relating to the powers and duties of normal school boards.

On motion of Senator Thompson, Assembly Bill No. 1096 was passed on file.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district especially suited for propagation of game, and to provide for the management and protection thereof.

On motion of Senator Thompson, Assembly Bill No. 747 was passed on file.

Assembly Bill No. 1289—An Act to amend Section 626*k* of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

On motion of Senator Thompson, Assembly Bill No. 1289 was passed on file, to retain its place.

Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1296 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Jones, Juilliard, Larkins, Regan, Strobridge, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 560—An Act to amend Section 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing and time of service of jurors.

On motion of Senator Caminetti, Assembly Bill No. 560 was passed on file, to retain its place.

Assembly Bill No. 556—An Act to add Section 1716 of the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

On motion of Senator Caminetti, Assembly Bill No. 556 was passed on file, to retain its place.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

On motion of Senator Thompson, Assembly Bill No. 416 was passed on file.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the municipal corporations by water companies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 50 passed by the following vote:

AYES—Senators Avey, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Jones, Juilliard, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1272—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2648, relating to county government.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1272 passed by the following vote:

AYES—Senators Avey, Boynton, Bunkers, Burnett, Bynum, Chandler, Chapman, Cogswell, Crandall, Cutler, Cosby, Curtin, Finn, Flint, James, Larkins, Miller, Owens, Regan, Strobridge, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities and cities and counties, to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities and cities and counties, to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained, to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city or city and county.

On motion of Senator Thompson, Assembly Bill No. 535 was passed on file.

Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of the officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1893, and as amended March 20, 1905, and March 23, 1907, and as further amended March 13, 1909, by amending Sections 2, 3, 4, 5, 6 and 7½ thereof, by adding a new section thereto, to be known and numbered as Section 9½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries and prescribing penalties for violations of this Act.

On motion of Senator Thompson, Assembly Bill No. 573 was passed on file.

Assembly Bill No. 1208—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in the creameries of the State.

On motion of Senator Thompson, Assembly Bill No. 1208 was passed on file.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

On motion of Senator Thompson, Assembly Bill No. 1110 was passed on file.

Assembly Bill No. 1548—An Act to amend an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

On motion of Senator Thompson, Assembly Bill No. 1548 was passed on file.

Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park and public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a certain section to be numbered Section 3½, relating to the manner of effecting certain local improvements.

On motion of Senator Thompson, Assembly Bill No. 1470 was passed on file.

Assembly Bill No. 410—An Act to amend Section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

On motion of Senator Thompson, Assembly Bill No. 410 was passed on file.

Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

On motion of Senator Thompson, Assembly Bill No. 701 was passed on file.

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

On motion of Senator Thompson, Assembly Bill No. 22 was passed on file.

NOTICE OF MOTION TO RECONSIDER WITHDRAWN.

Senator Boynton asked and was granted unanimous consent to withdraw his notice of a motion to reconsider the vote whereby Senate Bill No. 1736 was passed.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 499—An Act to amend Section 3 of an Act entitled, "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Also: Senate Bill No. 1471—An Act to amend Section 635½ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the sixth district.

Also: Senate Bill No. 1753—An Act to provide for the formation, management and dissolution or water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Also: Senate Bill No. 472—An Act amending Section 1142 of the Political Code, relating to the appointment of election boards and the qualifications and duties of the members of such boards.

Also: Senate Bill No. 1756—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Also: Senate Bill No. 1469—An Act to amend Section 1366 of the Code of Civil procedure of the State of California, relating to the order of persons entitled to administer.

Also: Senate Bill No. 287—An Act to amend Section 1207 of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

Also: Senate Bill No. 1464—An Act to amend Section 1474 of the Code of Civil Procedure of the State of California, relating to granting [illegible] letters of administration, and repealing [illegible] of administration.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills respectfully reports that Senate Bill No. 821—An Act to amend Section 1618 of the Political Code, relating to school boards of elementary and secondary schools of the State of California—has been correctly engrossed and is now correctly enrolled, and report that the same has been correctly engrossed.

GRANT, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide land and submerged lands of the State of California, including the right to extract rock and gravel therefrom, in front of the city of South San Francisco and contiguous thereto, and the right to construct, maintain and operate [illegible] and respectfully report the same back, and recommend that it do pass.

BROWN, Chairman.

Senate Bill No. 1074 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 2084—An Act to empower the Board of Harbor Commissioners of State Harbor Commissioners and to authorize such Board to improve, maintain, operate and control public [illegible] and to construct, operate, maintain, improve and control such portion of the [illegible] and to acquire property, [illegible] and to regulate the use thereof, have had the same under consideration, and respectfully report the same back and recommend that it be ordered to [illegible] and Enrollment for consistency with Senate Bill No. 1743.

BROWN, Chairman.

Assembly Bill No. 2084 and Senate Bill No. 1744 ordered referred to Committee on Engrossment and Enrollment.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 1420—An Act to amend Section 704 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1420 passed by the following vote:

AYES—Senators Beban, Boynton, Bronson, Brown, Bunkers, Burnett, Chandler, Cary, Conn, Finn, Flint, Gillis, Guiberson, Hall, Hare, Holohan, Inman, Kehoe, Leavitt, Lewis, Lissner, Mahoney, Martin, Owens, Rigdon, Savage, Shortridge, Stetson, Strobridge, Thompson, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1734—An Act to amend Section 2855 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

On motion of Senator Thompson, Senate Bill No. 1734 was passed on file, to retain its place.

Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

In the absence of the author, Senate Bill No. 121 was passed on file.

Senate Bill No. 1165—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3524, providing for the reissuing of patents to swamp and overflowed lands, where the original patent has been lost or destroyed, and not of record in the county where the land is situated.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1165 passed by the following vote:

AYES—Senators Beban, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Strobridge, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

On motion of Senator Caminetti, Senate Bill No. 874 was passed on file.

Senate Bill No. 1488—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

On motion of Senator Caminetti, Senate Bill No. 1488 was passed on file.

Senate Bill No. 1596—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

On motion of Senator Caminetti, Senate Bill No. 1596 was passed on file.

Senate Bill No. 1597—An Act concerning expenses of political parties and providing for payment thereof by municipalities.

On motion of Senator Caminetti, Senate Bill No. 1597 was passed on file.

Senate Bill No. 1606—An Act providing for the payment to the several counties and cities and counties of the State of one half all expenses incurred by them, respectively, for primary, general and other elections, held under the laws of the State, in years when a general election is held.

On motion of Senator Caminetti, Senate Bill No. 1606 was passed on file.

Senate Bill No. 1643—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

On motion of Senator Caminetti, Senate Bill No. 1643 was passed on file.

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

In the absence of the author, Senate Bill No. 208 was passed on file.

BILL RECALLED FROM ENROLLMENT.

On motion of Senator Boynton, Senate Bill No. 847 was ordered recalled from enrollment.

VOTE RECONSIDERED.

Senator Boynton moved that the vote whereby the Senate concurred in Assembly amendments to Senate Bill No. 847 be reconsidered.

The question being on the motion to reconsider.

The roll was called, and the vote whereby the Senate concurred in Assembly amendments to Senate Bill No. 847 reconsidered by the following vote:

AYES—Senators Beban, Benson, Bennett, Brown, Bryant, Bunny, Cartwright, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Hubbard, Lyon, Regan, Shearman, Strobridge, Thompson, and Wright—21.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 847.

AMENDMENT NO. 1.

On page 1, in line 5 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "by amending Sections 1, 2, 3, 4, 5 and 6 thereof, and by adding a new section thereto, to be numbered Section 7."

AMENDMENT NO. 2.

On page 1, line 1 of the printed bill, strike out the first word "An", and insert in lieu thereof the following: "Section 1 of an"

AMENDMENT NO. 3.

On page 1, line 4, of the printed bill, strike out the words "and each section thereof."

AMENDMENT NO. 4.

On page 1, line 6, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "1."

AMENDMENT NO. 5.

On page 2, line 1, of the printed bill, strike out the words "motor or power car", and insert in lieu thereof the word "car."

AMENDMENT NO. 6.

On page 2, after the paragraph ending on line 9 of the printed bill, insert the following paragraph:

"SEC. 2. Section 2 of said Act is hereby amended to read as follows:"

AMENDMENT NO. 7.

On page 2, line 10, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "2".

AMENDMENT NO. 8.

On page 2, line 21, of the printed bill, strike out the words "motor or power car", and insert in lieu thereof the word "car."

AMENDMENT NO. 9.

On page 3, after the paragraph ending on line 2, of the printed bill, insert the following paragraph:

"SEC. 3. Section 3 of said Act is hereby amended to read as follows:"

AMENDMENT NO. 10.

On page 3, line 3, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "3".

AMENDMENT No. 11.

On page 3, line 14, of the printed bill, strike out the words "power or motor car", and insert in lieu thereof the word "train".

AMENDMENT No. 12.

On page 3, after the paragraph ending on line 20, of the printed bill, insert the following paragraph:

"SEC. 4. Section 4 of said Act is hereby amended to read as follows:"

AMENDMENT No. 13.

On page 3, line 21, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

AMENDMENT No. 14.

On page 4, of the printed bill, strike out all the words beginning with the word "Sec." in line 1, and ending with the period in line 4 thereof.

AMENDMENT No. 15.

On page 4, of the printed bill, after the paragraph ending on line 4, insert the following paragraph:

"SEC. 5. Section 5 of said Act is hereby amended to read as follows:"

AMENDMENT No. 16.

On page 4, line 5, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "5".

AMENDMENT No. 17.

On page 4, after the paragraph ending on line 8, of the printed bill, insert the following paragraph:

"SEC. 6. Section 6 of said Act is hereby amended to read as follows:"

AMENDMENT No. 18.

On page 4, line 9, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "6".

AMENDMENT No. 19.

On page 4, after the paragraph ending on line 12, of the printed bill, insert the following:

"SEC. 7. A new section is hereby added to said Act, to be numbered Section 7, and to read as follows:

Section 7. Nothing contained in this Act shall be construed or be held to apply to gasoline motor cars operated exclusively on branch lines nor to trains of less than three cars propelled by electricity."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 847?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 847 by the following vote:

AYES—None.

NOES—Senators Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Juilliard, Larkins, Lyon, Regan, Shanahan, Strobridge, Thompson, and Wright—21.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1587—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals.

In the absence of the author, Senate Bill No. 1587 was passed on file.

Senate Bill No. 1586—An Act to amend Section 529 of the Political Code, relating to printing.

In the absence of the author, Senate Bill No. 1586 was passed on file.

Senate Bill No. 1220—An Act to permit municipal corporations and counties to declare certain property sold for nonpayment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1220 passed by the following vote:

AYES—Senators Beban, Benson, Burnett, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cobb, Curtin, Finn, Flint, Gates, Griffin, Leale, Mott, Rigdon, Shortridge, Stetson, Strobridge, and Thompson—21.
NOES—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 591—An Act to add a new section to the Civil Code of the State of California, to be numbered section one hundred forty-nine, relating to the creating of a lien during the pendency of actions for divorce by filing a notice of *lis pendens*, and providing methods for the release thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 591 passed by the following vote:

AYES—Senators Beban, Benson, Burnett, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cobb, Curtin, Finn, Flint, Gates, Griffin, Leale, Mott, Rigdon, Shortridge, Strobridge, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 783—An Act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 783 passed by the following vote:

AYES—Senators Beban, Benson, Burnett, Brown, Bryant, Caminetti, Campbell, Carr, Cobb, Curtin, Finn, Flint, Gates, Griffin, Leale, Mott, Rigdon, Shortridge, Strobridge, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2330, relating to the liability of parents and guardians for the negligence of their minor children or wards.

In the absence of the author, Senate Bill No. 1524 was passed over.

Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways, for the charge, supervision and control thereof by the Department of Engineering of the State of California, and State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing, or operating, connecting, or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

On motion of Senator Caminetti, Senate Bill No. 1694 was passed on file, to retain its place.

Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignments of claims for wages.

Read third time.

On motion of Senator Bryant, Senate Bill No. 1740 was passed on file, to retain its place.

Senate Bill No. 1297—An Act authorizing and empowering the regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

In the absence of the author, Senate Bill No. 1297 was passed on file.

Senate Bill No. 508—An Act to amend Section 372 of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 508 passed by the following vote:

AYES—Senators Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 1752 was passed on file.

Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 532*a*, relating to secret societies, fraternal societies, orders or organizations.

In the absence of the author, Senate Bill No. 141 was passed on file.

Committee Substitute for Senate Bill No. 191—An Act to authorize any county in the State which claims to have sustained a net loss in county revenue by the withdrawal of railroad property from county taxation in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, to commence suit against the State of California, for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

In the absence of the author, Committee Substitute for Senate Bill No. 191 was passed on file.

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 24 of Article I thereof, and relating to a property qualification to vote at elections creating indebtedness.

On motion of Senator Hans, Senate Constitutional Amendment No. 26 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1, of Article II of the Constitution, in relation to the rights of suffrage.

On motion of Senator Hans, Senate Constitutional Amendment No. 27 was passed on file.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution

of said State, by amending Section 6 of Article IV thereof, relating to senatorial and assembly districts, and repealing Section 27 of Article IV of said Constitution, relating to congressional districts and the formation thereof.

On motion of Senator Campbell, Senate Constitutional Amendment No. 4 was passed on file.

Senate Bill No. 1465—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1465 passed by the following vote:

AYES—Senators Beban, Benson, Bunkers, Burnett, Caminetti, Campbell, Carr, Cobb, Curtin, Finn, Flint, Gerdes, Hans, Jacobsen, Kehoe, Lawlor, Lyon, Mott, Regan, Shanahan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 365 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Bunkers, Burnett, Caminetti, Campbell, Carr, Cobb, Curtin, Finn, Flint, Gerdes, Hans, Jacobsen, Kehoe, Lawlor, Mott, Regan, Shanahan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 366 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Bunkers, Burnett, Caminetti, Campbell, Carr, Cobb, Finn, Flint, Gerdes, Hans, Jacobsen, Kehoe, Lawlor, Mott, Regan, Shanahan, and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 367 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Grant, Hans, Juilliard, Kehoe, Larkins, Mott, Regan, Shanahan, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 368 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Grant, Hans, Juilliard, Kehoe, Larkins, Mott, Regan, Shanahan, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 369 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Juilliard, Kehoe, Larkins, Regan, Shanahan, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1463 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Juilliard, Kehoe, Larkins, Mott, Regan, Shanahan, Thompson, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX a new section, to be numbered 17½, relating to the conditions of labor and welfare of employees.

On motion of Senator Brown, Senate Constitutional Amendment No. 72 was passed on file.

SENATE CONCURRENT RESOLUTION No. 29

Approving a certain amendment to the charter of the city of Richmond in Contra Costa County in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the eighth day of April, 1913.

WHEREAS, The city of Richmond of the county of Contra Costa, State of California, has, and at all times mentioned herein, had, and now is, a municipal corporation of the State of California, containing a population of more than twenty-five hundred (2,500) inhabitants, and has now and has ever since July 1st, A. D. 1905, been organized, existing and acting under a freeholders charter, adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 7th day of February, A. D. 1905, and approved by the legislature of the State of California the 4th day of March, A. D. 1905 (Statutes of 1905, pages 1267 to 1283, inclusive), and which charter has not been changed since its said adoption; and

WHEREAS, The legislative authority of the said city of Richmond, to wit, the council of the said city of Richmond, did by resolution duly passed by it at a meeting on the 24th day of February, A. D. 1913, and approved by the Mayor thereof and ever executive of the said city of Richmond on the 25th day of February, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly proposed to the qualified electors of said city a certain amendment to said charter of the said city of Richmond; and

WHEREAS, Said proposed amendment to said charter was duly published for ten days in the Richmond Record-Herald, a daily newspaper printed, published and generally circulated in the city of Richmond aforesaid; and

WHEREAS, The city council of the said city of Richmond did thereafter, by ordinance duly adopted by said city council and approved by the Mayor of said city, order the holding of a special municipal election in said city of Richmond on the 8th day of April, 1913, upon the question of such proposed amendment to said charter, said election to be held not less than forty nor more than forty-five days after the completion of such proposed amendment, but not more than forty days after the completion of the publication of such proposed amendment, as aforesaid, and in such ordinance duly provided for the holding of such election; and

WHEREAS, Said ordinance was duly published for three days in a daily newspaper printed, published and circulated in said city of Richmond, said publication being completed prior to said election; and

WHEREAS, All the requirements of Section 8 of Article XI of the Constitution were observed; and

WHEREAS, Said election was duly held on the 8th day of April, 1913, and at said election a majority of the qualified electors voting thereat voted in favor of the ratification of said proposed amendment to said charter; and

WHEREAS, The said council of the city of Richmond in pursuance to the law in such case made and provided, did meet on Friday, the 11th day of April, 1913, at their usual time and place of meeting, and did duly canvass the returns of said election as certified to the election board by the several precincts and declared that a majority of the qualified electors of said city voting thereat had voted for and ratified said proposed amendment to the charter of the said city of Richmond; and

WHEREAS, The said amendment so ratified by the electors of the said city of Richmond at said municipal election of April 8, 1913, is now presented to the legislature of the State of California for approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, as it reads and hereby as follows:

ARTICLE III.

Section 11. The council shall, by ordinance, provide for the assessment, levy and collection of taxes, and shall not use a system of computation by percentage or ratio of property listed with the assessor; and during the month of September in each year, it shall levy such tax as may be necessary to pay interest on the indebtedness of the city and the several departments during the fiscal year.

STATE OF CALIFORNIA,
COUNTY OF CONTRA COSTA, } ss.
CITY OF RICHMOND,

This is to certify that we, J. C. Owens, mayor of the city of Richmond, and A. C. Faris, clerk of the city of Richmond, have examined the foregoing proposed and ratified amendment to the charter of the city of Richmond, with the original resolution proposing such amendment and with the ordinance providing for the same, to

the qualified electors of the said city at a special municipal election called for that purpose on the 8th day of April, 1913, and find that the foregoing is a full, true and correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding such amendment to said charter are and each of them is true.

And for and on behalf of the said city, we being hereinbefore duly authorized, we do hereby request the legislature of the State of California to adopt and approve said amendment of the said charter and to take such other and further steps and proceedings as may be necessary to perfect such approval.

In witness whereof, we have hereunto set our hands and caused our signatures authenticated by the official seal of the said city to be hereunto attached this 12th day of April, 1913.

J. C. OWENS.
Mayor of the City of Richmond.

[SEAL]
Attest:
A. C. FARIS.
City Clerk of the City of Richmond and ex officio Clerk of the Council of the City of Richmond.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein), That the said amendment to the said charter of the said city of Richmond, hereinbefore set forth as presented and submitted to and adopted and ratified by the qualified electors of the said city of Richmond, be, and the same is hereby approved for and as an amendment to and as part of said charter of the said city of Richmond.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 26 adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Juilliard, Kehoe, Mott, Regan, Shanahan, and Wright—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 724—An Act to amend the Civil Code, Part IV, Title I, Chapter II, Article I, relative to corporate stock and stockholders, by adding a new section thereto, to be known as Section 323*a*.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 724 passed by the following vote:

AYES—Senator Anderson, Beban, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Grant, Hans, Juilliard, Kehoe, Larkins, Mott, Regan, Shanahan, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Anderson asked and was granted unanimous consent to withdraw Senate Bill No. 1233—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Senate Bill No. 1233 withdrawn, and ordered stricken from the file.

THIRD READING OF BILLS—(RESUMED)

Senate Bill No. 1003—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April, 1872.

In the absence of the author, Senate Bill 1003 was passed on file.

Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 629½, to prevent the use or possession of lobepera nets, paramella nets, trawl or drag nets, and providing the penalty therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1472 passed by the following vote:

Ayes—Senators Anderson, Bloom, Bronson, Bryant, Boyle, Caminetti, Chesebro, Cogswell, Cory, Cole, Curtis, Elliott, Finn, Flint, Gerdes, Gesmer, Hans, Hatfield, Holohan, Jacobsen, Lockaby, Metz, Regan, Shanahan, and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 530—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties, power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the Superior Court or a judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

On motion of Senator Finn, Senate Bill No. 530 was passed on file.

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 632c, relating to the taking of trout by using salmon as trout roe or eggs.

On motion of Senator Finn, Senate Bill No. 962 was passed to the foot of the file.

Senate Bill No. 1263—An Act to amend Section 1880 of the Political Code of the State of California, relating to the rate of interest and sale of school bonds.

In the absence of the author, Senate Bill No. 1263 was passed on file.

Senate Bill No. 1411—An Act to amend section ninety-two of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

On motion of Senator Cohn, Senate Bill No. 1411 was passed on file.

Senate Bill No. 1699—An Act providing for the construction by counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1699 was passed on file.

Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 2½, relating to sessions of the Legislature.

On motion of Senator Caminetti, Senate Constitutional Amendment No. 60 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

In the absence of the author, Senate Constitutional Amendment No. 67 was passed on file.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 804 was passed on file.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was passed on file.

Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

On motion of Senator Finn, Senate Bill No. 1009 was passed on file.

Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gates moved to refer Senate Bill No. 1753 to Senator Hewitt, as a special committee of one, to amend as follows:

AMENDMENT NO. 1.

On page 1, Section 1, of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Any portion of a county containing unincorporated territory, or containing the whole or any portion of one or more incorporated cities and contiguous unincorporated territory, and not included in a water district, may be formed into a water district".

AMENDMENT NO. 2.

On page 1, Section 2, line 9, of the printed bill, strike out the word "twenty-five", and insert in lieu thereof the word "fifty".

AMENDMENT NO. 3.

On page 3, Section 4, of the printed bill, strike out lines 9 to 35, inclusive, and insert in lieu thereof the following:

"SEC. 4. Any person interested, objecting to the formation of said district, or to the extent of said district, or to the proposed improvement, or to the inclusion of his property in said district, may file a written protest, setting forth such objections, with the clerk of said board at or before the time set for the hearing of said petition. The clerk of said board shall endorse on each such protest the date of its reception by him, and, at the time appointed for the hearing above provided for, shall present to said board all protests so filed with him. Said board shall hear said petition and protests at the time appointed, or at any time to which the hearing thereof may be adjourned, and pass upon the same, and its decision thereon shall be final and conclusive. If any of such protests be against the formation of said district, or against the proposed improvement, and be sustained, no further

proceedings shall be had or taken hereunder, in said petition, plan or work mentioned, the same are hereby declared to be for a public purpose and to be of public benefit.

If such petition be against the action of said district, or against the confirmation of proposals in said district, then the board shall have power to modify and change the boundaries of the proposed district as it shall find to be proper and advisable, and shall define and establish such boundaries, but said board shall not modify such boundaries so as to exclude from such proposed district any territory which will be benefited by and necessary, nor shall it have power, which will not be benefited by and necessary, nor shall it have power, which will not be benefited by and necessary, nor shall it have power, which will not

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 905—An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act -and report that the same has been correctly engrossed.

GRANT, Chairman.

Senate Bill No. 905 ordered re-referred to Committee on Finance.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1452—An Act to amend Section 626*b* of the Penal Code, relating to the protection of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 1452 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 580—An Act to amend Section 628*c* of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HANS, Chairman.

Assembly Bill No. 580 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628*a*, relating to the protection and preservation of salt water perch—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 325 ordered on file for second reading.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 739 passed by the following vote:

Ayes—Senators Anderson, Boyce, Brown, Burnett, Curry, Eaton, Gerdes, Gerlach, Gray, Gates, Gates, Ellis, Ellis, Gates, Grant, Hare, Holland, Rolfe, Mott, Rains, Stanford and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 638—An Act making an appropriation to pay the claim of the trustees of the State Board of Agriculture against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 638 passed by the following vote:

Ayes—Senators Anderson, Boyce, Brown, Burnett, Curry, Eaton, Gerdes, Gerlach, Gray, Gates, Gates, Ellis, Ellis, Gates, Grant, Hare, Holland, Rolfe, Mott, Rains, Stanford and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

AMENDMENT TO TITLE.

Senator Curtin moved to amend the title as follows:

Amend by striking out of the first line the word "mineralogist" and insert in lieu thereof the following: "part of the duties of"

Also, strike out all after the word "appropriation," in line 4, and in lieu thereof insert the following: "against the State of California."

Title, as amended, read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF BILLS. (RESUMED.)

Committee Substitute for Senate Bill No. 254—An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties, providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 254 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Brown, Butler, Caminetti, Cohn, Curtin, Finn, Flint, Gates, Hans, Juilliard, Kehoe, Larkins, Moore, Regan, Shanahan, and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1034—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof" approved February 20, 1905, approved April 14, 1911, as amended.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Flint, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 9, of amended bill, strike out the words "between the ages of twelve and", and insert in lieu thereof the following: "under the age of".

AMENDMENT No. 2.

On page 3, lines 7 and 8, strike out the word "and" in line 7, and the figure "(3)" in line 8.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1034, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 510—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners, and a board of registration of religious practitioners.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gates moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

In line 2, of the title, strike out all after the word "surgery", and insert in lieu thereof the following:

Osteopathy, naturopathy, chiropractic, mechanotherapy and other systems or modes of treating sick or afflicted human beings in the State of California; fixing the standard for the admission to such practice; for the appointment of a board

of medical corporate practice for the duties imposed by the terms of said initiative medical corporation Amendment; imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice medicine and surgery, osteopathy, osteopathic physicians, chiropractic or other systems or modes of treating such in different human beings in the State of California; providing penalties for a violation of any of the provisions of said Act, as hereby set forth and amended. An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a board of medical examiners in the matter of said examination; defining certain duties of said board of medical examiners; providing for the payment of the salaries of said board of medical examiners; providing penalties for the violation of the provisions of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act. An Act to amend Section 10 of the Act entitled "An Act to regulate the practice of medicine and surgery, osteopathy, osteopathic physicians, chiropractic or other systems or modes of treating such in different human beings in the State of California, and for the appointment of a board of medical examiners in the matter of said examination; defining certain duties of said board of medical examiners; providing for the payment of the salaries of said board of medical examiners; providing penalties for the violation of the provisions of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act," approved March 14, 1907, as amended by an initiative Act approved October 10, 1911, relating to the Medical Practice Act of California, and providing penalties for a violation of any of the provisions of said Act as so amended by the provisions of Section 10 of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act. An Act to amend Section 10 of an Act entitled "An Act to regulate the practice of medicine and surgery, osteopathy, osteopathic physicians, chiropractic or other systems or modes of treating such in different human beings in the State of California, and for the appointment of a board of medical examiners in the matter of said examination; defining certain duties of said board of medical examiners; providing for the payment of the salaries of said board of medical examiners; providing penalties for the violation of the provisions of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act," approved March 14, 1907, as amended by an initiative Act approved October 10, 1911, relating to the Medical Practice Act of California, and providing penalties for a violation of any of the provisions of said Act as so amended by the provisions of Section 10 of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act. An Act to amend Section 10 of an Act entitled "An Act to regulate the practice of medicine and surgery, osteopathy, osteopathic physicians, chiropractic or other systems or modes of treating such in different human beings in the State of California, and for the appointment of a board of medical examiners in the matter of said examination; defining certain duties of said board of medical examiners; providing for the payment of the salaries of said board of medical examiners; providing penalties for the violation of the provisions of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act," approved May 1, 1913. To compare an Act entitled "An Act to regulate the practice of medicine in the State of California, and to provide for a board of examiners therefor, and to provide for the licensing of persons to practice medicine in the State, and certain matters relating thereto, and providing penalties for violations of the provisions of said Act, and repealing all acts and parts of acts inconsistent therewith," approved March 14, 1907, as amended by an initiative Act approved October 10, 1911, relating to the Medical Practice Act of California, and providing penalties for a violation of any of the provisions of said Act as so amended by the provisions of Section 10 of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act. An Act to amend Section 10 of an Act entitled "An Act to regulate the practice of medicine and surgery, osteopathy, osteopathic physicians, chiropractic or other systems or modes of treating such in different human beings in the State of California, and for the appointment of a board of medical examiners in the matter of said examination; defining certain duties of said board of medical examiners; providing for the payment of the salaries of said board of medical examiners; providing penalties for the violation of the provisions of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act," approved May 1, 1913, relating to the Medical Practice Act of California, and providing penalties for a violation of any of the provisions of said Act as so amended by the provisions of Section 10 of said Act, as hereby set forth and amended; providing for the repeal of all acts and parts of acts inconsistent herewith, and declaring the urgency of this Act.

The result of the State at California as given as follows:

AMENDMENT No. 2.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. The governor shall appoint a board to be known as the board of medical examiners of the State of California. Said board shall consist of seven members appointed as follows: Five members from the school or system of medicine known as the "regular" or "old school" practice, one member from the school or system of medicine known as the homeopathic, and one member from the school or system of medicine known as the eclectic. Not more than five members of said board shall be appointed from the school or system of medicine known as the "regular" or "old school" practice, nor more than one member from the school or system of homeopathy, nor more than one member from the school or system of eclectic. Each member of said board shall be a graduate of a medical college in good standing, and shall have been engaged in the practice of his profession in the State of California for a period of not less than five years next preceding his appointment. Each member of said board shall be a citizen of the United States and a resident of the State of California, and have been engaged in practice in accordance with the principles of the school or system from which he is appointed, for at least one year next preceding his appointment. All vacancies in the said board occurring by expiration of term or otherwise shall be filled by appointment from the school or system of medicine the vacancy exists. No professor, instructor or other person in any medical college or who is financially interested in the success of a medical college, university, osteopathic, chiropractic, eclectic, homeopathic or any other school or system of healing, for such an educational purpose, shall be appointed a member of said board. The term of office of each member shall be four years and until his successor is appointed and qualified. It shall require a majority vote of the members of said board to carry any motion, resolution, adopt any rule or pass any measure, except to authorize the issuance of certificates, which shall be done by the majority as in this Act provided.

SEC. 2. Each member of said board shall, before entering upon the duties of his office, qualify by taking and filing with the secretary of state the constitutional oath of office and in addition shall make and file an oath that he has been for not less than

preceding the date of his appointment a citizen of the United States, a bona fide resident of the State of California, and a graduate and a practitioner in and of the school or system from which he is appointed.

SEC. 3. Said board shall organize on or before the second Tuesday in July, 1913, by electing from its members a president, a vice-president, a secretary, and a treasurer, who shall hold their offices respectively for the period of one year, and until their successors are duly elected and qualify. The secretary and treasurer shall each give a bond in the sum of five thousand dollars to the State of California for the faithful performance of their respective duties. The president, or in his absence the vice-president, shall preside over all meetings of the board and sign all orders or other documents requiring his signature. The secretary shall collect all moneys and fees, as in this Act provided, give his receipt therefor and within ten days pay the same over to the treasurer, taking his receipt therefor, and perform such other duties as may be required of him by said board. The treasurer shall receive all money from the secretary and receipt therefor.

SEC. 4. The governor may also appoint, subject to his revocation at any time, two medical inspectors. Such inspectors when appointed shall be under the direction of the board of medical examiners, and shall perform such duties as said board may require, and shall also make such reports to the governor as he may require. The pay of each inspector shall be one hundred dollars per month, payable out of the board of medical examiners' contingent fund, upon requisition of the board.

SEC. 5. All fees and fines or other moneys collected on behalf of the board of medical examiners shall be reported by the secretary at the beginning of each month for the month preceding to the state controller, and at the same time the treasurer shall pay over the amount of collections received by him to the state treasurer, reserving however, a petty cash fund of not more than two hundred dollars. The amount transmitted to the state treasurer shall be credited to a fund to be known as the board of medical examiners contingent fund, which fund is hereby created. Such contingent fund shall be for the use of the board of medical examiners and out of it shall be paid all salaries and all other expenses lawfully incurred in carrying into effect the provisions of this Act. The board shall have power to employ clerical assistance and to fix the salaries of the same. It shall fix the salary of the secretary at a sum not to exceed twelve hundred dollars per annum and shall fix the compensation to be paid to other members of the board, not to exceed the rate of ten dollars per diem each, for each and every day of actual service in the discharge of official duties; and said board may in its discretion, add to said sums, necessary traveling and incidental expenses, and incur such other expenses as may be deemed necessary to carry into effect the provisions of this Act.

SEC. 6. Said board shall hold its regular meetings for examination and other purposes in the city and county of San Francisco, on the first Tuesday of April and August and in the city of Los Angeles on the first Tuesday of December of each year, and shall have the power to adjourn from time to time until its business shall have been concluded. A quorum shall consist of seven members. If at any time less than a quorum shall be present, such number shall have the power to adjourn from day to day until a quorum shall be present but such number less than a quorum shall have no other power. Said board may, in its discretion, conduct examinations of applicants for certificates in any part of the state designated by the board but no board must examine every applicant presenting the evidence of his qualifications specified in this Act. Notice of each regular meeting of the board shall be given by publication twice a week for each of the two weeks next preceding each meeting, in four daily newspapers of general circulation published in the city and county of San Francisco, in one daily newspaper published in the city of Sacramento and in three daily newspapers published in the city of Los Angeles; said notice shall also specify the time and place of holding the examinations of applicants for certificates. Special meetings of the board may be held at such times and places as may be designated by the board and the same notice thereof shall be given as herein required to be given in the case of regular meetings. The secretary shall receive all applications for certificates as provided in this Act to be issued by the board, and shall keep a correct account of all such applications in a book to be kept for such purposes, and said board shall on or before the first day of January of each year, transmit to the governor of the state a full and true report of all its proceedings, number of applications received, number of certificates issued, together with a full and true report of its receipts and disbursements.

SEC. 7. It shall be the duty of the state board of control of the State of California to audit the accounts of said board and transmit a copy of its report to the governor of the state on or before the first day of January each year.

SEC. 8. The board of medical examiners shall maintain an office exclusively for the transaction of the business of the board, which office shall remain open for the transaction of such business during regular business hours. The said office of said board shall be in the city and county of San Francisco and in all legal proceedings against said board, the said city and county of San Francisco shall be deemed to be the residence of the members thereof.

SEC. 9. Any member of said board may administer oaths in all matters pertaining to the duties of said board and the board shall have the power and authority to take evidence in any matter cognizable by it, in accordance with the provisions of the

Code of Civil Procedure of the State of California, pertaining to the rules of evidence and the manner of its presentation.

SEC. 10. Said board shall keep an official record of all the proceedings, a copy of which record consists of a register of all applicants that appear before the Act with the result of each application. Said record shall be prima facie evidence of said board which are of said records.

SEC. 11. Certificates of the following grades shall be issued by said board under the seal of the board and signed by the president and secretary as follows:

First—A certificate authorizing the holder thereof to practice osteopathy.

Second—A certificate authorizing the holder thereof to practice osteopathy.

Third—A certificate authorizing the holder thereof to practice osteopathy.

Fourth—A certificate authorizing the holder thereof to practice osteopathy.

Fifth—A certificate authorizing the holder thereof to practice osteopathy.

Section A certificate authorizing the holder thereof to practice and other branches by mode of treating the sick or afflicted, shall be issued, by said examining [illegible] provisions of this Act.

SEC. 12. Every person desiring to practice osteopathy shall [illegible] examination [illegible] of this State, in such [illegible] of [illegible] at least two weeks prior to the [illegible] of the board of [illegible] of the State of California. [illegible] be entitled to [illegible] to [illegible] to such board, prove to the satisfaction of [illegible] that such applicant is not less than [illegible] good moral character, that he graduated from a [illegible] or chartered school or college in osteopathy, and that the same was prepared to the regular course of instruction and examination required of [illegible] satisfactory evidence of that fact. Such applicants shall pass the [illegible] subjects the principles of which the [illegible] a certificate authorizing him to practice according to the [illegible] success.

A school or college of practice and surgery as the board of examiners [illegible] granted or chartered school or college by this Act shall have required [illegible] Prior to [illegible] two courses of not less than seven months each, [illegible] no two or such courses to have been taken within any one calendar [illegible] have required for admission thereto a preliminary education [illegible] than from a high school having a [illegible] after May 6, 1907, [illegible] permitted to graduate [illegible] for matriculation a [illegible] this Act, or an equivalent certificate [illegible] United States, or the [illegible] but such a [illegible] requirements [illegible] this Act shall have an active and [illegible] regular [illegible] college [illegible] [illegible] [illegible]

of Columbia, or the equivalent education required for such a medical student's certificate; shall literally observe its own published requirements regarding tuition, time of attendance at annual sessions and requirements regarding graduation, which must be definitely expressed and not in conflict with this Act; shall have an active and competent faculty for teaching the science and art of osteopathy; and the curriculum of which shall be in no particular less than that set forth in the following table: Histology 90 hours, embryology 90 hours, osteology 30 hours, anatomy 420 hours, physiology 300 hours, chemistry and toxicology 300 hours, bacteriology 140 hours, pathology 240 hours, comparative anatomy, post mortem work and clinical microscopy 90 hours, practice of osteopathy 540 hours, obstetrics 160 hours, gynecology 160 hours, medical jurisprudence 30 hours, hygiene and public health 30 hours; dietetics 30 hours and general diagnosis 100 hours; *provided*, that a leeway of ten per cent may be allowed in the above schedule, but there shall be a minimum requirement of not less than a total of 3,000 hours; the hours in didactic, laboratory and clinical instruction, shall be regulated by such schools and colleges as to them may seem proper; shall have clinical and hospital facilities; shall require actual attendance on eighty per cent of three courses of instruction, in an osteopathic school or college, of not less than 32 continuous weeks, excluding holidays, in three separate years. Such schools or colleges may allow advanced standing from other osteopathic schools or colleges having equal requirements, on presentation of official credentials, excepting in the subjects embraced in the third years of their own curriculum.

A school or college of naturopathy to be deemed by this Act, a recognized incorporated or chartered school or college, shall require for matriculation a medical student's certificate as provided for in section fifteen of this Act, or an equivalent certificate from some other state or territory of the United States, or the District of Columbia, or the equivalent education required for such a medical student's certificate; shall literally observe its own published requirement regarding tuition, time of attendance at annual sessions and requirements for graduation, which must be definitely expressed, and not in conflict with this Act; shall have an active and competent faculty for teaching the science and art of naturopathy; and the curriculum of which shall be in no particular less than that set forth in the following table: Histology 90 hours, embryology 90 hours, osteology 30 hours, anatomy 420 hours, physiology 300 hours, bacteriology 140 hours, pathology 240 hours, comparative anatomy, post mortem work and clinical microscopy 90 hours, physical diagnosis 100 hours, practice of naturopathy 540 hours, obstetrics 160 hours, gynecology 160 hours, medical jurisprudence 30 hours, hygiene and public health 30 hours, dietetics 30 hours; *provided*, that a leeway of ten per cent may be allowed in the above schedule, but there shall be a minimum requirement of not less than a total of 4,000 hours; the hours in didactic, laboratory and clinical instruction shall be regulated by such schools or colleges as to them may seem proper; shall have clinical and hospital facilities; shall require actual attendance on eighty per cent of four courses of instruction, in a naturopathic school or college, of not less than 32 continuous weeks, excluding holidays, in four separate years. Such schools or colleges may allow advanced standing from other naturopathic schools or colleges having equal requirements, on presentation of official credentials, excepting in the subjects embraced in the fourth year of their own curriculum.

A school or college of chiropractic to be deemed a recognized incorporated or chartered school or college, by this Act, shall literally observe its own published requirements regarding tuition, time of attendance at annual sessions and requirements for graduation, which must be definitely expressed and not in conflict with this Act; shall have an active and competent faculty for teaching the art of chiropractic; and the curriculum of which shall include instruction in anatomy, physiology, pathology, etiology, nerve tracing, palpation, specific adjusting, chiropractic orthopady and the principles of the theory and practice of chiropractic; shall have clinical facilities; shall require actual attendance of eighty per cent of two courses of instruction in a chiropractic school or college, of not less than 32 continuous weeks, excluding holidays, in two separate years; but there shall be a minimum requirement of not less than 1,000 hours. Such schools or colleges may allow advanced standing from other chiropractic schools or colleges having equal requirements, on presentation of official credentials, excepting in the subjects embraced in the second year of their own curriculum; and after July 1, 1913, shall require of matriculants a certificate of grammar school education as provided for in section fifteen of this Act or an equivalent certificate from some other state or territory of the United States, or the District of Columbia, or the equivalent education required for such a certificate.

A school or college of mechanotherapy to be deemed a recognized incorporated or chartered school or college, by this Act, shall literally observe its own published requirements regarding tuition, time of attendance at annual sessions and requirements for graduation, which must be definitely expressed and not in conflict with this Act; shall have an active and competent faculty for teaching the science and art of mechanotherapy; and the curriculum of which shall include instruction in anatomy, physiology, hygiene, hydrotherapy, manual manipulation, suggestive

such secretary shall give the number and name of any applicant to any member of the board, or any other person, or allow the same to be placed in such a place or position, that any member of the board or any other person can, or would be able, to obtain the same, until such application shall have been finally voted upon.

SEC. 14. Each applicant on making application shall pay to the secretary of the board a fee of twenty-five dollars, which shall be paid to the treasurer of the board by said secretary. In case the applicant's credentials are insufficient, or in case he does not desire to take the examination the sum of ten dollars shall be retained, the remainder of the fee being refunded upon application.

SEC. 15. A medical student's certificate as provided for in this Act shall be issued by the superintendent of public instruction of the State of California to every applicant who shall give satisfactory evidence that he has:

(1) The degree of A.B., or B.S., or Ph.B., or B.L., or a degree equivalent to any of them, from a university or college; (2) a state teacher's permanent or life certificate; (3) a diploma from a California high school or its equivalent, normal, parochial or other school or academy, requiring for admission evidence of the completion of an eight-year course in primary and intermediate grades, and for graduation not less than four years of study; (4) a medical student's certificate from any other state or territory of the United States, or the District of Columbia, issued upon requirements equal to those herein provided; (5) or upon examination in writing with a general average of seventy-five per cent in the following branches:

Mathematics, (*a*) algebra, (*b*) plane geometry; English, (*a*) English grammar, (*b*) rhetoric and composition; Latin, (*a*) Latin grammar, (*b*) Latin prose composition, (*c*) reading four books of Cæsar or equivalent; physics; history; German or French, grammar and composition; physiology and hygiene; drawing.

Every application for a medical student's certificate shall contain the full name of the applicant, age, when born, where born, and if a foreigner if naturalized or not, what schools or institutions of learning he has attended, the time spent therein, where such schools are situated, how long a resident of this state and the place where he last resided, together with a certificate signed by two reputable practitioners of the school or system for which the applicant desires or intends to prepare, who have been practicing their profession in the state or territory of the United States, or the District of Columbia, where said applicant is a resident, for at least one year before the filing of such application, stating how long the applicant has been known to them, and such other and further facts as may tend to show whether or not the applicant would be a suitable person morally to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings. Such application shall be accompanied by a fee of five dollars.

Every applicant failing to obtain a general average of seventy-five per cent in the above examination, and not falling below fifty per cent in more than two branches, shall be given a conditional certificate. Any school or college of medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state may matriculate the holder of any conditional medical student's certificate to within twelve months of its date, contingent upon the condition being removed within twelve months from the date of the certificate. Such conditions can be removed only by the presentation of a certificate from the superintendent of public instruction, that such applicant has passed a satisfactory examination in the branches in which he was conditioned. If such conditions are not removed within twelve months from the date of the certificate, such school or college shall cancel the matriculation. The superintendent of public instruction shall keep a record of all medical student's certificates issued, and upon the issuance of any conditional certificate shall send a copy of the record thereof to the state board of medical examiners.

A certificate of grammar school education as provided for in this Act shall be issued by the superintendent of public instruction of the State of California to every applicant who shall, on examination, give evidence of educational qualifications equivalent to those required for graduation from the grammar schools of this state. Every application for a certificate of grammar school education shall contain the full name of the applicant, age, when born, where born, and, if a foreigner, if naturalized or not, what schools or institutions of learning he has attended, the time spent therein, where such schools are situated, how long a resident of this state and the place where he last resided, together with a certificate signed by two reputable practitioners of the school or system for which the applicant desires or intends to prepare, who have been practicing their profession in the state or territory of the United States, or the District of Columbia, where said applicant is a resident, for at least one year before the filing of such application, stating how long the applicant has been known to them, and such other and further facts as may tend to show whether or not the applicant would be a suitable person morally to practice chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings. Such application shall be accompanied by a fee of five dollars.

Any school or college of medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted

human beings in the State and shall be authorized and applicable to whom such a certificate may have been issued.

SEC. 16. Any person who holds an unrevoked certificate to practice medicine and surgery, osteopathy, chiropractic, naturopathy, opthalmology or any other system or mode of treating sick or afflicted human beings in the State of California, which certificate was in force and effect at the time this Act takes effect, and who is a graduate of a medical college or institution in the United States, or any territory thereof, or in the Dominion of Canada, shall be entitled to a certificate under this Act, without examination, to practice the profession or system of healing for which he or she holds a certificate at the time this Act takes effect, upon the payment to the board of medical examiners of the State of California of the fee provided for in this Act; provided, however, that no certificate shall be issued to any person who has been refused a certificate by the board of medical examiners of the State of California, or who has had a certificate revoked by said board, except upon the same terms and conditions as may be required of any applicant for a certificate who has never received a certificate from said board; provided, further, that any person who has been refused a certificate by said board of medical examiners, or who has had a certificate revoked by said board, may appeal from the decision of said board to the superior court of the county in which said person resides, and upon the hearing of said appeal the superior court may, in its discretion, direct the issuance of a certificate to said person upon the same terms and conditions as if said person had been originally applying to said board for a certificate.

SEC. 17. Any physician or surgeon who was graduated from a medical college in the United States, or any territory thereof, or in the Dominion of Canada, and who has been engaged in practicing medicine and surgery, or any system or mode of treating sick or afflicted human beings in the State of California for a period of not less than five years next preceding the time this Act takes effect, and who is a graduate of a medical college or institution

board, charging the applicant with having been guilty of unprofessional conduct within two years next preceding the filing of the complaint, and upon citation personally served upon the applicant and upon hearing of the complaint or such other proceedings as are hereinafter provided for. A copy of the complaint shall be attached to the citation. The citation shall be made returnable at the next regular meeting of the board, occurring not less than thirty days next after the filing of the complaint, and shall notify the applicant of the time and place of the hearing of such charge, which shall be the time and place of the next regular meeting of the board occurring not less than thirty days after the filing of the complaint. The applicant so cited shall have twenty days after service on him of said citation and complaint to file his answer, which answer shall be verified by oath; and in default of answer a certificate shall be refused. If the board shall hold any regular or special meeting within thirty days after the filing of such complaint, or any special meeting after thirty days from the filing of the complaint, but before the regular meeting to which the citation is made returnable, the applicant may, if he choose, enter appearance and file answer and move for a hearing at such regular or special meeting as the case may be, and except for good reason to the contrary, such hearing shall be held. The attendance of witnesses at such hearing shall be compelled by subpœnas issued by the secretary of the board under its seal, and said secretary shall in no case refuse to issue any such subpœna. Said subpœnas shall be served and returned in accordance with the statutes of this state then in force. If any person refuses to obey a subpœna served upon him the fact of such refusal shall be certified by the secretary of said board under the seal thereof, to the superior court of the county in which the service was had, and said court shall thereupon proceed to hear said matter in accordance with the statutes of this state then in force as to contempts for disobedience of process of the court; and should said court find that the subpœna has been legally served and that the party so served has wilfully disobeyed the same, it shall proceed to punish such as is provided in cases of contempt of court. In all cases of alleged unprofessional conduct arising under this Act depositions of witnesses may be taken the same as in civil cases, and all the provisions of the statutes of this state then in force as to the taking of depositions are hereby made applicable to the taking of depositions under this Act. If the applicant shall fail to file with the secretary of said board his answer under oath to the charges made against him within twenty days after service on him of said citation and complaint, or within such further time as may be granted, and the charges on their face be sufficient, default shall be entered against him and his application refused. If issue be joined, the board shall proceed to determine the matter, and to that end shall hear such evidence as may be adduced before it; and if it appear to the satisfaction of the board that the applicant is guilty as charged, no certificate shall be issued to him. Whenever any holder of a certificate to can provided for is guilty of unprofessional conduct as the same is defined in this Act, and the said unprofessional conduct has been brought to the attention of the board granting the said certificate, in the manner hereinafter pointed out, or whenever a certificate has been procured by fraud or misrepresentation, or issued by a clerical mistake, it shall be the duty of the board to and it must revoke the same, and the holder of said certificate shall not be permitted to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy, or any other system or mode of treating sick or afflicted human beings in this state. But no such revocation shall be made unless such holder is cited to appear and the same proceedings are had as is hereinbefore provided in this section in case of refusal to issue certificates. The secretary in all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of revocation under the seal of the board, to the county clerk of the counties in which the certificate of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person, the following: "This certificate was revoked on the ——— day of ———," giving the day, month and year of such revocation in accordance with said certification to him by the secretary. The record of such revocation so made by the said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of said board in the matter of said revocation. From the time of the revocation of a certificate, the holder thereof shall be disqualified from practicing medicine, osteopathy, naturopathy, chiropractic, mechanotherapy, or any other system or mode of treating sick or afflicted human beings in this state. The words "unprofessional conduct" as used in this Act, are hereby declared to mean:

First. The procuring, or aiding or abetting in procuring a criminal abortion.

Second. Wilfully betraying a professional secret, which if divulged would tend to hold the patient up to public scorn and contempt, except when ordered to do so by a court of competent jurisdiction.

Third. All advertising of medical business which is intended to deceive the public or impose upon credulous or ignorant persons, and so be harmful or injurious to public morals or safety.

Fourth. All advertising of any medicine, means, methods, or appliances whereby

if it appears or provides that the specific powers of proposed boards may be regulated or re-established if suppressed.

Fifth. Conversion of a board to any new purpose, unless, in each case the record of such conversion shall be unanimous.

Sixth. Hearings shall not be held.

Seventh. The superintendent of buildings shall not be a member.

Sec. 22. The said board shall not be liable for the loss of, damage to, or injury to property or person occurring in the course of the work of preparing, erecting, altering, repairing, removing or demolishing any building, structure or appliance, or any part thereof, or any excavation in connection therewith, unless such loss, damage or injury is caused by the wilful misconduct of the said board or of some person employed by it; but nothing herein contained shall relieve any person from any liability which he would have had if this section had not been passed.

Sec. 23. The said board shall not be bound to see to the execution or administration of any trust, whether express, implied or constructive, in respect of any dedication, devise, bequest, grant, conveyance, contract or agreement for the time being relating to or affecting any building, structure or appliance, or any part thereof, or any excavation in connection therewith, or the purpose or purposes to which the same or any part thereof may be applied, and the receipt of the person in whose name or on whose behalf any stock or money may be transferred or paid under the provisions of this Act shall be a discharge to the said board for the stock or money so transferred or paid, or for the dividends or interest or other proceeds of the stock or money, and the said board shall not be bound to see to the application of the stock or money so transferred or paid, or of the dividends or interest or other proceeds thereof, or be answerable for the misapplication thereof.

Sec. 24. The said board shall not be liable for the acts, receipts, neglects or defaults of any person employed by it, unless such acts, receipts, neglects or defaults shall happen through the wilful misconduct of the said board.

Sec. 25. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 26. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 27. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 28. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 29. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 30. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 31. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 32. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 33. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 34. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 35. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 36. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 37. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 38. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 39. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 40. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 41. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 42. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 43. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 44. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 45. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 46. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 47. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 48. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 49. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

Sec. 50. The said board shall not be liable for any loss, damage or injury to any person or property, or for any expense, caused by the exercise of any power conferred by this Act, unless such loss, damage, injury or expense shall happen through the wilful misconduct of the said board.

to be issued, or seal, or cause to be sealed, a certificate authorizing any person to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred ($100) dollars, or more than five hundred ($500) dollars, or by imprisonment for a term of not less than sixty (60) days nor more than one hundred and eighty (180) days, or by both such fine and imprisonment.

SEC. 28. Nothing in this Act shall be so construed as to inhibit service in the case of emergency, or the domestic administration of family remedies, nor shall this Act apply to any commissioned medical officer in the United States army, navy or United States public health service in the discharge of his official duties; nor to any licensed dentist when engaged exclusively in the practice of dentistry; nor to hospitals; nor to nurses acting under the direction of a physician or surgeon; nor to the selling of proprietary medicines in original packages when guaranteed by the manufacturer under the United States pure food and drugs Act of June 30, 1906, or under the California Pure Drugs Act, Chapter 186, Statutes of 1907, approved March 11, 1907. Nor shall this Act apply to any practitioner from another state or territory when in actual consultation with a licensed practitioner of this state, if such practitioner is, at the time of such consultation, a licensed practitioner in the state or territory in which he resides, *provided*, that such practitioner shall not open an office or appoint a place to meet patients, or receive calls within the limits of this state. Nor shall this Act be construed so as to discriminate against any particular school of medicine and surgery, or osteopathy, or naturopathy, or chiropractic, or mechanotherapy or any other system or mode of treating sick or afflicted human beings or to interfere in any way with the practice of religion; *provided*, that nothing in this Act shall be construed to regulate, prohibit or apply to any kind of treatment by occult or by metaphysical methods, whether gratuitously or for compensation; *and provided*, that nothing in this Act shall be construed to regulate, prohibit, or apply to, any kind of treatment by prayer, whether gratuitously or for compensation.

SEC. 29. An Act entitled "An Act for the regulation of the practice of medicine and surgery, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," which became a law under constitutional provision, without governor's approval February 27, 1901; and an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907; and an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of the said regulation,'" which became a law March 19, 1909; and an Act entitled "An Act to amend an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, as amended by a certain Act approved March 19, 1909, by amending Section 16 thereof, and by adding a new section to said Act, which section shall be numbered 13*a*, relating to the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and imposing certain duties and obligations upon all persons who shall practice, or shall attempt to practice, medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and providing penalties for a violation of any of the provisions of said Act, or of any of the provisions of Section 13*a* hereby added thereto," approved May 1, 1911; and an Act entitled "An Act to regulate the practice of osteopathy in the State of California, and to provide for a state board of osteopathic examiners, and to license osteopaths to practice in this state, and punish persons violating the provision of this Act," which became a law under constitutional provision without governor's approval March 9, 1901; and an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,'" approved March 19, 1909; and all Acts and parts of Acts in anywise conflicting with the provisions of this Act, are hereby repealed.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 540, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—CONCLUDED.

The following reports of standing committees were received and read:

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Enrollment, to whom was referred Senate Bill No. 1239—An Act providing for the commissioning of boards to govern the people of California as to the best methods of preserving the sound of locomotives and the investigation of its prevention and relating to engineering matters—have carefully examined the same, and respectfully report that the same has been correctly engrossed and that the amendments as proposed by the Committee on Public Health and Quarantine be not adopted, but that the amendments thereto as proposed by the Committee on Finance be accepted, and as thus amended we recommend that the bill do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1239 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug fiends, near Stockton, California, and to provide for the government and management thereof, and making an appropriation therefor—respectfully recommend that the amendments proposed by the Committee on Hospitals and Asylums be adopted, and that the bill as amended do pass.

STROBRIDGE, Chairman.

Senate Bill No. 628 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 342—An Act to amend Section 1288 of the Penal Code of California, relating to warders and clerks, salaries, etc., to which committee amendments have been proposed—respectfully recommend that the amendments as proposed by the Committee on Prisons and Reformatories be adopted and that the bill do pass as amended by said committee.

STROBRIDGE, Chairman.

Senate Bill No. 342 ordered on file for second reading.

SENATOR MOTT IN THE CHAIR.

At five o'clock and fifty minutes p.m. Senator Mott of the Twenty-fifth District, in the chair.

REPORT OF STANDING COMMITTEE—FOURTH TIME CONCLUDED.

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1715—An Act to amend Section 2081 of the Political Code of the State of California, relating to salaries of the Attorney General's department.

Also, Senate Bill No. 891—An Act amending Section 560 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 1715 and 891 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1370—An Act to authorize the payment of the claim of Western Pipe Company against the State of California, and making an appropriation therefor out of the San Francisco harbor funds.

Also: Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meyer's Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe to McKinney's.

Also: Senate Bill No. 681—An Act to create a "state bureau of criminal identification and investigation;" providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 1370, 167, and 681 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1082—An Act to provide for the investigation of the practicability of the construction of canals and the canalization of rivers, their tributaries, and other waterways in California in aid of commerce; to define the duties of the Department of Engineering and of the Governor, in relation thereto, and to make an appropriation to defray the cost of such investigation—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute as proposed by the Committee on Commerce and Navigation be rejected and that the substitute as proposed by the Committee on Finance be adopted and do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1082 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 1604 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Caminetti, the Senate took up the second reading of Senate Bill No. 1082, out of order.

Senate Bill No. 1082—An Act to provide for the investigation of the practicability of the construction of canals and the canalization of rivers, their tributaries, and other waterways in California in aid of commerce; to define the duties of the Department of Engineering and of the Governor, in relation thereto, and to make an appropriation to defray the cost of such investigation.

During second reading of the bill, the following committee substitute was offered by the Committee on Commerce and Navigation:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1082

An Act making an appropriation to continue investigations under the provisions of an Act entitled "An Act to provide for the investigation of the practicability of the construction of canals and the canalization of rivers, their tributaries, and other waterways in California in aid of commerce; to define the duties of the department of engineering and of the governor, in relation thereto, and to make an appropriation to defray the cost of such investigation," approved May 1, 1911.

The people of the State of California do enact as follows:

SECTION 1. There is hereby appropriated the sum of twenty-five thousand dollars out of any moneys in the state treasury not otherwise appropriated for the

purpose of continuing investigations under the provisions of an Act entitled "An Act to provide for the investigation of the construction of the commercial relations and the conservation of natural resources and public monuments of California in aid of commerce, to define the duties of the department of engineering and of the governor in relation thereto, and to make an appropriation to defray the cost of such investigations," approved May 1, 1911. Such appropriations are to be expended under the supervision of the department of engineering.

SEC. 2. This [illegible] shall be paid [illegible] amount herein appropriated, or [illegible] ing authorized by the [illegible] of [illegible] as [illegible] the [illegible] of [illegible] heads thereof to [illegible]

Report read and referred adoption.

During second reading of the bill the following committee substitute was offered by the Committee on Finance:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. [illegible]

An Act making [illegible] of appropriations to [illegible] [illegible] [illegible] the provisions of an Act entitled "An Act to provide for the investigation of the construction of the commercial relations and the conservation of natural resources and public monuments of California in aid of commerce, to define the duties of the department of engineering and of the governor in relation thereto, and to make an appropriation to defray the cost of such investigations," approved May 1, 1911.

The people of the State of California do enact as follows:

SECTION 1. There is hereby appropriated out of the General Fund of the State Treasury the sum of [illegible] dollars, or so much thereof as may be necessary, for the purpose of continuing investigations under the provisions of an Act entitled "An Act to provide for the investigation of the construction of the commercial relations and the conservation of natural resources and public monuments of California in aid of commerce, to define the duties of the department of engineering and of the governor in relation thereto, and to make an appropriation to defray the cost of such investigations," approved May 1, 1911. Such appropriations to be expended under the supervision of the department of engineering.

SEC. 2. The controller of state is hereby directed to draw his warrants for the amount herein appropriated in favor of the officers and board [illegible] of engineering, authorized by the law to receive the same, in such amounts and at such time as may be approved by the state board of control, and the state treasurer is hereby directed to pay the same.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORTS OF STANDING COMMITTEES — OUT OF ORDER.

The following reports of standing committees were received:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento and state parks, creating a commission to determine the amounts to be expended for the several buildings and buildings and acquiring a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people, have had the same under consideration, and respectfully report the same back and recommend that it be referred to Committee on Finance.

GATES, Chairman.

Assembly Bill No. 1325 ordered re-referred to Committee on Finance. Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Supreme Court on appeal,

Also: Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Also: Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Also: Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code, relating to the purchase of supplies for the State by boards, committees and other persons.

Also: Senate Bill No. 1324—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 330, 770, 511 and 214 ordered on file for second reading.

Senate Bill No. 1324 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1476—An Act to require corporations doing business in the State of California to pay dividends, and authorizing any stockholder to institute proceedings in a competent court against corporations for failure to pay dividends, and empowering said court to issue orders for the dissolution of corporations—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Corporations.

GATES, Chairman.

Senate Bill No. 1476 ordered re-referred to Committee on Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1486—An Act to define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intra-state business and in interstate business, engaged in and carried on by or through any corporation, firm or person, have had the same under consideration, and respectfully report back a substitute therefor, and recommend that the same be adopted.

GATES, Chairman.

Senate Bill No. 1486 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Cohn, the Senate took up for consideration Assembly Bill No. 282, out of order.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cohn moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

On page 2, Section 718, line 12, of the printed amended bill, strike out the period after the word "each", and insert a semicolon in lieu thereof and add the following: "one matron at an annual salary of seven hundred and twenty dollars".

Motion carried.

REPORT OF STANDING COMMITTEE ON ENR.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your special committee of two, to which was referred Assembly Bill No. 282, with instructions to examine, respectfully reports the same back, enrolled as per instructions.

JE HILLIARD, Committee.

Report read and adopted.

Bill ordered to print and to engrossment.

MESSAGE FROM THE ASSEMBLY—ACT OF (illegible).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. [illegible] relative to [illegible] amendment to the charter of the city of San Bernardino in the county of San Bernardino, State of California, voted for and enrolled by the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. [illegible] referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2086. An Act to [illegible] investment business companies and agents, to provide for the supervision, regulation and licensing thereof; to provide penalties for the violation hereof; and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2086 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1812. An Act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to state conventions and for nominating candidates of political parties for President and Vice President of the United States and providing for the organization of party governing committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 28, and 29 of the said direct primary law and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1812 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1278. An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned until eleven o'clock a.m. of Monday, April 28, 1913.

IN SENATE.

SENATE CHAMBER,
Monday, April 28, 1913.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, April 26, 1913, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGES OF FLOOR OF SENATE EXTENDED.

On request of Senator Shanahan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to A. F. Smith, of Redding, California.

On motion of Senator Wright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. John H. Todd.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2092—An Act to repeal Section 2568½ of the Political Code of the State of California, relating to the employment of an attorney by the Board of Harbor Commissioners of the port of Eureka.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2092 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 349, 120, and 118 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 329—An Act providing for the appointment of commissioners, and for fixing their duties and prescribing the methods of and for the purchase of equipment, supplies, materials and supplies for the Los Angeles Department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Senate Bill No. 880—An Act to repeal Sections 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039,

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered thirty-six, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Also: Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Also: Senate Bill No. 50—An Act to declare the Sonora and Mono Road in Tuolumne county a state highway.

Also: Senate Bill No. 805—An Act making an appropriation to pay the claim of the California Highway Construction Company against the State of California.

Also: Senate Bill No. 1191—An Act appropriating the sum of five thousand dollars for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly to the bridge spanning the same near the city of Gridley.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1221, 335, 50, 805 and 1191 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1156—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 277—An Act to add a new section to the Penal Code of the State of California to be known as Section 532*a*, relating to the making and use of false statements for the purpose of obtaining property or credit, and prescribing the punishment therefor.

Also: Senate Bill No. 1327—An Act to appropriate twelve thousand dollars to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Also: Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1156, 1155, 277, 1327 and 225 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 905—An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death, irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund" to insure employers against such liability, and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties, and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 905 ordered on file for second reading.

ON COMMERCE AND NAVIGATION

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1765—An Act [illegible] under inland navigable waters [illegible] of San Francisco and San Pablo to the city of Richmond [illegible] and the fisheries and providing for the [illegible] have had the same under consideration and respectfully report the same back and recommend that it do pass.

BROWN, Chairman.

Senate Bill No. 1765 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1072—An Act granting to the city of Alameda the tide lands and submerged lands of the State within and [illegible] miles of the boundaries of said city, have had the same under consideration and respectfully report the same back and recommend that it do pass.

BROWN, Chairman.

Assembly Bill No. 1072 ordered on file for second reading.

ON ELECTIONS

SENATE CHAMBER, SACRAMENTO, April 27, 1913.

MR. PRESIDENT: Your Committee on Elections to whom was referred Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns, and section to be numbered 1281a.

Also: Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Also: Assembly Bill No. 1756—An Act to amend Section 1281 of the Political Code of the State of California, relating to [illegible] election returns from [illegible].

Also: Assembly Bill No. 1920—An Act to amend Sections 1094, 1420 and 1421 of the Political Code, all relating to registration of voters and the supplies to be used at elections.

Also: Assembly Bill No. 1922—An Act to Amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns to the county clerk.

Have had the same under consideration and respectfully report the same back and recommend that they do pass.

HEWITT, Chairman.

Assembly Bills Nos. 914, 1755, 1756, 1920 and 1922 ordered on file for second reading.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That Frank Morrison be and he is hereby appointed to the position of assistant secretary at $6 per day, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount and the Treasurer is directed to pay the same.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cannaday, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—29.

NOES—None.

RECESS.

At eleven o'clock and fifteen minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Assembly bills.

SENATOR THOMPSON IN THE CHAIR.

At two o'clock and forty minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d*, and 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

On motion of Senator Boynton, Assembly Bill No. 1879 was passed on file.

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near the Summit station.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1481—An Act to appropriate the sum of $50.02 to pay the claims of the State Board of Health.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 344—An Act making an appropriation of $1,000 to pay the claim of A. E. Smith of Modoc County against the State of California, exempting this Act from the provision of Section 672 of the Political Code and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Economics.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at Veterans' Home of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 132—An Act appropriating money for building an amusement assembly and library building at the Veterans' Home of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 133—An Act appropriating money for building a dairy and cow barns at Veterans' Home of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county

of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco, and regulating the management, use and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1452—An Act to amend Section 628*b* of the Penal Code, relating to the protection of fish.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 11, after the word "bass", insert the following: ", Sacramento perch, crappie, blue-gill, sunfish or green sunfish".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 15, after the word "length", insert the following: "; or who sells or offers for sale any Sacramento perch, crappie, blue-gill sunfish or green sunfish".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 17, strike out the words "[illegible]" and insert in lieu thereof the following: "thirtieth day of November"

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 19, after the word "bass", insert the following: ", Sacramento perch, crappie, or blue-gill sunfish"

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 22, after the word "bass", insert the following: ", Sacramento perch, crappie or blue-gill sunfish"

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 23, after the word "bass", insert the following: ", Sacramento perch, crappie or blue-gill sunfish"

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 580—An Act to amend Section 628 of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 625—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628a, relating to the protection and preservation of ponds.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 5, after the comma, strike out the words "upon whom game [illegible] has in his possession," and insert in lieu thereof the following: "upon sale, offer for sale, ships or offers or receives for shipment"

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds, to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been severed from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure thereon.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 214—An Act to amend Section 3247*a* of the Political Code, relating to the purchase of supplies for the State by boards, committees, and other persons.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JONES, Chairman.

Senate Bill No. 278 ordered on file for second reading.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Kehoe moved to reconsider the vote whereby Senate Bill No. 1326—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof—was refused passage.

SPECIAL ORDER SET.

Senator Kehoe moved that the further consideration of his motion to reconsider the vote whereby Senate Bill No. 1326 was refused passage be made a special order for Tuesday, April 29, 1913, following the special order already set.

Motion carried.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Hewitt moved to reconsider the vote whereby Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public works—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 145 was passed reconsidered by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Cannnetti, Cartwright, Cohn, Curtin, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Thompson, and Wright—23.

NOES—None.

SPECIAL ORDER SET.

Senator Brown moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 755—An Act to amend sections four hundred twelve and four hundred thirteen and four hundred thirteen and one half of the Penal Code, relating to spurring exhibitions and prize fights and the laying of bets or wagers upon the result thereof—was refused passage, be made a special order for ... Tuesday, April 29, 1913.

Motion carried.

REPORTS OF STANDING COMMITTEES—[illegible]

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1779—An Act to [illegible] individuals to [illegible] already concerned in the transportation of crude oil, petroleum or any of the products thereof, by any pipeline or [illegible] purpose for the operation thereof, or [illegible] otherwise, and which pipe lines are now or hereafter may be used for such purpose for the [illegible] way or any public road, and providing for the payment of such [illegible] and fixing penalties for violations of this Act, and providing [illegible] and before the Railroad Commission for compelling [illegible] court proceedings in connection therewith—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

GATES, Chairman.

Senate Bill No. 1779 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1763—An Act to declare certain combinations between railroad or other common carriers and persons connecting [illegible] crude oil, petroleum or the products thereof, through pipe lines by means of which an unfair practice contrary to public policy and an unlawful monopoly, [illegible] such pipe lines to become common carriers and [illegible] become licensed, fixing penalties for violation and authorizing certain [illegible] ings—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Senate Bill No. 1763 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARR, Chairman.

Assembly Constitutional Amendment No. 81 ordered on file.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1576—An Act to provide for the formation and establishment of

road districts; the construction, acquisition, maintenance, control and use of roads; defining the term road; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

Also: Assembly Bill No. 1634—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BIRDSALL, Chairman.

Assembly Bills Nos. 1576 and 1634 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1044—An Act to add a new section to the Political Code, to be numbered Section 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and providing for their compensation.

Also: Committee Substitute for Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, by amending Sections 1, 3 and 4 of said Act, and adding sixteen new sections to said Act, to be designated as Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19; creating a drainage district to be known as Sacramento and San Joaquin Drainage District, appointing of a reclamation board, providing for the management and control of said district and defining the powers and duties of the reclamation board and the State Engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof; the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer and the reclamation board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento River, and making an appropriation for carrying out the purposes of this Act.

Also: Senate Bill No. 690—An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds.

Also: Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city, or other legal subdivision thereof; providing for the filing of rating schedules, the establishment of rating bureaus, defining their powers and method of conducting their business; providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules, and providing a penalty for a violation of the provisions of this Act.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to which was referred Assembly Bill No. 2084—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said Board to acquire, construct, maintain, operate and extend public [illegible] and approximate thereto, to condemn about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls as compensation for and upon the use of the same, and to regulate the use thereof—

Also Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said Board to acquire, construct, maintain, operate and extend public [illegible] and appurtenances thereto, to condemn about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls as compensation for and upon the use of the same and to regulate the use thereof—

Have had the same under consideration and respectfully report that Assembly Bill No. 2084 is not printed and Senate Bill No. 1743

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 208—An Act to amend Section 2880 of the Civil Code of the State of California relating to [illegible] of rights of [illegible] to [illegible] property—and report that the same has been correctly engrossed.

GRANT, Chairman.

Assembly Bill No. 2084 referred to Committee on Commerce and Navigation.

Senate Bill No. 1743 ordered on file.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1456—An Act to amend Section 637 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties—

Also Assembly Bill No. 6—An Act to add a new section to the Penal Code of the State of California, to be numbered 624a, providing for the breeding and sale of American elk, [illegible] deer, black-tailed deer, antelope, fallow deer, Hawaiian or common Indian deer, ring-necked pheasants, partridges, white quail, California valley and mountain quail, and all varieties of wild fowl, providing for a license therefor, for the transportation, transportation and sale thereof, for reports, for the fixing of the [illegible] and for the revocation of licenses—

Have had the same under consideration and respectfully report the same back and recommend that they do pass.

HANS, Chairman.

Assembly Bills Nos. 1456 and 6 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1764—An Act to amend an Act entitled "An Act to provide for the formation, organization, and classification of new counties for [illegible] county seats, for the election and appointment of officers and for the adjustment and the settlement of the rights and obligations arising between said new counties and other counties," approved March 15, 1907, and as amended March 8, 1909—

Also Senate Bill No. 276—An Act to authorize the appointment of an interpreter of the Italian and Slavonian languages and [illegible] in criminal proceedings, in counties of the first class and prescribing his duties and compensation—

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BREED, Chairman.

Senate Bills Nos. 1764 and 276 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 64—An Act to provide one additional judge of the Superior Court of the county of Riverside—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be rereferred to Committee on Finance.

BREED, Chairman.

Senate Bill No. 64 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

BREED, Chairman.

Assembly Constitutional Amendment No. 60 ordered on file.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JONES, Chairman.

Assembly Bill No. 1126 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by repealing Section 3 of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered thirteen ½, relating to the practice of medicine and surgery in the State of California by members of the medical department of the United States Army or Navy, regular or volunteers—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Senate Bill No. 813 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Jones, the Senate took up for consideration Senate Bill No. 813 for second reading.

Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by certain Act approved March 19, 1909, as amended by certain Act approved May 1, 1911, by repealing Section 3 of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered 13½, relating to the practice of medicine and

surgery in the State of California by members of the medical staff of the Department of the United States Army or Navy, regular or volunteers.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1

Strike out all of the bill after the enacting clause and insert in lieu thereof the following: "To regulate the examination of applicants for license, and the granting of those licenses, to practice medicine, osteopathy, or other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners to carry the provisions of this Act into effect, repealing Section 1 of Article XX of an Act entitled An Act to regulate the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners to carry the provisions of said Act into effect, approved March 14, 1907, and to amend Section 2 of said Act, and also to amend all other Acts and parts of Acts in conflict herewith that Act."

Amendment adopted.

AMENDMENT NO. 2

On pages 1 and 2 of the printed bill, strike out all of said bill after the words "Section 1." on page 1, and insert in lieu thereof the following:

SECTION 1. A board of medical examiners, to consist of nine members and to be known as the board of medical examiners of the State of California, is hereby created and established. The governor shall appoint the members of the board, and of those first appointed three members shall be appointed for one year, two for two years, two for three years and two for four years, and that thereafter all appointments shall be for four years, except that appointments to fill vacancies shall be for the unexpired term only. No person to be appointed member of the board shall be engaged in any practice contrary to the medical laws of this State, and every member of the board, before entering upon the duties of his office, shall take and subscribe the constitutional oath of office.

SEC. 2. The board shall be organized on or before the first Tuesday of September, 1913, by electing from its members a president, vice-president, secretary and treasurer who shall hold their respective positions during the pleasure of the board. The board shall hold one meeting beginning on the second Tuesday in January in the city of Sacramento, and at least two additional meetings annually, one of which shall be held in the city of Los Angeles and the other in the city and San Francisco, with power of adjournment from time to time until the business is completed. A majority, but not less than five members of the board, shall constitute a quorum for the transaction of business. The concurrent vote of five members in the discretion of the board, is necessary in any case at all times to decide any question before the board. Special meetings of the board may be held at such times and places as the board may designate. Notice of such meetings and the business transacted thereat shall be given to each member of the board in writing by the secretary at least ten days before the time fixed for such meeting. Such notice may be served personally or by depositing the same, postage prepaid, in the postoffice addressed to such member at his last known place of residence. Notice of meetings held in the city of San Francisco may be published in the city of Sacramento and notice of meetings held in the city of Los Angeles shall be published in the city of Los Angeles which notice shall also specify the time and place of holding the examinations or applicants. The board shall further annually give notice of the time and place of holding examinations required to be passed under this Act, such notice to be given at the time fixed by the board for the holding of such examinations by publication in the newspaper of best circulation in the county of Sacramento, and also in the county of Los Angeles, and in the county of San Francisco, and also in the county of Alameda, and also in the county of San Diego. The board shall keep a record of its proceedings, examinations and transactions. The board shall on or before the first day of January of each year, compile a complete directory giving the addresses of all persons to whom certificates of license, who have appeared before it for examination under this Act, and who have received certificates of license under this Act, and who are practicing in the State of California under such certificates of license, and shall also publish a list of persons whose certificates have been revoked during the preceding year. The board is hereby authorized to employ such assistants as it may deem necessary to enable it to properly discharge its duties. The directory shall contain, in addition to the names and addresses of such persons, such names and symbols indicating the date, name of medical school or schools which each person has attended and from which graduated, the date of graduation of the license, the present residence of said person and a statement of the cause of revocation, if any. The directory shall be prima facie evidence of the right of the persons therein named therein to practice as permitted in said form of license. It shall be the duty

of every person holding a license to practice under any medical Act of this state, or who may hereafter be so licensed to practice, to report annually each and every change of residence, giving both the old and the new address.

SEC. 3. The office of the board shall be in the city of Sacramento, and in all legal proceedings against the board said city shall be deemed to be the residence of the members thereof.

SEC. 4. The board may from time to time adopt such rules as may be necessary to enable it to carry into effect the provisions of this Act. Any member of the board may administer oaths in all matters pertaining to the duties of the board, and the board shall have authority to take evidence in any matter cognizable by it. The board shall keep an official record of all its proceedings, a part of which record shall consist of a register of all applicants for certificates under this Act, together with the action of the board upon each application.

SEC. 5. The board is authorized to prosecute all persons guilty of violation of the provisions of this Act. It shall have the power to employ legal counsel for such purpose, and may also employ such expert assistance as it may deem necessary to carry into effect the provisions of this Act. The board may fix the compensation to be paid for such service and may incur such other expenses as it may deem necessary. It shall also fix the salary of the secretary, not to exceed the sum of eighteen hundred dollars ($1800) per annum, and the same to be paid in monthly payments on the order, not to exceed ten dollars ($10) per diem each for each and every day of actual service in the discharge of official duties, and the board may, in its discretion, add to said sum necessary traveling expenses.

SEC. 6. All fees collected on behalf of the board of medical examiners, and all receipts of every kind and nature, shall be reported at the beginning of each month for the month preceding, to the state controller, and at the same time the entire amount of such collections shall be paid into the state treasury, and shall be credited to a fund to be known as the board of medical examiners' contingent fund, which fund is hereby created. Said contingent fund shall be for the uses of the board of medical examiners and out of it shall be paid all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this Act. An amount not to exceed one thousand dollars ($1000) may be drawn from the contingent fund herein created to be used as a revolving fund where cash advances are necessary, but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control.

SEC. 7. Every applicant for a certificate shall pay to the secretary of the board a fee of twenty-five dollars ($25), which shall be paid to the treasurer of the board by said secretary. In case the applicant's credentials are insufficient, or in case he does not desire to take the examination, the sum of ten dollars ($10) shall be retained, the remainder of the fee being returnable on application.

SEC. 8. Every applicant must file with the board, at least two weeks prior to a regular meeting thereof, satisfactory testimonials of good moral character, and a diploma issued by some legally chartered school, approved by the board. In addition thereto, applicants for the "Physician and Surgeon Certificate" must show that the applicant has attended four courses of study in four calendar years, each annual course to have been of not less than thirty-two weeks' duration, and at least ten months shall intervene between the beginning of any course and the beginning of the preceding course, the requirements of which shall have been at the time of granting such diploma in no degree less than those required under this Act as hereinafter set forth, or satisfactory evidence of having possessed such diploma, and must also file an affidavit stating that he is the person named in said diploma, and that he is the lawful holder thereof, and that the same was procured in the regular course of instruction and examination without fraud or misrepresentation; *provided*, that where the applicant has been unable to complete a thirty-two weeks' course in any one year, but can show to the satisfaction of the board of medical examiners:

First—That he has taken courses totaling not less than one hundred twenty-eight weeks in some school or schools approved by the board, receiving passing grades in all such courses;

Second—That not more than thirty-two weeks of such courses have been taken in any one calendar year; and

Third—That he has fulfilled the requirements of section ten of this Act, he shall be granted such special examination as the board may deem necessary, and if found proficient, shall receive a license to practice medicine and surgery as provided in this Act.

The said application shall be made upon a blank furnished by said board and it shall contain such information concerning the medical instruction and the preliminary education of applicant as the board may by rule prescribe. In addition to the requirements hereinbefore provided for, applicants for either form of certificate hereunder shall present to said board at the time of making such application a diploma from an accredited high school, accredited normal school, or an accredited academy, together with satisfactory proof that he is the lawful holder of such diploma and that the same was procured in the regular course of instruction. In lieu of such diploma, the applicant may present (1) a certificate from the college entrance examination board, or the college examining board of any state or territory showing

that such applicant has successfully passed the examination of said board; or (2) if such applicant be thirty years or over of age he may show to the satisfaction of the board of medical examiners proof of practice of healing continuous in healing power to the present commencement. The term "accredited," as herein used, means institutions of the type that have been investigated and are accredited by the state universities of their respective states. After January 1, 1918, every applicant for a "Physician and Surgeon Certificate" shall, in addition to the foregoing requirements, present to the board satisfactory evidence that before beginning the study of medicine he has completed an additional course of at least one year's duration, which included physics, chemistry and biology, of college grade, of such not less than six semester hours.

SEC. 9. Two forms of certificates shall be issued by said board under the seal thereof and signed by the president and secretary. First, a temporary certificate, the holder thereof to use same in what are known as medicines' preparations or to act upon human beings and to treat or prescribe for diseases of human beings and to use any and all other methods in the treatment of diseases, injuries, deformities or other physical or mental conditions which methods shall be employed. Second, a "Physician and Surgeon" certificate, upon a candidate satisfactorily passing said board, shall be issued to such person, a certificate authorizing the holder thereof to treat diseases, injuries, deformities, or other physical or mental conditions, without the use of drugs or what are known as medicinal preparations and without the use of any method of treating any of the diseases of human beings, except the prescribing of the medical rules and regulations and to be designated "Drugless Physician Certificate." A "Reciprocity Certificate" shall also be issued under the same conditions heretofore specified. Any of these certificates may be suspended by the judgment of the county court on prosecution provided, that nothing in this section shall prevent a duly licensed practitioner in accordance with the provisions of his certificate. Unless otherwise provided the terms "practice of medicine and surgery" shall be deemed to be the practice authorized by the "Physician and Surgeon Certificate" above mentioned.

SEC. 10. Applicants for either form of certificate shall file satisfactory evidence of having pursued in such regular chartered school or schools approved by the board, a course of instruction covering such branches as the rules and regulations of said board may prescribe, provided, that no certificate shall be granted with more than twelve months' credit of work in any one year.

FOR A "PHYSICIAN AND SURGEON CERTIFICATE."

Group 1. 720 hours.	
Anatomy	360 hours
Embryology	72 hours
Histology	288 hours
Group 2. 630 hours.	
Elementary chemistry and toxicology	140 hours
Advanced chemistry	180 hours
Physiology	310 hours
Group 3. 450 hours.	
Elementary bacteriology	90 hours
Advanced bacteriology	72 hours
Hygiene	72 hours
Pathology	216 hours
Group 4. 340 hours.	
Materia medica	80 hours
Pharmacology	160 hours
Therapeutics	50 hours
Group 5. 985 hours.	
Dermatology and syphilis	45 hours
General medicine and general diagnosis	630 hours
Genito-urinary diseases	45 hours
Nervous and mental diseases	145 hours
Pediatrics	120 hours
Group 6. 865 hours.	
Laryngology, otology, rhinology	90 hours
Ophthalmology	90 hours
Surgery and surgical diagnosis	500 hours
Orthopedic surgery	45 hours
Physical therapy, including electrotherapy, X-ray, radiotherapy, hydrotherapy	300 hours
Group 7. 360 hours.	
Gynecology	165 hours
Obstetrics	195 hours
Miscellaneous. 30 hours.	
Ethics, jurisprudence, etc.	30 hours
Total	4310 hours

FOR A "DRUGLESS PRACTITIONER CERTIFICATE."

Group 1. 645 hours.	
Anatomy	510 hours
Histology	135 hours
Group 2. 420 hours.	
Elementary chemistry and toxicology	120 hours
Physiology	300 hours
Group 3. 375 hours.	
Elementary bacteriology	60 hours
Hygiene	45 hours
Pathology	270 hours
Group 4. 420 hours.	
Diagnosis	420 hours
Group 5. 260 hours.	
Manipulative and mechanical therapy	260 hours
Group 6. 300 hours.	
Gynecology	105 hours
Obstetrics	195 hours
Total	2400 hours

In the course of study herein outlined the hours required shall be actual work in the class room, laboratory, clinic or hospital, and at least eighty (80) per cent of actual attendance shall be required; *provided*, that the hours herein required in any one subject need not exceed seventy-five (75) per cent of the number specified, but that the total number of hours in all the subjects of each group shall not be less than the total number specified for such group.

SEC. 11. In addition to above requirements, all applicants for "Physician and Surgeon Certificates" must pass an examination to be given by the board in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. Bacteriology and pathology.
4. Chemistry and toxicology.
5. Obstetrics and gynecology.
6. Materia medica and therapeutics, pharmacology, including prescription writing.
7. General medicine, including clinical microscopy.
8. Surgery.
9. Hygiene and sanitation.

All applicants for "Drugless Practitioner Certificate" must pass an examination in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. General diagnosis.
4. Bacteriology and pathology.
5. Obstetrics and gynecology.
6. Chemistry and toxicology.
7. Hygiene and sanitation.

Provided, that a person who holds a "Drugless Practitioner Certificate," or one equivalent thereto, and who presents evidence of having successfully completed the additional courses required for the "Physician and Surgeon Certificate" as hereinbefore provided, shall be permitted to take his examination in subjects required for a "Physician and Surgeon Certificate" without being reexamined in "Drugless Practitioner" subjects.

All examinations shall be practical in character and designated to ascertain the applicant's fitness to practice his profession, and shall be conducted in the English language, and at least a portion of the examination in each of the subjects shall be in writing. There shall be at least ten questions on each subject, the answers to which shall be marked on a scale of zero to one hundred. Each applicant must obtain no less than a general average of seventy-five per cent, and not less than sixty per cent in any two subjects: *provided*, that any applicant shall be granted a credit of one per cent upon the general average for each year of actual practice since graduation: *provided, further*, that any applicant for "Physician and Surgeon Certificate" obtaining seventy-five (75) per cent each in seven subjects, and any applicant for "Drugless Practitioner Certificate" obtaining seventy-five per cent each in five subjects shall be subsequently reexamined in those subjects only in which he failed, and without additional fee.

The examination papers shall form a part of the records of the board, and shall be kept on file by the secretary for a period of one year after each examination. In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application. The secretary of the board shall in no instance partici-

pate as an examinee in any examination held by the board. All questions for the subject in which examination is required under this Act shall be prepared by the board of medical examiners upon the request of the five years which examination is given in such subject, and when it shall be shown that the applicant or any member of the board has in any manner given information to any person of any question to be given at the day of the examination to which said applicant, the board of medical examiners, or any one shall be necessary.

All certificates issued hereunder must state the school or college which is permitted the holder to practice and shall be signed by each member of the board.

SEC. 12. Any medical officer, assistant surgeon, passed assistant surgeon, or assistant surgeon of the United States Army, Navy, Marine Hospital Service, detailed, or placed upon the retired list or otherwise being discharged from the service department of the United States army or who in consequence has honorably served all contracts with the United States Government, and who has honorably discharged, or who may be honorably discharged from the service of the United States army, navy, being discharged from the medical department of the United States army, navy who by reason of has honorably served and discharged with the purpose in health sufficient to practice medicine and surgery may apply to the board, or any of its sworn copy of his discharge, if he be discharged, or of the order temporarily detaching him or the order placing him upon the retired list, with the state board of medical examiners, or any of its members of the board that he honorably left the services of either the army or navy, and paying said board a fee of fifty dollars ($50), provided however that this provision shall not apply to any person engaged in the United States army, or navy, and shall not apply to any officer of the medical corps of either said army or navy.

SEC. 13. Said board must also issue a "Physician and Surgeon" certificate to any applicant, entitled upon examination, and holding diploma in operating medicine and surgery in the State of California, upon payment of a registration fee of fifty dollars ($50.00), upon the following terms and conditions and upon satisfactory proof thereof, viz:

The applicant shall produce a certificate entitling him to practice medicine and surgery, as provided for in said [illegible] and issued by the board of the medical examining boards of the state which board is authorized by law to issue certificates entitling such applicant to practice medicine and surgery in the District of Columbia and the said territories and other foreign countries of such certificate shall have been first issued a valid, unrevoked, and unlimited certificate by the board or medical examiners of the State of California, upon the first day of August, 1913, and has continuously from the date of the issuance of such certificate to the date of the application of such applicant been legally authorized to practice medicine and surgery in the state or territory or foreign country in which such certificate was issued, and the requirements of such board for the issuance of such certificate were at the time of the issuance of such certificate equal to the requirements of the board of medical examiners of the State of California for the issuance of a certificate to practice medicine and surgery in the State of California at the date of the issuance of such certificate, or which may hereafter be required by law and which may be in force at the time of the application for a certificate; provided *further*, that said applicant shall also furnish from the board which issued said certificate evidence satisfactory to the board of medical examiners of the State of California, showing what the requirements were of the college or board issuing said certificate at the date of issuing same.

If, after an examination of such certificate, and the production on the part of the applicant of such further information as the said board may deem necessary to the board of medical examiners of the State of California, any other or further examination or investigation which said board may see fit to make, it shall be found that the requirements of the board issuing such certificate were equal substantially were lower in any respect or substantially less than the requirements provided by the laws of the State of California at the date of the issuance of such certificate, he will not be entitled to practice [illegible] State of California without examination.

This section shall not authorize the admission to practice, without examination, of any holder of any certificate unless the governing board of the state or territory granting the certificate grants the same privileges to persons holding certificates to practice within the State of California upon like conditions.

Any person may be registered with the said board to practice medicine and surgery within the State of California by the board that such applicant has been duly licensed prior to August 1, 1913, and has practiced medicine and surgery in another state or territory or the District of Columbia for a period of three consecutive years to the date of August, 1913.

Such certificates shall be numbered and shall contain a statement showing the full name of the applicant, [illegible] of examination, or which he has received upon the payment of such sum, and all testimonials upon which he was registered, and a statement of whether said applicant has been rejected or refused a certificate by the board, or has withdrawn his application after the same has been filed with the board, and if so, the reasons therefor, and, if rejected by the board, the conditions [illegible] are satisfied.

proof of their issuance; (d) a statement of all places in which said applicant has practiced medicine and surgery; (e) such other general information as to his past practice, as may be required by the said board.

The said board shall make such independent investigations of the character, ability and standing of the applicant as it may deem proper and necessary, and if it shall find after such investigation that said applicant has been a practicing physician and surgeon in any other state or territory or the District of Columbia, prior to August 1, 1901, and prior to said last named date has been duly licensed so to practice, and that his reputation as such physician and surgeon is good in the community in which he has so practiced medicine and surgery, they shall afford him an examination on a day suiting the convenience of the board not more than six (6) months subsequent to the presentation of said application.

Said examination shall be oral, practical, and clinical in nature, and full consideration shall be given to the duration and character of the applicant's practice.

If after such last mentioned examination it is determined by a majority vote of the said medical examiners conducting said examination, that such applicant is so qualified to practice medicine and surgery within the State of California, and that his reputation and standing in the community in which he has previously practiced is good, the said applicant shall be entitled to receive a "physician and surgeon certificate."

Each applicant on making such application shall pay to the secretary of the board, a fee of fifty dollars ($50), which shall be paid to the treasurer of the board, of which sum forty dollars ($40.00) shall be returned to him should he not receive a certificate hereunder. All certificates issued pursuant to this section shall be marked across the face thereof "Reciprocity Certificate."

SEC. 14. Said board must refuse a certificate to any applicant guilty of unprofessional conduct. On the filing with the secretary of a sworn complaint charging the applicant with having been guilty of unprofessional conduct, the secretary must forthwith issue a citation, under the seal of the board, and make the same returnable at the next regular session of said board, occurring at least thirty days next after filing the complaint. Such citation shall notify the applicant when and where the charges of said unprofessional conduct will be heard, and that the applicant shall file his written answer, under oath, within twenty days next after the service on him of said citation, or that default will be taken against him and his application for a certificate refused. The attendance of witnesses at such hearing may be compelled by subpoenas issued by the secretary of the board under its seal. Said citation and said subpoenas shall be served in accordance with the statutes of this state then in force as to the service of citations and subpoenas generally, and all the provisions of the statutes of this state then in force relating to subpoenas and to citations are hereby made applicable to the subpoenas and citations provided for herein. Upon the secretary's certifying to the fact of refusal of any person to obey a subpoena or citation to the superior court of the county in which the service was had, said court shall thereupon proceed to hear said matter in accordance with the statutes of this state then in force as to contempts or disobedience of process of the court, and should said court find that the subpoena or citation has been legally served, and that the party so served has wilfully disobeyed the same, it shall proceed to impose such penalty as provided in cases of contempt of court. In all cases of alleged unprofessional conduct arising under this Act, depositions of witnesses may be taken, the same as in civil cases, and all the provisions of the statutes of this state then in force as to the taking of depositions are hereby made applicable to the taking of depositions under this Act. If the applicant shall fail to file with the secretary of said board his answer, under oath, within twenty days after service on him of said citation, or within such further time as the board may allow, and the charges on their face shall be deemed sufficient by the board, default shall be entered against him, and his application refused. If the charges on their face be deemed sufficient by the board and issue be joined thereon by answer, the board shall proceed to determine the matter, and to that end shall hear such proper evidence as may be adduced before it; and if it appear to the satisfaction of the board that the applicant is guilty as charged, no certificate shall be issued to him. No certificate shall be refused on the ground of unprofessional conduct unless the applicant has been guilty of such conduct within two years next preceding his application.

Whenever any holder of a certificate herein provided for is guilty of unprofessional conduct, as the same is defined in this Act, and the said unprofessional conduct has been brought to the attention of the board granting said certificate, in the manner hereinafter provided, or whenever a certificate has been procured by fraud or misrepresentation or issued by mistake, or the person holding such certificate is found to be practicing contrary to the provisions thereof and of this Act, it shall be the duty of said board either to suspend the right of the holder of said certificate to practice for a period not exceeding one year, or in its discretion to revoke his certificate. In the event of such suspension the holder of such certificate shall not be entitled to practice thereunder during the term of suspension, but, upon the expiration of the term of said suspension, he shall be reinstated by the board and shall be entitled to resume his practice, unless it shall be established to the satisfaction of the board that said person so suspended from practice has, during the term of such suspension, practiced in the State of California, in which event the board

shall revoke the certificate of such person. No such suspension or revocation shall be made unless such board is sitting and the said person has been so hereinbefore provided in the section in case of refusal to issue certificate. Said secretary in all cases of suspension or revocation shall enter on his records the fact of such suspension or revocation, as the case may be, and shall provide the seal of such suspension or revocation under the seal of the board, in the county where of the counties in which the certificate of the person whose certificate has been revoked is recorded, and said clerk must thereupon enter upon the margin or against the face of his record of the certificate of such person, the fact of revocation. The holder of the certificate was on the ..... day of ....., 1913, issued his certificate, and said certificate was revoked on the ..... day of ....., 1913, as the case may be, giving the day, month, and year of such revocation, or cause of suspension, as the case may be, in accordance with said certificate is true to said secretary. The record of such suspension or revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of said board in the matter of said suspension or revocation.

The words "unprofessional conduct" as used in this Act, are hereby declared to mean:

First—The procuring or aiding or abetting in procuring of a criminal abortion.

Second—The wilfully betraying of a professional secret.

Third—All advertising of medical business which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, and so be harmful or injurious to public morals or safety.

Fourth—All advertising of any medicine or of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed.

Fifth—Conviction of any offense involving moral turpitude, in which case the record of such conviction shall be conclusive evidence.

Sixth—Habitual intemperance.

Seventh—The personation of another licensed practitioner.

Eighth—The use by the holder of any certificate, in any sign or advertisement in connection with his said practice, or in any advertisement or announcement of his practice, of any fictitious name, or any name other than his own.

Ninth—The use by the holder of a "Physician Practitioner's Certificate" of drugs or what are known as medical preparations, or in connection with human beings of the securing or penetrating by the holder of said "Physician Practitioner's Certificate" of the tissues of any human being or the practice of any disease upon, deformity, or other physical or mental condition of such human being, excepting the severing of the umbilical cord.

Tenth—Advertising, announcing or writing, directly, indirectly, or by subterfuge, by any sign, card, newspaper advertisement, or other written or printed card or advertisement, that the holder of such certificate or any other person, company or association by which he is employed or in whose service he is, will cure or undertake to cure, or will treat, any venereal disease, or any sore or ulceration incident to same, or treat any person or persons for any sexual disease, for lost manhood, sexual impotency, or sexual disorder; or aiding, assisting in, or failing to use reasonable diligence by any person, firm, association, or corporation in advertising, announcing or writing.

Eleventh—The use by the holder of a "Physician Practitioner's Certificate" of the letters "M.D." or the words "Doctor of Medicine" or the word "Physician and Surgeon" or the word "Physician" or the word "Surgeon" in connection with his name or in connection with his practice or otherwise, except that such holder may use in connection with his practice or otherwise, words which indicate that he is a graduate in medicine, or otherwise.

SEC. 15. Every person holding a certificate under the laws of this state authorizing him to practice any system or mode of treating the sick or afflicted in this state must have it recorded in the office of the county clerk of the county or counties in which the holder of said certificate is exercising his profession, and the fact of such record or shall be endorsed on the certificate by the county clerk recording the same. Any person holding a certificate who shall practice or attempt to practice any other system or mode of treating the sick or afflicted in this state without having first had his certificate recorded in the county clerk as herein provided, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00), or by imprisonment for a period of not less than thirty days nor more than sixty days, or by both such fine and imprisonment.

SEC. 16. The county clerk shall keep in a book provided for the purpose a complete list of the certificates issued to him under the date of the record, and said book shall be open to public inspection during his office hours.

SEC. 17. Any person who shall practice or attempt to practice, or who shall open an office or hold himself out as practicing any system or mode of treating the sick or afflicted in this state, or who shall diagnose, treat, operate for or prescribe for any disease, injury, deformity, or other physical or mental condition of any person, without having at the time of so doing a valid unrevoked certificate as provided in this Act or who shall use any sign or display or cause or permit to be displayed upon or about the premises occupied by him or used for his purposes, or cause to be published in any directory, newspaper, or other publication, or shall use any card or device or in any manner advertise or represent that he is a physician, surgeon, "Dr." or "M.D." or use any other term to indicate or imply that he is a physician under the terms of this or any other Act, or that he is entitled to practice hereunder or under any other law, shall be guilty of a mis-

demeanor and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than six hundred dollars ($600.00), or by imprisonment for a term of not less than sixty (60) days nor more than one hundred and eighty (180) days, or by both such fine and imprisonment. Upon each such conviction the fine shall be paid, when collected, to the state treasurer, and a report thereof shall be made to the state controller.

SEC. 18. Any person, or any member of any firm, or official of any company, association, organization or corporation shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by imprisonment in the county jail for not less than ten (10) days nor more than one (1) year, or by a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00), or by both such fine and imprisonment who, individually or in his official capacity shall himself sell or barter, or offer to sell or barter, any certificate authorized to be granted hereunder, or any diploma, affidavit, transcript, certificate or any other evidence required in this Act for use in connection with the granting of certificates or diplomas, or who shall purchase or procure the same either directly or indirectly with intent that the same shall be fraudulently used, or who shall with fraudulent intent alter any diploma, certificate, transcript, affidavit, or any other evidence to be used in obtaining a diploma or certificate required hereunder, or who shall use or attempt to use fraudulently any certificate, transcript, affidavit, or diploma, whether the same be genuine or false, or who shall practice or attempt to practice any system of treatment of the sick or afflicted, under a false or assumed name, or any name other than that prescribed by the board of medical examiners of the State of California on its certificate issued to such person authorizing him to administer such treatment, or who shall assume any degree or title not conferred upon him in the manner and by the authority recognized in this Act, with intent to represent falsely that he has received such degree or title, or who shall wilfully make any false statement on any application for examination, license or registration under this Act, or who shall engage in the treatment of the sick or afflicted without causing to be displayed in a conspicuous manner and in a conspicuous place in his office the name of each and every person who is associated with or employed by him in the practice of medicine and surgery or other treatment of the sick or afflicted, or who shall, within ten days after demand made by the secretary of the board, fail to furnish to said board the name and address of all such persons associated with or employed by him or by any company or association with which he is or has been connected at any time within sixty (60) days prior to said notice, together with a sworn statement showing under and by what license or authority said person or persons, or said employee or employees, is or are, or has or have been, practicing medicine or surgery or any other system of treatment of the sick or afflicted (provided that such affidavit shall not be used as evidence against said person or employee in any proceeding under this section).

SEC. 19. Every person filing for record, or attempting to file for record, the certificate issued to another, falsely claiming himself to be the person named in or entitled to, such certificate, shall be guilty of a felony, and, upon conviction thereof, shall be subject to such penalties as are provided by the laws of this state for the crime of forgery.

SEC. 20. Any person not a member of the state board of medical examiners who shall sign, or issue, or cause to be signed or issued, any certificate authorized by this Act, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than six hundred dollars ($600.00), or by imprisonment for a term not less than sixty (60) nor more than one hundred and eighty (180) days, or by both such fine and imprisonment.

SEC. 21. Nothing in this Act shall be construed to prohibit the practice by any person heretofore legally granted a certificate under the laws of this state, whose certificate is now in force, to the extent to which the provisions of the law were existing, and said certificate, permitted such person to practice at the time of its issuance.

SEC. 22. Nothing in this Act shall be construed to prohibit service in the case of emergency, or the domestic administration of family remedies; nor shall this Act apply to any commissioned medical officer in the United States army, navy or marine hospital, or public health service, in the discharge of his official duties; nor to any licensed dentist when engaged exclusively in the practice of dentistry. Nor shall this Act apply to any practitioner from another state or territory, when in actual consultation with a licensed practitioner of this state, if such practitioner is, at the time of such consultation, a licensed practitioner in the state or territory in which he resides; *provided*, that such practitioner shall not open an office or appoint a place to meet patients or receive calls within the limits of this state. Nor shall this Act be construed so as to discriminate against any particular school of medicine or surgery, or any other treatment, nor to regulate, prohibit or penalize the use of any kind of treatment by prayer, nor to interfere in any way with the practice of religion.

SEC. 23. An Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1,

1911, is hereby repealed, and also all other Acts and parts of Acts in conflict with this Act are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSTRUCTION OF BILL—(OUT OF ORDER)

On motion of Senator Butler, the Senate took up the consideration of Senate Bill No. 278 for second reading out of order.

Senate Bill No. 278—An Act to amend Section 59 of the Civil Code relating to marriages that are incestuous and void.

Bill read second time, ordered engrossed and re-filed for third reading.

BILLS COPIED TO PRINTER.

On motion of Senator Jones, the Secretary was directed to issue a rush order for printing Senate Bill No. 833.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)

The following reports of standing committees were received:

AS TO BILLS AND RESOLUTIONS.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Penal and Humane, to whom was referred Assembly Bill No. 46—An Act to prevent cruelty to animals while in the public highways and in any part of the business of transporting same thereon, and to prevent cruelty to animals while being transported by railroad, steamboat, or other water craft, and providing for the enforcement of this act, and repealing certain acts therein named, has had the same under consideration, and respectfully reports that it do pass as amended.

BIRDSALL, Chairman.

Assembly Bill No. 505 ordered on file for second reading.

AS AMENDED.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Concurrent Resolution No. 29—Relative to the employment of a competent accountant, have had the same under consideration, and respectfully return the same back, with amendments, and recommend that it be adopted.

AVEY, Chairman.

Senate Concurrent Resolution No. 29 ordered on file.

INTRODUCTION OF CONCURRENT RESOLUTIONS.

The following concurrent resolution was introduced:

By Senator Finn:

Senate Concurrent Resolution No. 36—Relative to the publication and distribution of a supplement to the Blue Book, and making an appropriation therefor.

Resolution read, and referred to Committee on Judiciary.

SECOND READING OF BILLS.

On motion of Senator Kehoe, the Senate took up the consideration of second reading of Senate bills.

Senate Bill No. 46—An Act to establish a state training school for girls, to provide for the maintenance and management of the same and to make an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 4, strike out the words "state training".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 2, line 11, after the word "commencing", strike out the words "on the first day of July, 1913", and insert in lieu thereof the following: "within thirty days after this Act becomes effective".

Amendment adopted.

AMENDMENT No. 3.

On page 4, Section 14, line 29, strike out the words "the said board of trustees", and insert in lieu thereof the following: "A commission consisting of the state engineer and three members to be appointed by the governor, is hereby created, and it".

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 32, after the word "and", insert the following: "the state department of engineering."

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 34, after the word "therefor", strike out the words "for such purposes", and insert in lieu thereof the following: "for the purposes of paying the expenses of the provisions incurred by this Act."

Amendment adopted.

AMENDMENT No. 6.

On page 4, line 37, strike out the words "July 1, 1913", and insert in lieu thereof the following: "immediately after this Act becomes effective".

Amendment adopted.

AMENDMENT No. 7.

On page 5, line 1, strike out the words "On and after July 1st, 1913", and insert in lieu thereof the following: "immediately after this Act becomes effective".

Amendment adopted.

AMENDMENT No. 8.

On page 5, line 7, strike out the word "state".

Amendment adopted.

AMENDMENT No. 9.

On page 5, line 13, strike out the word "state".

Amendment adopted.

AMENDMENT No. 10.

On page 6, line 5, after the word "and", insert the word "that".

Amendment adopted.

AMENDMENT No. 11.

On page 6, line 6, after the word "law", strike out the word "to" and insert in lieu thereof the word "shall", and also strike out the words "state training".

Amendment adopted.

AMENDMENT No. 12.

On page 6, line 8, strike out the words "state training".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 180—An Act appropriating money to pay the claim of Francisco Silva Brun against the State of California.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

Amend the title by striking out the words "Francisco Silva Brun" and insert in lieu thereof the words "Thomas Nagle".

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause and insert in lieu thereof the following: "Section 1. The sum of [illegible] is hereby appropriated out of any money in the state treasury not otherwise appropriated to pay the claim of Thomas Nagle against the State of California.

Sec. 2. The state controller is hereby authorized to draw his warrant for the sum herein made payable and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem and making an appropriation for the payment by the State of any such judgments.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by striking out the words "and making an appropriation for the payment by the state of any such judgments."

Amendment adopted.

AMENDMENT No. 1a.

On page 1, line 2, of the printed bill after the word "the", where it first occurs insert the word, "present".

Amendment adopted.

AMENDMENT No. 2.

Amend the bill by striking out Sections 2 and 4 thereof and renumbering Section 3 to make it Section 2.

Amendment adopted.

AMENDMENT No. 2a.

On page 1, line 2, of the title of the printed bill, before the word "constitution", insert the word "present".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system of said Veterans' Home.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 9, after the word "the", and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 67—An Act appropriating money for building a horse barn, a swine barn, a pavilion and other farm buildings at the California Polytechnic School.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 1, strike out the word "forty-five" and insert in lieu thereof the word "thirty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 6, of the printed bill, after the semicolon, insert the following: "the salary of the deputy shall be twenty-seven hundred dollars per annum".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 6, strike out the word "twenty-four", and insert in lieu thereof the word "twenty-one".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities and towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of seventy-five thousand dollars therefor.

During second reading of the bill, the following amendment was offered by the committee:

On page 3, section 11, line 31, strike out the word "seventy-five", and insert in lieu thereof the word "fifty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and twenty minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS—(CONT'D).

Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1280—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State, and making an appropriation to pay the cost and expense of the same.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1765—An Act appropriating money to complete equip and furnish the Folsom State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 870—An Act to amend Sections 2, 3 and 5 of an Act known as "The Building and Loan Commission Act," approved April 3, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "For printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from Section 4 of this Act) ten thousand dollars," available for the distribution of said Blue Book.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 256—An Act to amend Section 7514 of the Political Code of the State of California, relating to the salary of the stenographer of the Supreme Court.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1365—An Act to amend Sections 655, 678 and 687 of the Political Code, relating to the State Board of Control and Department of Accounting thereof, providing for the organization of said board, defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places pertaining to food cases.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 295—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 163—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 455—An Act to amend Section 1532 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 458—An Act to amend Section 1858 of the Political Code, relating to the apportioning of school moneys by the County Superintendent of Schools.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 175—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California and appropriating a sum of money therefor.

During second reading of the bill, the following amendments were offered by the Committee on Public Health and Quarantine:

AMENDMENT No. 1.

On page 1, Section 1, line 5, of the printed bill, after the word "California", insert the words "and to various county health boards of the state".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 8, after the word "malaria", insert the words "may be prevented or controlled".

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 1, line 8, of the printed bill, strike out the words "can be reduced in prevalence", and insert in lieu thereof the word "eradicated".

Amendment adopted.

The following amendment was offered by the Committee on Finance:

Strike out all of Section 2.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SPECIAL ORDER SET.

Senator Wright moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 1296—An Act to provide for

a trial by jury in certain cases of contempt of court—was passed, be made a special order for Tuesday, April 29, 1913, at three o'clock and thirty minutes p.m.

Motion carried.

SECOND READING OF BILLS—(RESUMED)

Senate Bill No. 1757—An Act to amend Section 2349 of the Political Code, relating to navigable streams and public ways.

During second reading of the bill, the following amendments were offered by Senator Shanahan:

By adding a new section thereto after line 21, on page 3 of the printed bill, to read as follows:

SEC. 2. This Act is hereby declared to be an urgent measure within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The facts constituting the necessity of the [illegible] such urgency. Section 2349 of the Political Code of this state, of which this Act is amendatory, now contains certain [illegible] and private structures [illegible] such dams and structures are not complete on [illegible] proceedings for the [illegible] of such dams and structures by courts or municipal authority [illegible] is necessary for the immediate [illegible] and conditions in connection [illegible] safety, and will be required by section one of this Act.

Amendment adopted

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis and for investigation of its prevalence and making an appropriation therefor.

On motion of Senator Thompson, Senate Bill No. 1239 was passed on file.

Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, near Stockton, California, and to provide for the government and management thereof and making an appropriation therefor.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 628

An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, at a site [illegible] and to provide for the government and management thereof and making an appropriation therefor.

The people of the State of California do enact as follows:

SECTION 1. There shall be established on the said lands [illegible] an institution for the care of such inebriates and drug habitués as may be hereinafter described.

SEC. 2. The said institution shall be known as the state hospital for inebriates.

SEC. 3. The said institution shall be under the care and supervision of the board of managers and medical superintendent of the state hospital at which it is situated and on whose land it is situated.

SEC. 4. The board of managers in connection with the department of engineering and the state commission in lunacy shall select a site for said institution.

SEC. 5. As soon as possible after the selection of a site the said board of managers shall, in connection with the department of engineering, proceed with the erection of a building or buildings for the purpose of said institution.

SEC. 6. No person shall be admitted to said hospital except such as shall be ordered to be confined, or as shall be committed under the provisions of section two thousand one hundred and eighty-five c of the Political Code; and said inebriates or drug habitués who are now, or may hereafter be, confined in any of the present state hospitals for the insane and whose transfer is deemed by the state commission in lunacy to be for the best interests of said hospitals and the public, may be directly transferred by the state commission in lunacy.

SEC. 7. Upon the completion of the institution, the medical superintendent of the state hospital adjacent thereto, must appoint, by and with the consent of the board of managers, an assistant physician who shall be in immediate charge of said institution, but who will be under the supervision of the said board of managers and medical superintendent. The medical superintendent must also appoint, by and with the consent of the board of managers, such other officers and employees as may be deemed necessary. The assistant physician and the other officers and employees shall receive such compensation as may be fixed by the board of managers, in no case to exceed the salaries paid in state hospitals for the insane for similar service.

SEC. 8. Except as herein otherwise provided, the said institution and its managers, officers and employees shall be governed by, and be subject to, and said institution shall possess all the rights and be affected by all the limitations and requirements of, the provisions of Chapter 1 of Title V of Part III of the Political Code.

SEC. 9. The sum of twenty-five thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the erection and furnishing of said building, and for sewer, water and light connections therefor.

SEC. 10. All plans, descriptions, bills of materials, specifications and estimates shall be prepared by the department of engineering subject to the approval of the state commission in lunacy.

SEC. 11. The controller of state is hereby authorized to draw his warrant from time to time as the work shall progress, in favor of the department of engineering and the said board of managers upon their demand for the same, and the state treasurer is hereby directed to pay the same.

SEC. 12. All Acts and parts of Acts in conflict herewith are hereby repealed.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 12, of the printed bill, after the word "annum", strike out balance of section.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1715—An Act to amend section two thousand and eighty-six of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1370—An Act to authorize the payment of the claim of Western Fuel Company against the State of California and making an appropriation therefor out of the San Francisco harbor funds.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 5, after the word "company", strike out the period, and insert a comma and the following: "against the State of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meyer's Station at the head of Tahoe state wagon road along the west shore of Lake Tahoe, to McKinney's.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, Section 1, line 3, strike out the word "twenty-two" and insert in lieu thereof the word "twenty-three"

Amendment adopted.

AMENDMENT No. 2

On page 1, Section 1, line 4, strike out the word "fifteen" and insert in lieu thereof the word "thirteen"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 681—An Act to create a "state bureau of criminal identification and investigation," providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer; fixing the compensation of said managers, directors, clerks and stenographer; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1

Strike out all of Section 11, on page 6, and insert in lieu thereof the following:

"Sec. 11. It is hereby made the duties of the sheriffs of the several counties of the State of California, the chiefs of police of incorporated cities, towns and municipals of incorporated cities and towns thereof, to furnish to the said bureau daily copies of finger prints and descriptions of all such persons arrested who in the best judgment of such sheriffs, chiefs of police, or city marshals are persons wanted for serious crimes, or are fugitives from justice, or of all such persons in whose possession at the time of arrest are found goods or property reasonably believed by said sheriffs, chiefs of police or city marshals to have been stolen by them, or of all such persons in whose possession are found burglar outfits or burglar tools or burglar keys or who have in their possession high power explosives reasonably believed by said sheriffs, chiefs of police or city marshals to be possessed by them for unlawful purposes or who are in possession of infernal machines, bombs or other contrivances in whole or in part and reasonably believed by said sheriffs, chiefs of police and city marshals to be used for unlawful purposes, or all persons who carry concealed firearms or other deadly weapons and reasonably believed by said officers to be carried for unlawful purposes.

This section is not intended to include violators of city or county ordinances or of persons arrested for other trifling offenses.

It is further made the duty of the aforesaid sheriffs, chiefs of police or city marshals to furnish to said bureau daily reports of lost, stolen, found, pledged or pawned property received into their respective offices."

Amendment adopted.

AMENDMENT No. 2

On page 6, Section 14, line 31, strike out the words "thirty one thousand six hundred", and insert in lieu thereof the following: "ten thousand"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1324—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1486—An Act to define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 1486.

An Act relating to combinations, defining certain unlawful practices, and providing penalties for violations thereof, and repealing conflicting Acts.

The people of the State of California do enact as follows:

SECTION 1. "Combination" as used in this Act means any arrangement or agreement between two or more persons whereby they, or any two or more of them, obligate themselves to be bound by or to comply with the terms thereof.

"Person" as used in this Act means an individual, a firm, a copartnership or a corporation.

SEC. 2. The following business practices are against public policy and unlawful:

(*a*) Refusing to sell any article of general use or consumption, whether pursuant to combination or not, to certain persons or classes of persons, or to those doing business within certain districts or territories.

(*b*) Supplying, or offering to supply, whether pursuant to combination or not, to any person doing business in any particular territory, any such article upon terms or conditions more favorable than are accorded to other persons in like quantities.

(*c*) Supplying, or offering to supply, whether pursuant to combination or not, any such article only upon terms or conditions less favorable than are accorded to other persons in like quantities.

(*d*) Establishing or maintaining a resale price of or for any article of general use or consumption, whether pursuant to combination or not.

(*e*) Entering into any combination, the purpose of which is or which will tend to fix or control or reduce the price to be paid, or offered to be paid, to the producer or producers of articles of domestic growth or production.

(*f*) The cutting or reduction of prices for the purpose of preventing or destroying competition.

Nothing in subdivisions (*b*) and (*c*) hereof shall be construed as prohibiting the dealer in any article from extending credit to any person, or as compelling such dealer to extend credit to any person. Nothing in subdivisions (*a*), (*b*) or (*c*) hereof shall apply to the mere appointment in good faith, and not to evade this Act, of sole agents to sell any such article, nor to his or their authority to sell.

SEC. 3. Any person, whether as principal or agent, or as an officer or agent of a corporation, who shall commit or carry out, or assist in committing or carrying out, any of the practices declared to be unlawful by section two hereof, shall, upon conviction, be punished by imprisonment in the county jail for not more than one year or in the state prison for not more than five years, or by a fine of not more than five thousand dollars, or by both such fine and imprisonment.

SEC. 4. Any corporation organized under the laws of this state which shall violate any of the provisions of this Act shall, upon a conviction of any of its officers or agents for a second violation of this Act, forfeit its charter, and any foreign corporation which shall violate any of the provisions of this Act shall, upon a conviction of any of its officers or agents for a second violation of this Act, forfeit its right thereafter to transact business in this state. It is hereby made the duty of the attorney general of this state to bring such action or actions in the court having jurisdiction thereof as may be required to have such forfeiture of charter of domestic corporations, or of the right to do business of foreign corporations, established by judgment of such court. In any such case so brought under the provisions of this section, the court, when in its judgment the interests of creditors or stockholders will be best subserved thereby, shall order a sale of the property of such corporation and payment from the proceeds of such sale of all creditors of such corporation and a distribution of the residue of such proceeds among those entitled thereto.

SEC. 5. If any section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Act.

SEC. 6. An Act entitled "An Act to define trust and to provide for criminal penalties and civil damages, and punishment of corporations, persons, firms and associations, or persons connected with them, and to promote free competition in commerce and all classes of business in this state," approved March 23, 1907, and all Acts amendatory thereof, are hereby repealed. Such repeal thereof shall not affect any actions now pending under said Act as amended, or any rights or liabilities

which have accrued thereunder, but as to such persons and as to such rights and liabilities, said Act, with all amendments thereto, shall be continued in force.

Committee substitute read and adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SPECIAL ORDER SET.

On motion of Senator Lyon, the consideration of Senate Bill No. 406—An Act to regulate the hours of employment and safeguard the health of females employed in any mill, factory, manufacturing or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise—was made a special order for Tuesday, April 29, 1913, immediately following the other orders already set.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Benson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

On motion of Senator Thompson, Assembly Bill No. 282 was passed on file.

Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Bread, Brown, Bryant, Cammetti, Carr, Cobb, Curtis, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Metz, Owens, Rogers, Rush, Shanahan, Tyrrell, and Wright—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1642 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Bread, Brown, Bryant, Cammetti, Campbell, Carr, Cartwright, Curtis, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Metz, Owens, Rush, Shanahan, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Shanahan, Tyrrell, and Wright—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 531 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 532 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Colton, Curtis, Flint, Frank, Gaston, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rigdon, Rush, Shanahan, Thompson, Tyrrell, and Wright—34.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 782 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Colton, Curtis, Flint, Frank, Gaston, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rigdon, Rush, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1374—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Colton, Curtis, Flint, Frank, Gaston, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rigdon, Rush, Thompson, Tyrrell, and Wright—34.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1373 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cammetti, Campbell, Carr, Colton, Curtis, Flint, Frank, Gaston, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Colton, Curtis, Flint, Frank, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rigdon, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1375 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—29.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1377 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Mott for permission to introduce a bill entitled an Act to provide for the issuance and sale of state bonds to be known as "State Fair grounds bonds," to provide a fund for the acquirement of additional land, for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, and recommend that the request be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Bonnett, Breed, Boyce, Bryant, Cannedy, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gaedon, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Metz, Owens, Rogers, Reed, Strobhar, Thompson, Tyrrell, and Wright—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bill was introduced:

By Senator Metz: Senate Bill No. 1771—An Act to provide for the issuance and sale of state bonds to be known as "State Fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State, appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended, creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes, making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, APRIL 28, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1535 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Hewitt, the Senate took up the consideration of Senate Bill No. 145, out of order.

Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public works.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer Senate Bill No. 145 to Senator Kehoe, as a special committee of one, to amend as follows:

Add a new section to be numbered Section 6, and to read as follows:

"SEC. 6. This Act shall in no wise affect an Act entitled 'An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof,'

which became a law February 25, 1901, or any Act amendatory thereof or supplemental thereto, or any other Act or Acts relating to the same subject, but is solely intended to, and does provide an alternative method for providing for the authorization and issuance of bonds for the performance of street and other public work of the character mentioned in this Act; and it shall be at the discretion of the legislative body of any municipality to proceed under the provisions of this Act or such other Act or Acts; but when any bonds are issued under this Act, the provisions of this Act and of such amendments thereof as may be hereafter completed, and none other, shall apply thereto."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 145, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

RECESS.

At four o'clock p.m., on motion of Senator Thompson, the President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF SENATE BILLS.

Senate Bill No. 363—An Act controlling the sanitation of oyster and other shellfish grounds and premises where oyster and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Bryant moved a call of the Senate.

Motion carried.

Time, eight o'clock and five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Benson, Boynton, Bryant, Carr, Cogswell, Flint, Gerdes, Grant, Kehoe, Larkins, Lyon, Thompson, Tyrrell, and Wright.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eight o'clock and fifteen minutes p.m., Senators Cohn, Shanahan, Campbell, Sanford, Strobridge, Caminetti, Mott, Hewitt, Jones and Butler were brought to the bar of the Senate, and, on motion, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At eight o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The roll of absentees was called, and Senate Bill No. 1015 passed by the following vote:

AYES—Senators Ayer, Benson, Boynton, Bryant, Burnett, Caminetti, Carr, Cartwell, Cogswell, Cutten, Leal, Gaylord, Gerdes, Hewitt, Holohan, Lewis, Lukens, Luna, Owen, Regan, Sanford, Shearer, Stanford, Thompson and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Committee Substitute for Senate Bill No. 1215—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24th, 1911, by repealing sections one, three and four of said Act, and adding sixteen new sections to said Act to be designated as sections five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen and one-half, seventeen, eighteen and nineteen, creating a drainage district to be known as Sacramento and San Joaquin drainage district, appointing of a reclamation board, providing for the management and control of said district and defining the powers and duties of the Reclamation Board and the State Engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof, the making of assessments, also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer and the Reclamation Board, also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others, to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers, to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels, to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento River and making an appropriation for carrying out the purposes of this Act.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1218 passed by the following vote:

AYES—Senators Avey, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled, "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 526 passed by the following vote:

AYES—Senators Avey, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cohn, Flint, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

In the absence of the author, Senate Bill No. 52 was passed on file.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

On motion of Senator Hewitt, Senate Bill No. 1724 was passed on file.

Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3897 and 3898 of the Political Code of the State of California and to add to said Political Code two new sections, to be numbered 3773 and 3785*b*, all relating to property sold to the State for delinquent taxes, and providing for its disposal by sale and redemption.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1085 passed by the following vote:

AYES—Senators Avey, Boynton, Campbell, Carr, Caminetti, Chan, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Lanagan, Main, Rogers, Rush, Sanford, Stetson, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1362—An Act to amend Section 670 of the Civil Code of the State of California, relating to the ownership of gold amounts while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185c of the Political Code, relating to arrest, keeping and commitment of inebriates and drug habitues to a state hospital.

On motion of Senator Strobridge, Senate Bill No. 629 was passed on file.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, conveying to and disposition of property, real and personal, within said State of California.

In the absence of the author, Senate Bill No. 5 was passed on file.

Senate Bill No. 824—An Act to amend Section 1671 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

In the absence of the author, Senate Bill No. 824 was passed on file.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and guardianship of minor orphans or half-orphans, or abandoned children.

On motion of Senator Hewitt, Senate Constitutional Amendment No. 35 was passed on file.

Senate Bill No. 717—An Act to amend Section 3776 of the Penal Code of California.

In the absence of the author, Senate Bill No. 717 was passed on file.

Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

In the absence of the author, Senate Bill No. 1025 was passed on file.

Senate Bill No. 1742—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

In the absence of the author, Senate Bill No. 1742 was passed on file.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration; to regulate the dredging of soil by means of the dredging process, declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary

and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

In the absence of the author, Senate Bill No. 713 was passed on file.

Senate Bill No. 718—An Act to amend Section 308 of the Penal Code of California.

In the absence of the author, Senate Bill No. 718 was passed on file.

Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 308*a*.

In the absence of the author, Senate Bill No. 719 was passed on file.

Senate Bill No. 720—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 308*c*.

In the absence of the author, Senate Bill No. 720 was passed on file.

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170*a*, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

On motion of Senator Gates, Senate Bill No. 885 was passed on file.

Senate Bill No. 685—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

In the absence of the author, Senate Bill No. 685 was passed on file.

Senate Bill No. 1000—An Act to amend Section 4300*a* of the Political Code of the State of California, relating to county clerk's fees.

On motion of Senator Gerdes, Senate Bill No. 1000 was passed on file.

Senate Bill No. 308—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2648, relating to county government.

On motion of Senator Avey, Senate Bill No. 308 was ordered to the file of unfinished business.

Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 697 was passed on file.

Senate Bill No. 589—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897) by amending Section 58 thereof.

On motion of Senator Avey, Senate Bill No. 589 was ordered to the file of unfinished business.

Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

Read third time.

On motion of Senator Cogswell, Senate Bill No. 787 was passed on file.

Senate Bill No. 596—An Act to amend section four thousand three hundred and seven of the Political Code relating to county charges.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 596 passed by the following vote:

AYES—Senators Avey, Boynton, Bryant, Bunny, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Gesmer, Hewitt, Jones, Kehoe, Leavitt, Regan, Sanford, Strobridge, Thompson and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered section three thousand one hundred fifty-eight, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehouse men in the sale of unclaimed property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1567 passed by the following vote:

AYES—Senators Avey, Boynton, Bryant, Bunny, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Gesmer, Hewitt, Jones, Kehoe, Leavitt, Mott, Regan, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

In the absence of the author, Senate Bill No. 134 was passed on file.

Senate Bill No. 907—An Act to require physical culture and health and development supervision in the public schools and to amend Section 1668 of the Political Code.

In the absence of the author, Senate Bill No. 907 was passed on file.

Senate Bill No. 1718—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

On motion of Senator Gerdes, Senate Bill No. 1718 was passed on file.

Senate Bill No. 1729—An Act to amend Sections 953a, 953b, and 953c of the Code of Civil Procedure of the State of California, relating

to the duty of the clerk upon appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Court to the Supreme Court or the District Courts of Appeal.

In the absence of the author, Senate Bill No. 1729 was passed on file.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 309*a*, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

In the absence of the author, Senate Bill No. 1741 was passed on file.

Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

In the absence of the author, Senate Bill No. 1519 was passed on file.

Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; providing for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

On motion of Senator Gates, Senate Bill No. 430 was passed on file.

Committee Substitute for Senate Bill No. 1253—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

Read third time.

On motion of Senator Hewitt, Committee Substitute for Senate Bill No. 1253 was passed on file.

Senate Bill No. 9—An Act to amend Section 190 of the Penal Code, relating to the punishment of murder.

In the absence of the author, Senate Bill No. 9 was passed on file.

Senate Bill No. 1734—An Act to amend Section 2835 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

On motion of Senator Campbell, Senate Bill No. 1734 was passed on file.

RECONSIDERATION OF VOTE.

Senator Shanahan moved that Senate Bill No. 1757 be recalled from print and engrossment.

Motion carried.

Senator Shanahan moved to reconsider the vote whereby his amendment to Senate Bill No. 1757 was this day adopted.

Motion carried.

The question being on the adoption of the amendment.

Amendment lost.

Senate Bill No. 1757 read second time, ordered engrossed and on file for third reading.

THIRD READING OF BILLS—(RESUMED)

Senate Bill No. 121—An Act to protect the public against combinations, conspiracies and agreements among insurers whereby rates of insurance are fixed or charged; and to discourage premium and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

On motion of Senator Gerdes, Senate Bill No. 121 was passed on file.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

On motion of Senator Caminetti, Senate Bill No. 874 was passed on file.

Senate Bill No. 1488—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

On motion of Senator Caminetti, Senate Bill No. 1488 was passed on file.

Senate Bill No. 1596—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

On motion of Senator Caminetti, Senate Bill No. 1596 was passed on file.

Senate Bill No. 1597—An Act concerning expenses of political parties and providing for payment thereof by municipalities.

On motion of Senator Caminetti, Senate Bill No. 1597 was passed on file.

Senate Bill No. 1606—An Act providing for the payment to the several counties and cities and counties of the State of one half all expenses incurred by them respectively, for primary, general and other elections, held under the laws of the State, in years when a general election is held.

On motion of Senator Caminetti, Senate Bill No. 1606 was passed on file.

Senate Bill No. 1643—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days and prohibiting candidates from conveying them or contributing to the same.

On motion of Senator Caminetti, Senate Bill No. 1643 was passed on file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eight o'clock and forty minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED)

Senate Bill No. 1587—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1587 passed by the following vote:

AYES—Senators Avey, Benson, Boynton, Breed, Brown, Bryant, Burnett, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Grunsky, Hewitt,

Juilliard, Larkins, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 31.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the sixth day of January, nineteen hundred and thirteen, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose to the qualified electors of the State of California that Section 16½ of Article XI of the Constitution of said State be amended to read as follows:

Section 16½. All moneys belonging to the state or to any county or municipality within this State may be deposited in any national bank or banks within this State, or in any bank or banks organized under the laws of this State, in such manner and under such conditions as may be provided by any law adopted by a two-thirds vote of each house of the legislature and approved by the governor: *provided*, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 31 adopted by the following vote:

AYES—Senators Avey, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1586—An Act to amend Section 529 of the Political Code, relating to printing.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1586 passed by the following vote:

AYES—Senators Avey, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1389—An Act to amend Section 4248 of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1389 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Shanahan, Strobridge, Thompson, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1524 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Bryan, Bryant, Burnett, Cammetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Leeds, Mott, Sanford, Thompson and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 208 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Bryan, Bryant, Burnett, Cammetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Leeds, Mott, Regan, Sanford, Thompson and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways, for the charge, supervision and control thereof by the Department of Engineering of the State of California and State Engineer and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting, or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

On motion of Senator Cammetti, Senate Bill No. 1694 was passed on file.

Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignments of or orders for wages or salaries.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1740 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Sanford, Sherman, Thompson and Tyrrell—27.

NOES—Senators Cohn, Curtin, and Wright—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1297—An Act authorizing and empowering the Regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1297 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the assembly.

Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 1752 was passed on file.

SENATOR BREED IN THE CHAIR.

At nine o'clock and thirty minutes p.m., Senator Breed, of the Fifteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1044—An Act to add a new section to the Political Code, to be numbered 4153*a* providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1044 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Larkins, Mott, Regan, Sanford, Shanahan, Thompson, and Wright—27.

NOES—Senator Tyrrell—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 532*a*, relating to secret societies, fraternal societies, orders, or organizations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 141 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 14, 1883, and all amendments thereto.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Sanford moved to refer Senate Bill No. 1735 to Senator Hewitt, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 32, of the printed bill, strike out the following: "and twenty-five cents."

AMENDMENT No. 2.

On page 2, line 33, of the printed bill, strike out the period (.) immediately after the word "dollars," insert a semicolon (;) in lieu thereof, and add the following: "*provided, however*, that when authorized by a vote of a majority of the electors of said city voting thereon, said board of [illegible] may levy and collect in any year or years a property tax exceeding one dollar, but not exceeding one dollar and twenty-five cents, on each hundred dollars."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 1735, with instructions to amend, respectfully reports that same has been amended as per instructions.

HEWITT, Committee.

Report read and adopted.

Bill ordered to print and engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Sanford the Secretary was directed to issue a rush order for printing Senate Bill No. 1735.

THIRD READING OF BILLS—[RESUMED].

Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to lease, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1743 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Braud, Bryant, Butler, Caminetti, Campbell, Carr, Caswell, Cogswell, Curtis, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Lawrence, Larkins, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 191—An Act providing that the State Board of Equalization shall determine the net loss in county revenue sustained

by any county of the State by the withdrawal of railroad property from county taxation, in accordance with the provisions of section fourteen of article thirteen of the Constitution of the State of California, and providing for the payment of such loss by the State, when no objection is made to the amount thereof, and making an appropriation for the payment of such loss and to authorize any county in the State which claims to have sustained any such net loss in county revenue, and which said county has objected to the amount of such net loss as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of such loss, prosecute such suit to final judgment, regulating the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of section fourteen of article thirteen of the Constitution of this State," approved April 26, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 191 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Mott, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 24 of Article I thereof, and relating to a property qualification to vote at elections creating indebtedness.

On motion of Senator Hans, Senate Constitutional Amendment No. 26 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1 of Article II of the Constitution, in relation to the rights of suffrage.

On motion of Senator Hans, Senate Constitutional Amendment No. 27 was passed on file.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 of Article IV thereof, relating to senatorial and assembly districts, and repealing Section 27 of Article IV of said Constitution, relating to congressional districts and the formation thereof.

During the reading of the constitutional amendment, the following amendment was offered by the committee:

On page 3, of the printed constitutional amendment, strike out all of lines 10 to 16, both inclusive, and insert in lieu thereof the following: "assembly. The senatorial districts".

Constitutional amendment ordered to print and engrossment.

Senate Bill No. 105—An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety, and requiring reports of industrial accidents and providing penalties for offenses by employees, their officers, agents, and by employers and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Larkins moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

By striking out of Section 80, line 17, the period [illegible] and inserting in lieu thereof a comma [illegible] and after the word "provided", said particularly an Act entitled "An Act relating to liability of employers for injuries or death sustained by their employees, providing for compensation for the accidental injury of employees, regulating [illegible] thereof, relating to compensation therefor, defining its powers and providing for a review of its orders, approved April 8, 1913, so far as the same applies to the employees covered by the provisions of this Act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 995, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Caminetti, Campbell, Cogswell, Cram, Juilliard, Larkins, Muir, Sanford, and Wright—9.

NOES—Senators Anderson, Avey, Boyce, Bronson, Bunkell, Burnett, Bond, Bryant, Butler, Carr, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hearst, Jones, Kehoe, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—25.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Flint, as a special committee of one, to amend as follows:

By striking out of Section 86, line 18, page 51, all of subdivision (b) down to and including line 25.

Also, On page 54, line 26, strike out the letter "c" in brackets, and insert in lieu thereof the letter "b" in brackets.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 905, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

The question being on the adoption of the report.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Cogswell moved a call of the Senate.

Motion carried.

Time, eleven o'clock and forty minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and forty-five minutes p.m., Senators Avey, Sanford, Brown and Lyon were brought to the bar of the Senate, and, on motion of Senator Boynton, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-six minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Cogswell.

The roll of absentees was called, and the report of the committee refused adoption by the following vote:

AYES—Senators Avey, Breed, Butler, Campbell, Cogswell, Cohn, Curtin, Flint, Hans, Hewitt, Juilliard, Larkins, Mott, Sanford, Strobridge, and Wright—16.

NOES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Caminetti, Carr, Finn, Gates, Gerdes, Grant, Jones, Kehoe, Lyon, Regan, Rush, Shanahan, Thompson, and Tyrrell—21.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Flint, as a special committee of one, to amend as follows:

AMENDMENTS TO SENATE BILL NO. 905.

AMENDMENT No. 1.

On page 9, lines 13 and 14, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 2.

On page 9, line 19, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 3.

On page 9, line 34, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 4

On page 10, line 1, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 5

On page 10, line 6, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 6

On page 10, line 2, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 7

On page 10, line 3, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 8

On page 10, line 5, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 9

On page 10, lines 8 and 9, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 10

On page 10, line 12, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 11

On page 10, lines 15 and 21, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 12

On page 10, line 19, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 13

On page 10, line 25, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

AMENDMENT No. 14

On page 10, lines 27 and 28, of the printed bill, strike out the word "sixty-five", and insert in lieu thereof the word "fifty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 905, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

The question being on the adoption of the report.

The roll was called, and the report of the committee refused adoption by the following vote:

AYES: Senators Breed, Cogswell, Cohn, Curtin, Gates, Hans, Juilliard, Larkins, Mott, Rush, Sanford, and Wright—12.

NOES: Senators Anderson, Avey, Beban, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Carr, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Kehoe, Lyon, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—24.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

By inserting in Section 3, line 2, after the word "members", the words "no more than two of whom shall belong to one political party.".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 905, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

The question being on the adoption of the report.

The roll was called, and the report of the committee lost by the following vote:

AYES—Senators Caminetti, Campbell, Juilliard, Larkins, Sanford, Shanahan, and Wright—7.

NOES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Rush, Strobridge, Thompson, and Tyrrell—27.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 905 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—30.

NOES—Senators Cogswell, Curtin, Juilliard, Larkins, and Wright—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards—was this day passed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489*a*, relating to reclamation and swamp land districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENSON, Chairman.

Assembly Bill No. 1851 ordered on file for second reading.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Tuesday, April 29, 1913.

The Senate met at ten o'clock a. m.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Boynton, Bronson, Brown, Bryant, Burke, Caminetti, Campbell, Carr, Cartwright, Chipman, Cogswell, Cone, Crosse, Finn, Flint, Gates, Gerdes, Gesmer, Hans, Hewitt, Jones, Leavitt, Lewis, Lukens, Lyon, Mott, Owens, Rigdon, Rush, Saunders, Stephens, Thompson, and Wyman—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Nasher.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 28, 1913, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Benson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. E. L. Donnelly.

COMMUNICATIONS.

The President presented communications as follows:

From the Woman's Club, of Hollywood, protesting against legislation which will restrict investment of foreign capital in our State.

Also, the following telegrams:

LOS ANGELES, CAL., April 28, 1913.

President of the Senate, Sacramento, Cal.:

At a meeting of the Church Federation Council today, a resolution was passed asking that Assembly Bills Nos. 1081 and 1087, relating to changes in juvenile court law, be not passed. It would tend to put delinquents, as minors, before courts of mature criminals. We earnestly request that the amendments be defeated.

EDWIN P. RYLAND, President.

LOS ANGELES, CAL., April 28, 1913.

The President of the Senate, Sacramento, Cal.:

The Ministerial Union of Los Angeles, representing one hundred and two churches, resolved that race discrimination in the alien land laws should be carefully avoided because such legislation would be perilous to the interests of American missions, commerce and diplomatic interests with the remaining Asiatic nations would be affected by such discrimination.

J. C. PINKERTON, President.
JOHN L. MACE, Secretary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed Assembly Bill No. 790, An Act appropriating money for completion and repairs of school improvements at Preston, Stillman at Ione.

Also, Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Also: Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Also: Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies, and defining the powers and duties of such officers, and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

Also: Assembly Bill No. 1464—An Act to amend Section 1248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteeth class.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 790 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1570 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 1671 and 774 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1464 read first time, and referred to Committee on County Government.

SENATOR HANS IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Senator Hans, of the Fourteenth District, in the chair.

ASSEMBLY MESSAGES—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Also: Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Also: Assembly Bill No. 550—An Act to amend Section 1286 of the Political Code of the State of California, relating to county and township officers in counties of the fifty-seventh class.

Also: Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma in Imperial County.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 2095 and 2096 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2044 read first time, and referred to committee on Prisons and Reformatories.

Assembly Bill No. 550 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1428—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide

revenue therefrom, for game and fish preservation and restocking" approved March 22, 1909.

Also Assembly Bill No. 1364—An Act to amend Section 4201 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Also Assembly Bill No. 230—An Act to amend Section 3743 of the Political Code of the State of California, relating to time and notice of sale of property for taxes and prohibiting the tax collector from accepting payment of taxes for the current year on any particular lot, piece of property or real estate until all delinquent taxes against the same property shall have been paid.

Also Assembly Bill No. 1573—An Act to amend Section 738 of the Code of Civil Procedure, and to add to said code a new section to be numbered 738a, relating to the abatement of public nuisances and to provide additional costs to be apportioned for such purpose.

Also Assembly Bill No. 289—An Act to amend Section 4276 of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class (Santa Cruz County).

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1428 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 1364 and 289 read first time and referred to Committee on County Government.

Assembly Bill No. 230 read first time and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1573 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1214—An Act to amend an Act entitled "An Act to establish a uniform system of county [old township] government," approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1214 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1456—An Act to amend Section 4286 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class—and respectfully ask that the amendments be concurred in.

L. E. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1456

"Amend title by striking out the word 'miles,' and insert the word 'mileage'".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1456?"

The roll was called, and Assembly amendment to Senate Bill No. 1456 concurred in by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Burnett, Cohn, Flint, Gates, Hans, Juilliard, Kehoe, Metz, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—21.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 284

On page 1, Section 1, line 11, strike out the word "three", and insert in lieu thereof the word "four".

On page 5, Section 6, line 12, strike out the word "seven", and insert in lieu thereof the word "nine".

On page 5, Section 6, line 6, strike out the words "and such fees as are allowed by law".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 364?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 364 by the following vote:

AYES—None.

NOES—Senators Anderson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Larkins, Owens, Regan, Rush, Sanford, Strobridge, Tyrrell, and Wright—24.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents ($3,212.94), to pay the claim of J. Harry Russell.

Also: Concurred in Senate amendment to Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Also: Concurred in Senate amendment to Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure of the State of California, relating to waiver of jury trial.

Also: Concurred in Senate amendment to Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure of the State of California, relating to costs on appeal.

Also: Concurred in Senate amendment to Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953, 953*a*, 953*b* and 953*c* of the Code of Civil Procedure of the State of California, relating to papers on appeal.

Also: Concurred in Senate amendment to Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure of the State of California, to be designated Sections 950, 951 and 952, relating to records on appeal.

Also: Concurred in Senate amendment to Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office—and requests that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Also: Senate Bill No. 613—An Act to amend Section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Also: Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

Also: Senate Bill No. 1204—An Act to amend Section 637*b* of the Penal Code of the State of California, relating to imported fish and game.

Also: Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 614

AMENDMENT No. 1.

On page 3, line 21, of the printed bill, [illegible] the word "seventy", and the words "nine hundred", and insert in lieu thereof the words "seven hundred and twenty".

AMENDMENT No. 2.

On page 3, line 24, of the printed bill, after the word "[illegible]" strike out and renumber all of [illegible] and all of the [illegible] and insert in lieu thereof the following: "Section 2. This act shall take effect immediately."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 614?"

The roll was called, and Assembly amendments to Senate Bill No. 614 concurred in by the following vote:

AYES—Senators Anderson, Bolton, Boynton, Birdsall, Brown, Brock, Campbell, Cartwright, Coles, Dillon, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Mott, Owens, Rigas, Sanford, Shanahan, Strobridge, and Tyrrell—24.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1554

On page 1, strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Where applications have been made to purchase lands from the State under and pursuant to the [illegible] and payment has been thereof been made to the treasurer of the proper county for the same and a certificate of purchase issued on or after May 1, 1911, to the applicants therefor, and such purchasers have failed to pay the interest on the unpaid balance of the purchase price of such land, said certificate shall be in full force and effect; provided, all interest due on the balance of the purchase price is paid to the proper county treasurer on or before December 31, 1913."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1554?"

The roll was called, and Assembly amendment to Senate Bill No. 1554 concurred in by the following vote:

AYES—Senators Anderson, Bolton, Boynton, Birdsall, Brown, Brock, Brown, Campbell, Cartwright, Coles, Dillon, Gerdes, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rigas, Sanford, Shanahan, Strobridge, and Tyrrell—24.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 449

AMENDMENT No. 1.

On page 1, of the printed bill, in the title of said Act, in line 2 of said title, strike out everything after the word "county" down to and including the word "work", in line 5 of said title.

AMENDMENT No. 2.

On page 1, Section 1, lines 2 and 3 of printed bill, strike out everything from and inclusive of the word "through", in line 2, down to and inclusive of the word "station", in line 3.

AMENDMENT No. 3.

Strike out all of Section 3 of said Act.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 449?"

The roll was called, and Assembly amendments to Senate Bill No. 449 concurred in by the following vote:

AYES—Senators Anderson, Bolton, Birdsall, Boynton, Brown, Brock, Cartwright, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rigas, Sanford, Shanahan, Strobridge, and Tyrrell—21.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands, authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Finance.

GATES, Chairman.

Assembly Bill No. 2056 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 341—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Also: Assembly Bill No. 433—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Also: Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c, relating to the duties of county clerk regarding clerk reporter's compensation.

Also: Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Also: Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 341, 433, 678, 897 and 1601 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 23—Relative to the mailing of copies of all Acts passed and approved, relating to courts, judicial officers and amendments to codes to each judge of Superior Courts, district attorneys and county clerks of the counties and city and counties of this State.

Also: Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 13½ of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States, and in any money domestic or foreign.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

GATES, Chairman.

Assembly Concurrent Resolution No. 23 ordered on file.

Assembly Constitutional Amendment No. 12 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 76—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

Also: Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power.

Also: Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Also: Assembly Bill No. 1965—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons charged with crime.

Also: Senate Bill No. 1520—An Act to provide for the registration of and filing expense accounts by, lobbyists employed and employing the work of such lobbyists.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 76, 81, 1912 and 1965 ordered on file for second reading.

Senate Bill No. 1769 ordered on file for second reading.

REPORTS OF COMMITTEES.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 312—An Act to amend Section 4261 of the Penal Code of the State of California, relating to the duties, fees and expenses of officers in counties of the third class.

Also: Senate Bill No. 1440—An Act to amend Section 658 of the Penal Code of the State of California, relating to the prosecution and punishment of duels.

Also: Senate Bill No. 1491—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated cities, unincorporated towns and cities and counties, and to prescribe penalties for the violation thereof.

Also: Senate Bill No. 1520—An Act to add a new section to the Civil Code of the State of California to be numbered Section 3099, relating to relations between employers and employees concerning terms and conditions of employment.

Also: Senate Bill No. 1515—An Act to appropriate the sum of [illegible] hundred and fifty-eight dollars and 00/100 to pay the claims of the State Board of Health.

And report that the same have been correctly engrossed.

LYON, Acting Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 664—An Act to provide indemnity to persons erroneously convicted of felonies in the State of California.

Also: Senate Bill No. 1201—An Act to amend an Act entitled "An Act to provide a system of street improvements [illegible] cost of street work and improvements [illegible] ment of such bonds," approved February 17, 1903, by adding thereto four new sections to be numbered 70 to 73, inclusive.

Also: Senate Bill No. 1704—An Act amending the Civil Code so as to prohibit the issuance by a corporation of more than two kinds of shares of capital stock.

Also: Senate Bill No. 1703—An Act amending Section 286 of the Civil Code, so as to limit the formation of corporations to one purpose.

Also: Senate Bill No. 84—An Act to amend the Code and an Act entitled "An Act concerning dependent and delinquent minor children, [illegible] custody and maintenance until [illegible] commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and defining the powers of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for the conditions [illegible] delinquency of children and giving to the Superior Court [illegible] and repealing provisions of Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Also: Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of Richmond, in Contra Costa County, in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the [illegible] day of April, 1913.

Also: Committee Substitute for Senate Bill No. 1021—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as Section 445, authorizing the Controller of State to maintain an inheritance tax department, and to employ therein an attorney at law, to be known as inheritance tax attorney, two assistant inheritance tax attorneys and an inheritance tax clerk and necessary assistants thereto, and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties, and making an appropriation therefor," approved March 20, 1909.

Also: Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class. San Benito County.

Also: Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

Also: Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the constructing of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1909.

Also: Senate Bill No. 380—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Also: Senate Bill No. 1103—An Act requiring all persons, corporations, receivers or trustees operating lines of railway in the State of California, to provide toilets on certain classes of cars used on such railways, for the convenience of passengers, and providing a penalty and damages to be paid by such persons, corporations, receivers or trustees, to the State of California, for failure to provide such toilets.

Also: Senate Bill No. 1008—An Act to regulate repayment of employers' advances; and providing penalties for the violation of its provisions.

Also: Senate Bill No. 1019—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code of the State of California, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Also: Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Also: Committee Substitute for Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

Also: Senate Bill No. 771—An Act relating to franchise and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

And report that the same have been correctly engrossed.

LYON, Acting Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 752—An Act to make an appropriation of money for the general improvement and extension of the Lake Tahoe wagon road, a state highway—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 752 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 652—An Act to amend an Act entitled, "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending Section 6 thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do not pass as amended.

JONES, Chairman.

Senate Bill No. 652 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, APRIL 28, 1913

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 237, An Act to add new sections to the Political Code, to be numbered Sections 4225, 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i and 4225j, all relating to county boards of health and sanitary inspectors, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Senate Bill No. 235 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, APRIL 28, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1228, An Act to establish a state board of embalmers, defining the duties thereof, providing for the future government of the said board, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the same and the enforcement of the said act, providing penalties for the violation thereof, fixing the terms, conditions, and fees, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JONES, Chairman.

Assembly Bill No. 1228 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 878, An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners to enforce the provisions of said act," approved March 11, 1907, as amended March 10, 1909, as amended May 1, 1911, by amending Section 7 of said Act, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do not pass as amended.

JONES, Chairman.

Senate Bill No. 878 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Shanahan, the Senate took up the consideration of Senate Bill No. 1758, out of order.

Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer to Senator Wright, as a special committee of one, to amend as follows:

By adding a new section thereto, after line 25, on page 3 of the printed bill, to read as follows:

"Section 2. This Act is hereby declared to be an urgency measure, within the meaning of section one of article four of the constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency: Section 2349 of the Political Code of the state, to which this Act is amendatory, now declares certain rivers and streams navigable to persons where such rivers and streams are not navigable in fact, thereby preventing the bridging of such rivers and streams by county or municipal authority without it as necessary for the traveling public to cross the same, which said condition is dangerous to public safety, and will be obviated by section one of this Act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1758, with instructions to amend, respectfully reports the same back, amended as per instructions.

WRIGHT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1515—An Act to appropriate the sum of $358.50 to pay the claims of the State Board of Health.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1515 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Bryant, Caminetti, Cartwright, Curtin, Flint, Gates, Gerdes, Grant, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 312 passed by the following vote:

AYES—Senators Beban, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

In the absence of the author, Senate Bill No. 52 was passed on file.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

In the absence of the author, Senate Bill No. 1362 was passed on file.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

On motion of Senator Birdsall, Senate Bill No. 5 was passed on file.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

In the absence of the author, Senate Bill No. 824 was passed on file.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

In the absence of the author Senate Constitutional Amendment No. 35 was passed on file.

Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways and providing for the condemnation of such land and for the opening of such highways.

On motion of Senator Larkins, Senate Bill No. 1025 was passed on file.

Senate Bill No. 1019—An Act to amend Sections 2284, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

In the absence of the author, Senate Bill No. 1019 was passed on file.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration, to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

On motion of Senator Kehoe, Senate Bill No. 713 was passed on file.

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated eleven hundred and seventy *a* (1170*a*), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gates moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By inserting in line 5, page 1, between "heat" and "and", the word "water", and inserting in between lines 5 and 6, the following: "or by default in payment of rent for premises used for residence purposes".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 885, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof.

In the absence of the author, Senate Bill No. 1407 was passed on file.

Senate Bill No. 685—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

In the absence of the author, Senate Bill No. 685 was passed on file.

Senate Bill No. 1000—An Act to amend Section 4300*a* of the Political Code of the State of California, relating to county clerk's fees.

In the absence of the author, Senate Bill No. 1000 was passed on file.

Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 697 was passed on file.

Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

On motion of Senator Cogswell, Senate Bill No. 787 was passed on file.

Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

In the absence of the author, Senate Bill No. 134 was passed on file.

Senate Bill No. 907—An Act to require physical culture and health and development supervision in the public schools and to amend Section 1668 of the Political Code.

On motion of Senator Beban, Senate Bill No. 907 was passed on file.

Senate Bill No. 1718—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

In the absence of the author, Senate Bill No. 1718 was passed on file.

Senate Bill 1729—An Act to amend Sections 953*a*, 953*b* and 953*c* of the Code of Civil Procedure of the State of California, relating to the

duty of the clerk upon appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Court to the Supreme Court or the District Courts of Appeal.

In the absence of the author, Senate Bill No. 1729 was passed on file.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 3440, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

In the absence of the author, Senate Bill No. 1741 was passed on file.

Senate Bill No. 1419—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

In the absence of the author, Senate Bill No. 1519 was passed on file.

Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California, creating a state board of chiropractic examiners, providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractics in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

In the absence of the author, Senate Bill No. 430 was passed on file.

Committee Substitute for Senate Bill No. 1253—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

In the absence of the author, Committee Substitute for Senate Bill No. 1253 was passed on file.

PRESIDENT WALLACE IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 9—An Act to amend Section 190 of the Penal Code, relating to the punishment for murder.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 9 refused passage by the following vote:

AYES—Senators Anderson, Beban, Benson, Brown, Bryant, Butler, Finn, Flint, Gerdes, Grant, Kehoe, Larkins, Lyon, Rush, and Shoemake—15.

NOES—Senators Birdsall, Boynton, Breed, Cremins, Cronin, Carr, Cartwright, Cogswell, Colm, Curtin, Gates, Hans, Hewitt, Jones, Leonard, Mott, Owens, Rigdon, Sanford, Strobridge, Thompson, Tyrrell, and Wright—23.

CONSIDERATION OF SPECIAL ORDER.

The consideration of the motion of Senator Brown to reconsider the vote whereby Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof—was refused passage, was placed before the Senate.

The question being on the motion to reconsider.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Wright, the hour of recess was extended until twelve o'clock and forty minutes p.m.

At twelve o'clock and forty minutes p.m., on motion of Senator Wright, the hour of recess was extended until twelve o'clock and fifty minutes p.m.

At twelve o'clock and fifty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until one o'clock p.m.

The question being on the motion to reconsider.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Brown moved a call of the Senate.

The question being on the motion.

The roll was called, and a call of the Senate ordered by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Butler, Caminetti, Carr, Cartwright, Cogswell, Gates, Grant, Hewitt, Jones, Kehoe, Mott, Shanahan, Thompson, and Wright—19.

NOES—Senators Beban, Birdsall, Bryant, Cohn, Finn, Flint, Gerdes, Hans, Juilliard, Larkins, Lyon, Owens, Regan, Rush, Strobridge, and Tyrrell—16.

Time, twelve o'clock and fifty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names.

Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and fifteen minutes p.m., Senators Campbell and Boynton were brought to the bar of the Senate, and, on motion of Senator Thompson, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Gerdes.

The roll of absentees was called, and the motion to reconsider the vote whereby Senate Bill No. 735 was refused passage reconsidered by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Burnett, Burnham, Caminetti, Campbell, Carr, Cogswell, Curtin, Flint, Gerdes, Gyger, Hewitt, Jones, Kehoe, Mott, Shanahan, and Thompson—21.

NOES—Senators Belcher, Bledsoe, Bryant, Cartwright, Finn, Gaffey, Hans, Juilliard, Larkins, Lyon, Owens, Regan, Rush, Strobridge, Tyrrell, and Wright—16.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Regan as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Amend the title by striking out all after the word "relating," in line 2 of the title and insert in lieu thereof the following: "to the Penal Code."

AMENDMENT No. 2.

Strike out all after the figures "412," in line 3, page 1, of the printed bill, and insert in lieu thereof the following:

"Any person who within this state engages in, instigates, aids, encourages, or does any act to further a contention to fight without weapons, between two or more persons, or a fight commonly called a 'fist or glove fight,' either with or without the state, or who engages in a match or private sparring exhibition, with or without gloves, within the state, or who sends or publishes a challenge or acceptance of a challenge for such a contention, exhibition or fight, or carries or delivers such a challenge or acceptance, or posts or assists any person in training or preparing for such a contention, exhibition or fight, shall be guilty of a felony, and upon conviction shall be fined not less than one thousand dollars nor more than five thousand dollars, and be imprisoned in the state prison not less than one year nor more than three years; *provided, however*, that sparring exhibitions may be given between contestants with gloves of not less than four ounces each, as a contest may be held by a domestic incorporated club upon the procurement by said club of an annual license to be fixed by the board of supervisors of cities and counties, or the city council or other governing bodies of incorporated cities. Said exhibitions must comply with the rules and regulations as the said supervisors, city councils or other governing bodies of cities and towns shall prescribe by ordinance or resolution, further that the hours during which each exhibition must be examined by a physician who shall determine whether or not they are in perfect physicial condition.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 735 with instructions to amend, respectfully reports the same back amended as per instructions.

REGAN, Committee.

SPECIAL ORDER SET.

Senator Juilliard moved that the further consideration of the report of the committee of one, the pending amendment and the bill, be made a special order at 11 o'clock a. m. on Wednesday, April 30, 1913.

The question being on the motion,

The roll was called, and the motion carried by the following vote:

AYES—Senators Belcher, Benson, Bledsoe, Boynton, Breed, Bryant, Campbell, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Hewitt, Juilliard, Larkins, Lyon, Regan, Shanahan, Strobridge, Tyrrell, and Wright—22.

NOES—Senators Anderson, Burnett, Carr, Cartwright, Cogswell, Jones, Kehoe, Mott, Owens, and Thompson—11.

SPECIAL ORDER RESET.

Senator Wright moved that the further consideration of his motion to reconsider the vote whereby Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court—was passed, be

made a special order at three o'clock and thirty minutes p.m. on Wednesday, April 30, 1913.

Motion carried.

SENATOR THOMPSON IN THE CHAIR.

At three o'clock and thirty minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

RECONSIDERATION OF VOTE.

The consideration of Senator Kehoe's motion to reconsider the vote whereby Senate Bill No. 1326—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof -was refused passage, was taken up.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 1326 was refused passage reconsidered by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Regan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Larkins moved to refer to Senator Kehoe, as a special committee of one, to amend as follows.

AMENDMENT No. 1.

In the first line of the title of the printed bill, as amended April 17, 1913, strike out the words "to repeal section sixty-four of", and insert in lieu thereof the following: "to amend".

AMENDMENT No. 2.

In line 7 of the title, of the same bill, before the word "and", insert the following: "by amending section sixty-four thereof".

AMENDMENT No. 3.

On page 1, of the printed bill, strike out lines 7, 8 and 9, and insert in lieu thereof the following: "hereby amended to read as follows:

Section 64. Navigation shall never in any wise be impaired by the operation of this Act, nor shall any right to water used for mining purposes or any property necessary for the diversion of such water and for its delivery to the place or places where it is used or to be used for such purposes ever be affected by or taken under the provisions of this Act, without the consent of the owner or owners of such right or property, save and except that rights of way may be acquired over any such property.

SEC. 2. A new section is hereby inserted in said Act after section sixty-four, to be numbered sixty-four and one half, and to read as follows:

AMENDMENT No. 4.

On page 1, line 10, of the printed bill, strike out the figures "64", and insert in lieu thereof the figures "64½".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1326, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF SPECIAL ORDER—(POSTPONED).

On motion of Senator Lyon, the consideration of Senate Bill No. 466 was continued till eight o'clock and thirty minutes p.m. of this day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Cartwright to introduce a bill entitled "An Act appropriating money for the purchase of land for the Fresno State Normal School."

Also: The request of Senator Larkins to introduce a bill entitled "An Act to add a new section to the Code of Civil Procedure, to be numbered 103½, relating to what persons are eligible to the office of justice of the peace, to be admitted to practice law as a matter of record."

Have had the same under consideration, and respectfully report that the same pass and recommend that such requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report,

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Brandenstein, Bryant, Bryson, Bryant, Cartwright, Carr, Cartwright, Chandler, Chan, Dills, Gerdes, Gerdes, Gerdes, Hans, Hewitt, Jones, Kehoe, Lafferty, Lyon, Mott, Owens, Rigdon, Leslie, Scharenberg, Strobridge, Thompson, Tyrrell, and Wright—36.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Cartwright: Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Larkins: Senate Bill No. 1773—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 103½, relating to what persons are eligible to the office of justice of the peace.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Assembly Bill No. 1858—An Act to provide for the organization and maintenance of surety funds by fire insurance companies, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BRYANT, Chairman.

Assembly Bill No. 1858 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance companies and governing the right and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BRYANT, Chairman.

Senate Bill No. 1089 ordered on file for second reading.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 752—An Act to create the office of inspector of mines, fixing his duties and powers; providing for the appointment of a deputy, and fixing the qualifications and compensation of both, and fixing the bond of each; providing for his necessary expenses, clerk hire and office expenses; prescribing oath to be taken by said inspector and deputy; imposing duties and penalties and requiring reports from owners, lessors, lessees, agents or managers of mines; defining the duties of district attorneys and of the Attorney General under this Act and providing for prosecutions when said district attorney or Attorney General refuses or neglects to act; providing for reports of serious or fatal accidents in any mine or mines; and providing for the attendance of the inspector of mines or his deputy at inquests; providing for a yearly report by said inspector of mines to the Governor, as enumerated in this Act; excluding certain mines from the provisions hereof; making it the duty of the Governor to appoint said inspector of mines; prohibiting the storing of explosives in mines, except temporary supply, and providing for storage of explosives outside of mines; requiring the use of wooden tamping bars, and removal of timbers from under ground; requiring indicators on hoisting machinery; prohibiting the riding of persons on cars, skips or buckets with certain materials; requiring ladders in shafts and two compartments in certain kinds of shafts; and requiring landings at certain intervals, and requiring that ladders shall be kept in repair; requiring that in mines of two hundred feet or more in depth, certain shafts shall be bulkheaded or rigged with a trapdoor, and requiring sign boards showing direction to exit or outlet of mine; forbidding use of gasoline underground; requiring chain ladder when sinking shafts or inclines; requiring guard rails at specified dangerous points; specifying kind and dimension of cage in shafts exceeding three hundred and fifty feet in depth; requiring the leaving of pillars to protect and secure working in mines; prohibiting certain structures over the shaft or outlet of any mine; requiring doors at mouth of tunnel to so arrange as to be closed from the outside by wire or cable; requiring the use of ropes and cables as specified herein and prohibiting the raising or lowering of men by a cable or rope when containing more than a certain per cent of breaks or worn to a certain extent, or which shows signs of corrosion; requiring the care and inspection of boilers used for the generation of steam in and around mines; prohibiting hoisting in shafts while being repaired; requiring mines to be ventilated; requiring that men shall not be separated at such distances as to prevent cries being heard; requiring an engineer to be kept on duty to answer signals; prohibiting persons from riding on bail or cable of bucket, cage or skip; requiring the posting of number of men permitted to ride in cage, skip or bucket at one time, and making overloading a misdemeanor; requiring keeping of smoke helmets; providing for punishment of failure to comply with the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

REGAN, Chairman.

Assembly Bill No. 752 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1015—An Act to amend Sections 628, 635½ and 636 of the Penal Code of the State of California, all relating to the protection and preservation of fish—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HANS, Chairman.

Senate Bill No. 1015 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Scripps Institute of Biological Research the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

HANS, Chairman.

Assembly Bill No. 2045 ordered re-referred to Committee on Finance.

ON COMMERCE AND NAVIGATION

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of constructing, improving, and dredging the channel of San Rafael Creek—have had the same under consideration, and respectfully report the same back and recommend that it do pass, and that it be re-referred to Committee on Finance.

BROWN, Chairman.

Assembly Bill No. 8 ordered re-referred to Committee on Finance.

ON ELECTIONS

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 1734—An Act to amend Sections 1054 and 1098 of the Political Code relating to the right to vote and the registration of voters.

Also, Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "perforated" system of voting in municipal elections.

Also, Assembly Bill No. 1771—An Act to amend Section 1209a of the Political Code of the State of California relating to the declaration to be made by challenged electors.

Also, Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of political campaigns, and candidates, by An Act entitled An Act to prevent the payment of electors in regulating the conduct thereof, and to support the privileges of free suffrage, and prescribing penalties and punishments in relation thereto, and providing for the punishment thereof," approved February 23, 1893."

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

HEWITT, Chairman.

Assembly Bills Nos. 1734, 1923, 1771 and 1878 ordered on file for second reading.

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

Also, Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California to be numbered 499d, relating to the taking, using, secreting or removing or causing to be taken, used, secreted or removed, any automobile or motor vehicle from a garage, stable or other building or place or from any place or locality on a private or public highway, such garage, stable, building, place, or other space, by any chauffeur or other person, for his private use or purpose, without the consent of the owner, and providing the punishment for a violation thereof.

Also, Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien for same for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 28, 1901.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Assembly Bills Nos. 1654, 2035 and 1698 ordered on file for second reading.

RECESS.

At three o'clock and twenty-five minutes p.m., on motion of Senator Boynton, the acting President declared the Senate at recess until seven o'clock and thirty minutes p.m.

RECONVENED.

At seven o'clock and thirty minutes p.m. the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

On motion of Senator Thompson, Assembly Bill No. 1879 was passed on file.

Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns, said section to be numbered 1281*a*.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control and use of roads; defining the term road; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1634—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 6—An Act to add a new section to Act and game laws of the State of California to be numbered 631c, providing for the breeding and sale of American elk, mule deer, black tailed deer, white tailed deer, European red deer, fallow deer, Hungarian or common Indian deer, roebuck, pheasants, partridges, bob white quail, California valley and mountain quail, and all the varieties of wild ducks, providing for a license therefor, for the manner of killing, tagging, transportation and sale thereof, for reports, for the fencing of the preserves and for the revocation of licenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 405—An Act to permit counties to acquire rights of way for state highways and to pay part of the expenses of constructing state highways and bridges within their limits and authorizing the State to accept the same.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 5, of the printed bill, after the word "[illegible]", strike out the words "or the California highway commission."

Amendment adopted.

AMENDMENT No. 2

On page 2, line 4, of the printed bill, after the word "California", strike out the words "or the California highway commission."

Amendment adopted.

Bill read second time, and ordered to grant and third reading.

Assembly Bill No. 1555—An Act to amend Section 4041 of the Political Code.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 1, line 2, of the title of the proposed bill, strike out the printed words after the word "Code", and insert in lieu thereof a comma and add the following: "relating to the general powers of boards of supervisors."

Amendment adopted.

AMENDMENT No. 2

On page 2, line 2, strike out the word "therefor", and in lieu thereof insert the word "thereof."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 36, after the word "county", insert a comma.

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 3, strike out the semicolon and in lieu thereof insert a comma and the following: "and to maintain, preserve, take care of, manage and control the same."

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 14, strike out the word "supervisors", and insert in lieu thereof "supervisorial".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 25, strike out the words "to provide", and in lieu thereof insert the word "provided".

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 34, strike out the word "of", appearing before the word "work", and in lieu thereof insert a semicolon and the word "the".

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 35, strike out the semicolon after the word "board", and in lieu thereof insert the word "or". Also, before the word "combination", insert the letter "a".

Amendment adopted.

AMENDMENT No. 9.

On page 5, line 8, strike out the word "and", and in lieu thereof insert a comma. Also, after the word "equip", insert the words "and maintain". Also, on page 5, line 9, strike out the word "and", appearing before the word "apparatus", and after the word "apparatus", insert the words "motor vehicles".

Amendment adopted.

AMENDMENT No. 10.

On page 6, line 2, strike out the word "five", and in lieu thereof insert the word "three".

Amendment adopted.

AMENDMENT No. 11.

On page 9, after line 6, insert a new paragraph as follows:

"29*a*. To provide for the care and maintenance of the indigent sick or dependent poor of the county, and for such purposes to levy the necessary property or poll taxes, or both."

Amendment adopted.

AMENDMENT No. 12.

On page 9, strike out all of subdivision 33, being lines 17 to 27, inclusive, and in lieu thereof insert the following:

"33. To levy a special tax not to exceed two cents on the $100.00 of the assessed valuation of all property within the county to be used for advertising, exploiting and making known the resources of the county for the purposes of inducing immigration to, and increasing the trade and commerce of, said county, or for the purpose of exhibiting or advertising the agricultural, mineral, manufacturing or other resources of the county; *provided, however*, that if said rate of two cents will not raise $5,000 in any one year the boards of supervisors may appropriate from the general fund of the county an amount sufficient to make up the deficiency existing between the amount raised as the result of the two cent levy and $5,000; *and provided, further*, that such tax shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used for collecting, preparing and maintaining an exhibition in any domestic or foreign exposition."

Amendment adopted.

AMENDMENT No. 13.

On page 11, line 8, after the word "on", insert the following: "the public roads and highways, and on and about".

Amendment adopted.

AMENDMENT No. 14.

On page 11, after line 11, insert a new paragraph as follows:

"39*a*. To assume and discharge such municipal functions of the cities and towns within the county as may be authorized by any county charter framed under the provisions of Section 7½ of Article XI of the Constitution of the State of California."

Amendment adopted.

AMENDMENT NO. 15

On page 11, after line 26, insert a new paragraph, as follows:

"40g. To provide for the sale at not less than cost of copies of such maps as may be prepared by the surveyor for the use of the assessor under the provisions of Section 4218 of the Political Code of California, as may be deemed desirable by the board of supervisors."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1851.—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered Section 3487c, relating to reclamation and swamp land districts.

Bill read second time and ordered on file for third reading.

SECOND READING OF SENATE BILLS

On motion of Senator Thompson, the Senate took up the second reading file of Senate bills.

Senate Bill No. 1770.—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are not operated for hire and are not operated as common carriers, and prohibiting the construction of any more such lines for such purpose for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings to and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, lines 11 and 12, of the title of the printed bill, strike out all of said lines 11 and 12, beginning with the word "and" and ending with the word "prohibiting", and in lieu thereof insert the following: "and which pipe lines are operated other than as common carriers; and prohibiting".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 14, of the printed bill, strike out all of line 14, and in lieu thereof insert the following: "of California, otherwise than as a".

Amendment adopted.

AMENDMENT NO. 3.

On page 3, line 1, of the printed bill, strike out the following words in said line: "otherwise than for hire and".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 18, of the printed bill, strike out all of line 18, and in lieu thereof insert the following: "or any of its products, otherwise".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1765—An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1763—An Act to declare certain combinations between railroad or other common carriers and private corporations or individuals with reference to transportation of crude oil, petroleum or the products thereof, through pipe lines, in restraint of trade, an unfair practice, contrary to public policy and an unlawful monopoly, authorizing such pipe lines to become common carriers and public utilities, or requiring same to become licensed, fixing penalties for violation and authorizing certain court proceedings.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title by striking out all after the word "certain", in line 1 of the title, and insert in lieu thereof the following: "contracts, combinations, arrangements and conspiracies between common carrier railroads and pipe lines for the transportation of crude oil, and pipe lines constructed for the transportation of crude oil, petroleum or the products thereof, to be in restraint of trade and unfair practices, contrary to public policy as tending to monopoly, and requiring such pipe lines to either become common carriers and public utilities or to procure license and pay fees, and fixing penalties for violations, and authorizing certain court proceedings."

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the words "Section 1", and insert in lieu thereof the following:

Any and every contract, combination, in form of trust or otherwise, or arrangement of any kind, implied, tacit or otherwise, or conspiracy between a common carrier railroad which is equipped for the transportation of crude oil, petroleum, or the products thereof, or which has filed, or may lawfully be required to file, a schedule of rates with the railroad commission of California for such transportation, and which operates from or through any crude oil or petroleum producing field or fields or shipping points in the vicinity of any thereof, in the State of California, for a distance of thirty-five miles or more in the aggregate, either continuously or otherwise, to any refinery or refineries of crude oil or petroleum, or any of the products thereof, or to or through any selling, marketing, consuming or shipping points, or the vicinity of any thereof, for such crude oil or petroleum or any of the products thereof, and any oil pipe line which is used or operated for the transportation of crude oil or petroleum or any of the products thereof, otherwise than as a common carrier, from or through the same, or any of the same oil or petroleum producing fields or shipping points or from the vicinity of any thereof, for a distance of thirty-five miles or more in the aggregate, either continuously or otherwise, and to or through the same, or any of the same refining, selling, marketing or reshipping points or the vicinity of any thereof, and which last mentioned transportation is accomplished in whole or in part by such oil pipe line, and whereby such oil pipe line secures, or is enabled to secure, or attempts to secure, or tends to secure any unreasonable control or monopoly of the purchase, sale or transportation of such crude oil, petroleum or any of the products thereof, or is enabled to secure, or attempts to secure any unreasonable restraint on or over competition or trade in the purchase sale or transportation of such crude oil, petroleum or of any of the products thereof, is hereby declared to be illegal.

SEC. 2. It any suit or proceeding against [illegible] appear to the court that any contract, [illegible] as described in Section 1 hereof, unless [illegible] of such person or corporation [illegible] [illegible] such oil pipe line is connected or [illegible] [illegible] of the pipe line [illegible] [illegible] [illegible]

[illegible]

[illegible]

[illegible]

to the secretary of state, and thereupon there shall immediately become due and payable to the people of the State of California at the office of the secretary of state, the sum of fifty cents ($.50) for each such barrel of crude oil, petroleum or any of the products thereof so transported through such oil pipe line. The delivery of such certified report by the railroad commission to the secretary of state shall be deemed notice as of the date of such filing to said licensee of the amount due as a license fee for such calendar month, under the provisions of this Act.

SEC. 16. Whenever the railroad commission shall entertain any doubt of the correctness of such report so filed with it, said railroad commission may summon the subscriber of such sworn report, and require him to appear before the said commission the books and vouchers from which he secured the data for the report in said report, and may examine him under oath, and may summon such other witnesses and hear such other testimony in relation to such matter as it deems competent, material and relevant, and said commission shall proceed summarily in the matter and determine the true and correct number of such barrels of crude oil, petroleum or any of the products thereof which were so transported as said licensee through such oil pipe line, and shall thereupon certify to the secretary of state its findings of the number of such barrels, and thereupon there shall immediately become due and payable to the people of the State of California, at the office of the secretary of state, the sum of fifty cents ($.50) for each of such barrels of crude oil, petroleum or any of the products thereof so transported through such oil pipe line. The delivery of such certified finding by the railroad commission to the secretary of state shall be deemed notice as of the date of such filing to said licensee of the amount due from such licensee as a license fee under the provisions of this Act. The railroad commission may revoke the license of such licensee if, upon such hearing, it finds that any material statement contained in such sworn report is false, and that such falsity was known to such licensee at the time such report was filed with said railroad commission, or that said licensee had reason to believe at such time that such report was false in any particular, or if it finds that such licensee wilfully aided or abetted the making of such false report, either directly or indirectly, in any manner whatsoever; and said railroad commission may thereupon direct the secretary of state to revoke such license and prohibit him from issuing the same and from issuing any new license to such oil pipe line within one year from the time the same was revoked.

SEC. 17. Every oil pipe line, and every agent, attorney or employee of the same who knowingly or wilfully violates or fails to comply with, or who knowingly or wilfully aids and abets any violation of any of the provisions of this Act, or who knowingly and wilfully fails to observe, obey, or comply with any order, decision, direction, demand or requirement, or any part or provision thereof, of the said railroad commission, or who knowingly or wilfully procures, aids or abets any failure to observe, obey or comply therewith, is guilty of a misdemeanor and is punishable by a fine not exceeding five thousand dollars ($5,000), or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

SEC. 18. Any failure on the part of any licensee to pay within twenty (20) days after the same becomes due, the license fees or any portion thereof as required by and provided in the provisions of this Act, shall operate to forfeit, ipso facto, such license, and to deprive such licensee of the right to continue to so transport, otherwise than as a common carrier, any crude oil, petroleum or any of the products thereof through such oil pipe line.

SEC. 19. The license fee, and each installment thereof, in this Act provided for, upon the same becoming due, as herein provided, is hereby declared to be a lien upon the whole of the oil pipe line, for the privilege of maintaining and operating which said license is procured, as described in the application for such license, from the time that such license fee, and each installment thereof becomes due and payable, and such lien shall be enforceable in the same way that tax liens in the State of California are enforceable, and by the same procedure in so far as the same is or can be made applicable hereto.

SEC. 20. Any and every licensee under this Act who pays a license fee of not less than fifty cents ($.50) per barrel of forty-two (42) gallons each, to the State of California under any other law of this state for the privilege of transporting or of engaging, either directly or indirectly, in the business of transporting crude oil, petroleum or any of the products thereof through a pipe line or pipe lines, is hereby exempted and relieved from the payment of the monthly license fees herein provided for by this Act.

SEC. 21. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1764—An Act to amend an Act entitled "An Act to provide for the formation, organization and classification of new counties for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909.

Bill read second time, ordered engrossed and to file for third reading.

Senate Bill No. 276—An Act to authorize the appointment of an interpreter of the Italian and Slavonian languages and their dialects, in criminal proceedings in counties of the first class and prescribing his duties and compensation.

Bill read second time, ordered engrossed and to file for third reading.

CONSIDERATION OF BILL OUT OF ORDER.

On motion of Senator Hewitt the Senate took up the consideration of Senate Bill No. 1618 out of order.

Senate Bill No. 1618—An Act providing for the publication of a legislative bulletin during the constitutional recess.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer Senate Bill No. 1618 to Senator Caminetti, as a special committee of one, to amend as follows:

Strike out all of said bill after the enacting clause and insert in lieu thereof the following:

Section 1. Each member of the legislature shall receive as compensation a bill constituted semi-monthly [illegible] of [illegible] dollars per month, and [illegible] is a member, and [illegible] dollars, a statement of the amounts and objects [illegible] exceeding fifty dollars [illegible] be taught. Such statement shall be printed in [illegible] type at the end of the bill, [illegible] amendment, [illegible] of which it is explanatory.

Sec. 2. A publication to be known as the California Legislative Bulletin is hereby established, which shall consist of the stenographic [illegible] of this Act with such of which shall be printed as may [illegible] the title of the author of the bill [illegible] amendment, [illegible] referred to them, the question thereof, the names by which it was [illegible] the resolution to which it was [illegible] pamphlet form, and shall be printed as soon after the adjournment of the [illegible] for the correspondent [illegible] to [illegible] to the secretary of the senate or clerk of the assembly. The publication of such bulletin [illegible] under the joint management of the secretary of the senate and clerk of the assembly, and the cost thereof shall be payable out of the contingent funds of the two houses of the legislature in equal proportions.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 2S, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1618, with instructions to amend, respectfully reports the same back amended as per instructions.

CAMINETTI, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2S, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1634—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages,

prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended.

Also: Senate Bill No. 638—An Act making an appropriation to pay the claim of the directors of the State Board of Agriculture against the State of California.

Also: Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships having a population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1748—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349b and Section 349c, relating to labor unions.

Also: Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California relating the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Also: Senate Bill No. 666—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

And report that the same have been correctly re-engrossed.

LYON, Acting Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1188—An Act for the relief of purchasers of state lands.

Also: Senate Bill No. 1702—An Act amending the Civil Code so as to prohibit one corporation from buying, taking, acquiring or holding the shares of stock of another corporation.

Also: Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

Also: Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out the bottom to the city of Vallejo, in furtherance of navigation, and commerce and the fisheries, and providing for the government, management and control thereof.

Also: Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners," approved March 23, 1893.

Also: Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board, to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Also: Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void.

Also: Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Also: Senate Bill No. 1290—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Also: Senate Bill No. 1030—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Also: Senate Bill No. 1755—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Also: Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "for printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (except from Section 4 of this Act) ten thousand dollars," available for the distribution of said Blue Book.

Also: Senate Bill No. 256—An Act to amend Section 751½ of the Political Code of the State of California, relating to the salary of the stenographer of the Supreme Court.

Also: Senate Bill No. 1366—An Act to amend Sections [illegible] of the Political Code, relating to the State Board of [illegible] and Supervisors, thereto, providing for the compensation of said boards, defining the [illegible] duties, prescribing the manner and time [illegible] thereof.

Also: Senate Bill No. 579—An Act to amend Section [illegible] of an Act entitled "An Act for [illegible] the boundaries, and [illegible] of counties [illegible] established or [illegible] Lands and [illegible] Code [illegible] voting precincts, [illegible] a voting precinct [illegible] Board, [illegible] and to the [illegible] thereof," approved March 31, 1911, relating to the [illegible] of the district and precinct [illegible] the times and places of holding [illegible] cases.

Also: Senate Bill No. 167—An Act [illegible] to pay the claim of R. A. Sarle against the State of California.

Also: Senate Bill No. [illegible]—An Act to amend Section [illegible] of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Also: Senate Bill No. 1[illegible]—An Act to amend Section [illegible] of the Political Code, relating to the apportioning of school moneys [illegible] county superintendent of schools.

Also: Senate Bill No. 1715—An Act to amend Section [illegible] of the Political Code of the State of California, relating to salaries in the Attorney General's department.

Also: Senate Bill No. [illegible]—An Act amending Section [illegible] of the Political Code of the State of California, relating to the powers of the Executive Commissioner and his deputy.

Also: Senate Bill No. 1324—An Act providing for the payment of [illegible] sessions of an unincorporated society, organization or association, when the object of calling the same is connected with the organization or [illegible] of such society, organization or association, or the officers [illegible] or to act such meeting [illegible] or refuses so to do.

Also: Senate Bill No. 938—An Act to establish a state school to train [illegible] for practical service in governmental work of city, county and state, and to make an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 1095—An Act making an appropriation to continue investigations begun [illegible] of the Act entitled "An Act to provide for the investigation of the [illegible] of the administration of canals and the conservation of waters [illegible] and other engineering in California in aid of commerce," to define the duties of the Department of Engineering and of the Governor in relation thereto, and to [illegible] to [illegible] the terms of such appropriation," approved May 1, 1911.

Also: Senate Bill No. 1129—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the appointment of officers of counties of the fourteenth class.

Also: Senate Bill No. 245—An Act to amend Section [illegible] of the Civil Code of the State of California, relating to the [illegible] and acknowledgment of [illegible] instruments, and providing for the effect of misnomer in [illegible] acknowledgment.

Also: Senate Bill No. [illegible]—An Act to amend Section [illegible] and to amend Section [illegible] of the Penal Code of the State of California, relating to the [illegible] protection and preservation of fish.

Also: Senate Bill No. 2[illegible]—An Act to amend Section [illegible] of the Political Code, relating to the secretary and [illegible] of the [illegible] of the State Board of Health.

Also: Senate Bill No. 1757—An Act to amend Section [illegible] and Section [illegible] of the Political Code of the State of California, and to add one new section thereto, to be numbered [illegible], relating to the election of Senators in Congress.

And report that the same have been correctly engrossed.

LYON, Acting Chairman.

CONSIDERATION OF [illegible] OUT OF ORDER.

On motion of Senator Shanahan, the Senate took up the consideration of Senate Bill No. 1757, out of order.

Senate Bill No. 1757—An Act to amend Section 2449 of the Political Code, relating to navigable streams and public ways.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer to Senator Hans, as a special committee of one, to amend Senate Bill No. 1757 as follows:

By striking out of Section 1, lines 9 and 10, the words "at which members of the legislature are elected," and insert in lieu thereof the following: "or any special election held throughout the state".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 1757, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANS, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 976—An Act to amend Sections 637 and 638 of the Civil Code, relating to building and loan associations.

Also: Senate Bill No. 977—An Act to amend Section 633 of the Civil Code, relating to building and loan associations.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 976 and 977 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1457—An Act appropriating moneys in the "accident prevention fund," for the purpose of enforcing and promoting safety in employment and places of employment—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYON, Chairman.

Senate Bill No. 1457 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1458—An Act creating an "industrial accident fund" and appropriating moneys therein.

Also: Senate Bill No. 1459—An Act appropriating moneys to the use of the workman's compensation insurance fund.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

LYON, Chairman.

Senate Bills Nos. 1458 and 1459 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32, 41, 43 and 61 thereof, and to add two new sections to said Act to be numbered 32½ and 54½, said

new section relating exclusively to increasing the rate of property tax levied in any district organized but not sold, and to confer on the people the ultimate right to the said increased rate and to the manner in which the same shall be collected, and repealing all acts and parts of acts inconsistent herewith, and declaring that it do pass as amended.

MOFFIT, Chairman.

Assembly Bill No. 1102 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1165—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition of conservation districts of water for the protection of the people interested therein, and also to provide for the formation of water conservation districts, and also to provide for the formation of water conservation districts," approved March 31, 1897, by amending the title to said Act and by amending Sections 1, 2, 3, 17 and 18 thereof, to authorize districts for supplemental or secondary service to the conservation of water by preserving the water from the lands of said districts, and to provide for the acquisition and distribution of electrical energy for such purposes, and to add a new section to be known as Section 18½ thereof, has had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MOFFIT, Chairman.

Assembly Bill No. 58 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 530—An Act to appropriate four hundred dollars to the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and supervision of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of an inspector of factories and workshops and making an appropriation for the same, has had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Finance.

LAIRD, Chairman.

Assembly Bill No. 530 ordered to referred to Committee on Finance.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Gates, the Senate took up for consideration Senate Bill No. 285, out of order.

Senate Bill No. 285—An Act to amend Section 1464 of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gates moved to refer to Senator Hewitt, as a special committee of one, to amend as follows:

By striking out of line 15, page 3, the figure "4" and insert in lieu thereof the figure "5".

Also: Strike out of lines 1, 2, 11, 20 and 24, page 4, the figures "7", "8", "9", "10" and "11", and insert in lieu thereof the figures "6", "7", "8" and "9".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 285, with instructions to amend, respectfully submits the same back, amended as per instructions.

HEWITT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF BILLS—(OUT OF ORDER.)

On motion of Senator Strobridge, the Senate took up the consideration of Assembly Bill No. 1228 for second reading, out of order.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

On motion of Senator Strobridge, the Senate took up the consideration of the second reading of Senate Bill No. 1239, out of order.

Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

During second reading of the bill, the following amendment was offered by the Committee on Public Health and Quarantine:

Strike out all of sections 1, 2 and 3, that is to say, all of the bill beginning with line 1, insert in lieu thereof the following:

"SECTION 1. It shall be the duty of the state board of health to cause special investigation of the prevalence of tuberculosis in California and the effects of localities, employments, conditions and circumstances on the health of those developing the disease, and to determine the best means for its eradication.

SEC. 2. For the purposes of this Act, in addition to the provisions of Section 1, the state board of health is authorized and empowered to establish through the department of tuberculosis, dispensaries for providing examination of and furnishing advice to tuberculosis persons, and for the detection, prevention and alleviation of suffering from tuberculosis. The number of these dispensaries shall be determined by the state board of health after due investigation through the department of tuberculosis, and dispensaries shall be located at such places in the state as may be deemed necessary. The state board of health is also authorized and empowered through said department of tuberculosis, to enter into appropriate contracts with the board of managers or other executive head of any dispensary or other institution which is now or may hereafter be established and maintained with adequate equipment for the dispensary service included within the meaning of this Act.

No dispensary may be established or contract entered into under the provisions of this Act until a careful report has been prepared and filed with the state board of control showing the necessity for such action and for the location chosen, together with a careful estimate of the expense involved. The approval of the estimate by the state board of control shall be necessary before any dispensary may be established or contract concluded.

SEC. 3. The state board of health shall publish, or procure and distribute free to the people of the State of California, printed matter, charts, pictures or models, or demonstrate to them in any practical way the prevalence of tuberculosis, the danger of infection therefrom and the means of prevention and cure.

SEC. 4. The sum of one hundred and fifty thousand dollars is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, for the purpose of this Act, and the state controller is hereby directed to draw his warrant in favor of the state board of health for sums aggregating that amount, these claims having been audited by the state board of control, and the state treasurer is directed to pay the same."

Amendment lost.

The following amendment was offered by the Committee on Finance:

Strike out all of sections one, two and three, that is to say, all of the bill beginning with line one, and insert in lieu thereof the following:

"SECTION 1. It shall be the duty of the state board of health to cause special investigation of the prevalence of tuberculosis in California and the effects of localities, employments, conditions and circumstances on the health of those developing the disease, and to determine the best means for its eradication.

SEC. 2. For the purpose of this Act, in addition to the provisions of Section 1, the state board of health is authorized and empowered to establish through the department of tuberculosis, dispensaries for providing examination of and furnishing advice to tuberculosis persons and for the detection, prevention and alleviation of suffering from tuberculosis. The number of these dispensaries shall be determined

by the state board of health after due investigation through the Assistants of tuberculosis and disinfectors shall be entered on such places as the board shall be deemed necessary. The state board of health is also authorized and empowered through said department of tuberculosis, to carry into appropriate execution the the board of managers or other executive head of any department or state institution which is now or may hereafter be established and maintained by the state government for the humane purpose included within the meaning of this Act.

No agreement may be established or contract entered into under the provisions of this Act unless careful report has been presented and filed with the state board of control showing the necessity for such action and but the agreement thereof with a careful estimate of the expense incurred. The approval of the contract by the state board of control shall be necessary before any agreement may be established or contract executed.

SEC. 3. The state board of health shall publish, or procure and distribute free to the people of the State of California, printed matter giving information as to the danger of infection therefrom and the means of prevention and cure.

SEC. 4. The sum of $25 thousand dollars is hereby appropriated out of any money in the general fund in the state treasury, not otherwise appropriated, for the purpose of this Act, and the state controller is hereby directed to draw his warrant in favor of the state board of health for such sum, or so much thereof as these claims having been audited by the state board of control, and the state treasurer is directed to pay the same.

Amendment adopted.

Bill read second time, and ordered to third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

COMMITTEE ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Finance to whom was referred Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, wash rack and appurtenances to laboratory, sewage disposal and electrical systems on the grounds of the state normal school at Chico, California, and making an appropriation therefor.

Also: Assembly Bill No. 1112—An Act to authorize the treasurer to deliver Martin, as executrix of the last will of James B. Martin, deceased, to receive and by said deceased in his lifetime on the State of California for the purchase of certain tidelands or tide land certificates, and which tidelands or tide land certificates have been surrendered to the State, and providing for the issue of warrant hundred and seventy dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity warrants and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Also: Assembly Bill No. 1281—An Act appropriating the sum of $5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Also: Assembly Bill No. 1368—An Act appropriating sixty thousand and seventy-four dollars and eighty-six cents from the unexpended balance of any funds created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof, approved April 14, 1909, to pay National Guardsmen for services rendered at Camp Park San in September 1912.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1024, 1112, 1281 and 1368 ordered on the file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Finance to whom was referred Assembly Bill No. 306—An Act appropriating money for building cisterns for farm wells at Sonoma State Home.

Also: Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Assembly Bill No. 720—An Act appropriating money for the construction and equipment of buildings on the property of the Preston School of Industry.

Assembly Bill No. 721—An Act appropriating money for drainage and improving the Sacramento River, provided no local moneys or improvement to the levees thereof.

Assembly Bill No. 722—An Act providing for the regulation of a use fee on all vessels and motor vehicles on the bays of California and providing for a semi-annual collection and payment to counties and city and providing for the creation of an agency and manner of said uses and appropriating money thereto.

Which was the same were considered, was regularly read the third time, and the question being "Shall this act pass."

The roll was called, and the following Senators voted:

Ayes: Senators Rush, Cartwright, Chamberlain, Crichton, Curtin, Finn, Gates, Gerdes, Hans, Holohan, Lukens, Lyon, Mott, Owens, Rominger, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Wolfe, Young, and President pro tem. Wright—25.

Noes: None.

Absent: None.

Assembly Bills Nos. 664, 665, 666, 722 and 723 ordered on file for second reading.

Also:

Senate Chamber, Sacramento, April 29, 1919.

To the Honorable, the Senate of California, in regard was adopted January 20th, the senate and assembly of the construction and maintenance of a monument building for the use of the Legislature in connection with the capitol in city of Sacramento, Sacramento County, California, May Assembly, the Senate Chamber, Sacramento, and Senate Journal, and sending an invitation thereof.

Assembly Bill No. 724—An Act making an appropriation for furnishing, equipping and maintaining the proposed building of the Agricultural Experiment Station and establishing a permanent exhibit thereof of the products and resources of the different counties of the State of California.

Assembly Bill No. 725—An Act to provide for the incorporation, the voting of the bonds and the levy of an annual interest fund, and to pay the expenses thereof.

Assembly Bill No. 726—An Act appropriating money for the purpose of providing land for the Angora State Forest Reserve.

Assembly Bill No. 727—An Act appropriating money for the construction of a school building and equipment and to maintain Agricultural Experiment Station.

Assembly Bill No. 728—An Act appropriating money for erecting, repairing and furnishing a cottage at Preston School of Industry.

Which bill was read twice by its title and ordered printed.

Assembly Bills Nos. 14, 72, 208, 212, 219 and 272 ordered on file for second reading.

UNFINISHED BUSINESS.

On motion of Senator Thompson the Senate took up the consideration of the third reading file of Assembly concurrent bills.

Assembly Bill No. 272—An Act to amend Section 714 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof and otherwise provided by law.

The motion of Senator Thompson, Assembly Bill No. 272 was passed on its

Assembly Bill No. 1171—An Act to make an appropriation for changing the state road known as Kingsley Gap so as to eliminate the grade crossing over the railroad track near Fresno, Madera.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1171 passed by the following vote:

Ayes: Senators Avansino, Boggs, Brown, Chamberlain, Crichton, Curtin, Finn, Gates, Gerdes, Hans, Holohan, Lukens, Lyon, Mott, Owens, Rominger, Stetson, Strobridge, and Thompson—25.

Noes: None.

Absent: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the state of California, for rent of the Armory building at Petaluma, California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1168 passed by the following vote:

Ayes—Senators Anderson, Dennis, Dickinson, Finney, Harris, Hatfield, Hoyt, Cassidy, Colton, Dilworth, Gerry, Hewitt, Jones, Kehoe, Luckhardt, Lyon, Metz, Regan, Sharkey, Shelley, Swing, Tenney, Tickle, Tuttle, Weeks, Weichman, Weybret, Wilson, Wollenberg and Young—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1181—An Act to appropriate the sum of $60.00 to pay the claims of the State Board of Health.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1181 passed by the following vote:

Ayes—Senators Anderson, Dennis, Dickinson, Finney, Harris, Hatfield, Hoyt, Cassidy, Colton, Dilworth, Gerry, Hewitt, Jones, Kehoe, Luckhardt, Lyon, Metz, Regan, Sharkey, Shelley, Swing, Tenney, Tickle, Tuttle, Weeks, Weichman, Weybret, Wilson, Wollenberg and Young—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 155—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 155 passed by the following vote:

Ayes—Senators Anderson, Dennis, Dickinson, Finney, Harris, Hatfield, Hoyt, Cassidy, Colton, Dilworth, Gerry, Hewitt, Jones, Kehoe, Luckhardt, Lyon, Metz, Regan, Sharkey, Shelley, Swing, Tenney, Tickle, Tuttle, Weeks, Weichman, Weybret, Wilson, Wollenberg and Young—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 270 passed by the following vote:

Ayes—Senators Anderson, Avey, Regan, Russell, Seawell, Shelley, Chairman, Carr, Cassidy, Colton, Dilworth, Gerry, Hewitt, Jones, Kehoe, Lyon, Metz, Nielsen, Regan, Rich, Sharkey, Swing, Tenney, Tuttle, Weeks, Weichman, Weybret, Wilson, Wollenberg and Young—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 344—An Act making an appropriation of $1,000 to pay the claim of A. E. Smith of Madera County against the State of California, excepting this Act from the provision of Section 972 of the

Political Code and prescribing the duties of the Controller and Treasurer of the State in relation thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 344 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Brown, Caminetti, Carr, Cogswell, Cohn, Flint, Gates, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Flint, Gates, Hewitt, Jones, Kehoe, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 521 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Flint, Gates, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 24 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Butler, Caminetti, Carr, Cogswell, Cohn, Flint, Gates, Hewitt, Jones, Kehoe, Lyon, Mott, Owen, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 20 passed by the following vote:

Ayes—Senators Anderson, Ayer, Belshe, Benson, Boynton, Burnett, Campbell, Cogswell, Cutten, Eight, Gates, Hewitt, Irving, Kehoe, Lewis, Mott, Owens, Rogers, Rush, Shearman, Stanchfield, and Thompson—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 21—An Act appropriating money for completing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 21 passed by the following vote:

Ayes—Senators Anderson, Ayer, Belshe, Benson, Boynton, Burnett, Campbell, Carr, Cogswell, Cutten, Eight, Gates, Hewitt, Irving, Kehoe, Mott, Owens, Rogers, Rush, Shearman, Stanchfield, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 112 passed by the following vote:

Ayes—Senators Anderson, Ayer, Belshe, Benson, Boynton, Burnett, Campbell, Carr, Cogswell, Cutten, Eight, Gates, Hewitt, Irving, Kehoe, Owens, Rogers, Rush, Shearman, Stanchfield, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 131 passed by the following vote:

Ayes—Senators Anderson, Ayer, Belshe, Benson, Burnett, Boynton, Burnett, Campbell, Carr, Cogswell, Cutten, Eight, Gates, Hewitt, Kehoe, Owens, Rogers, Rush, Shearman, Stanchfield, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 132 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Carr, Cogswell, Finn, Gates, Hewitt, Juilliard, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 135 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Hewitt, Kehoe, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 172 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Kehoe, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 178 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Kehoe, Lackens, Lyon, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 179 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Brown, Bunkall, Burnett, Caminetti, Campbell, Carr, Cartwright, Chamberlain, Chandler, Cogswell, Colgan, Curtin, Dennett, Dennison, Dillon, Drew, Duncan, Finn, Flint, Gates, Gerdes, Gesford, Gillis, Hall, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Lanagan, Leavitt, Leeds, Lewis, Lukens, Lyon, Mahan, Mahoney, Mathews, McDonald, McGowan, McKinley, Miller, Moore, Nelson, Owens, Peterson, Phelps, Pulliam, Rader, Rigdon, Roseberry, Rush, Saunders, Shanahan, Shearer, Stetson, Strobridge, Sutherland, Tait, Thompson, Tyrrell, Walker, Wallace, Welch, Wilson, Wolfe, Young and Mr. President—80.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 180 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Brown, Bunkall, Burnett, Caminetti, Campbell, Carr, Cartwright, Chamberlain, Chandler, Cogswell, Colgan, Curtin, Dennett, Dennison, Dillon, Drew, Duncan, Finn, Flint, Gates, Gerdes, Gesford, Gillis, Hall, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Lanagan, Leavitt, Leeds, Lewis, Lukens, Lyon, Mahan, Mahoney, Mathews, McDonald, McGowan, McKinley, Miller, Moore, Nelson, Owens, Peterson, Phelps, Pulliam, Rader, Rigdon, Roseberry, Rush, Saunders, Shanahan, Shearer, Stetson, Strobridge, Sutherland, Tait, Thompson, Tyrrell, Walker, Wallace, Welch, Wilson, Wolfe, Young and Mr. President—80.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 182—An Act appropriating money for the purchase of water stock, for the use of Southern California State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 182 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Brown, Bunkall, Burnett, Caminetti, Campbell, Carr, Cartwright, Chamberlain, Chandler, Cogswell, Colgan, Curtin, Dennett, Dennison, Dillon, Drew, Duncan, Finn, Flint, Gates, Gerdes, Gesford, Gillis, Hall, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Lanagan, Leavitt, Leeds, Lewis, Lukens, Lyon, Mahan, Mahoney, Mathews, McDonald, McGowan, McKinley, Miller, Moore, Nelson, Owens, Peterson, Phelps, Pulliam, Rader, Rigdon, Roseberry, Rush, Saunders, Shanahan, Shearer, Stetson, Strobridge, Sutherland, Tait, Thompson, Tyrrell, Walker, Wallace, Welch, Wilson, Wolfe, Young and Mr. President—84.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 188 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Brown, Bunkall, Burnett, Caminetti, Campbell, Carr, Cartwright, Chamberlain, Chandler, Cogswell, Colgan, Curtin, Dennett, Dennison, Dillon, Drew, Duncan, Finn, Flint, Gates, Gerdes, Gesford, Gillis, Hall, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Irwin, Jones, Kehoe, Lanagan, Leavitt, Leeds, Lewis, Lukens, Lyon, Mahan, Mahoney, Mathews, McDonald, McGowan, McKinley, Miller, Moore, Nelson, Owens, Peterson, Phelps, Pulliam, Rader, Rigdon, Roseberry, Rush, Saunders, Shanahan, Shearer, Stetson, Strobridge, Sutherland, Tait, Thompson, Tyrrell, Walker, Wallace, Welch, Wilson, Wolfe, Young and Mr. President—84.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 140 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Shanahan, Strobridge, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 143 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 144—An Act appropriating money for electric rewiring of buildings and conduits at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 144 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 145 passed by the following vote:

Ayes—Senators Anderson, Ayer, Boynton, Bradford, Brown, Bunker, Chamberlain, Campbell, Carr, Chipman, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gesford, Hans Heath, Holsworth, Kehoe, Lardner, Mott, Owens, Rigdon, Rush, Stanford, Stetson, Stoddard, Thompson, and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 152 passed by the following vote:

Ayes—Senators Anderson, Ayer, Boynton, Bradford, Brown, Bunker, Chamberlain, Campbell, Carr, Chipman, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gesford, Hans Heath, Holsworth, Kehoe, Lardner, Mott, Owens, Rigdon, Rush, Stanford, Stetson, Stoddard, Thompson, and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 171 passed by the following vote:

Ayes—Senators Anderson, Ayer, Boynton, Bradford, Brown, Bunker, Chamberlain, Campbell, Carr, Chipman, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gesford, Hans Heath, Holsworth, Kehoe, Lardner, Mott, Owens, Rigdon, Rush, Stanford, Stetson, Stoddard, Thompson, and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF RESOLUTION—OUT OF ORDER.

On motion of Senator Thompson, the Senate took up the consideration of Assembly Joint Resolution No. 10, out of order.

Assembly Joint Resolution No. 10—Relative to establishing game refuges in the national forest in the State of California.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Gates, as a special committee of one, to amend as follows:

On page 2, strike out all of line 4 and insert a period after the word "counties", at the end of line 3.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Joint Resolution No. 19, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read and adopted.

Resolution ordered to print and engrossment.

MOTION TO RECONSIDER.

Pursuant to a notice given on a previous day, Senator Cogswell moved to reconsider the vote whereby Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards—was passed.

CONSIDERATION POSTPONED.

On motion of Senator Cogswell, the consideration of his motion to reconsider the vote whereby Senate Bill No. 1524 was passed, was continued till the next legislative day.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eight o'clock and forty-five minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

REPORTS OF SPECIAL COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning, in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma, in Imperial County—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Assembly Bill No. 2096 ordered re-referred to Committee on Finance.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was re-referred Senate Bill No. 587—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be number Section 550*a*, relating to the furnishing of water for family use—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Senator Hans as a special committee of one to amend as follows, and that when so amended it do pass:

On page 1, line 4, beginning with the number 550*a*, strike out all of the balance of the bill, and insert in lieu thereof the following:

"550*a*. A corporation formed to supply water to incorporated cities or towns:

(1) Must make service connections from its mains to the property line and make the necessary meter installation (where meters are used) without charge, unless the governing body of the incorporated city or town or other competent body fixing rates for such water shall, as an incident to such rate fixing, make different provision in respect to the making of such laterals and the furnishing of such meter installations.

(2) Must make extensions to serve applicants and must serve applicants for service when the building or premises to be served fronts upon the line of any

as required in this section, or to make the extensions and furnish water as herein

CARR, Chairman.

Committee report read and adopted.

Senate Bill No. 387—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered One hundred and fifty-a, relating to the furnishing of water for family use.

Read third time.

REPORT OF STANDING COMMITTEES.

REPORT OF ENGROSSED BILL.

SENATE CHAMBER, SACRAMENTO, April 27, 1911.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 266—An Act appropriating $15,000 to defray the expenses and rebuilding of the old Greek church and Russian fort known as Fort Ross in Fort Ross, Sonoma County, California, and surveying and platting such reservation and rebuilding.

Also: Assembly Bill No. 777—An Act making an appropriation to pay the premium on the bonds of state officers as prescribed by law to an Act entitled "An Act to provide for the purchase by the state of corporate securities, or other personal property, or the premium or charges on official bonds when given by surety companies," approved March 25, 1903.

Also: Assembly Bill No. 778—An Act appropriating money to pay the claims of Clark and Dunning, Contractors, against the State of California.

Also: Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Also: Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewan against the State of California.

Also: Assembly Bill No. 781—An Act appropriating money to pay the claim of the Cuyler Water and Power Company against the State of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 266 ordered on file for second reading.

Assembly Bills Nos. 777, 778, 779, 780 and 781 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1633—An Act appropriating money for the purchase of additional land for the San Diego State Normal School.

Also: Senate Bill No. 821—An Act appropriating money to pay the claim of R. D. Barton against the State of California.

Also: Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 1633 ordered on file for second reading.

Senate Bills Nos. 821 and 1084 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street, in the city of Chico, fronting the property belonging to the state normal school in that city.

Also: Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1235 and 2022 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state buildings bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a commission to determine the amount to be expended for furnishing and equipping said buildings, and accepting a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds, and providing for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, and recommend that the amendments as proposed by the Committee on Judiciary be adopted and that the bill do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 1325 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Also: Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Also: Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Also: Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Also: Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes 1907, for searching for beneficial insects.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Assembly Bills Nos. 783, 784, 786, 787 and 788 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 536—An Act to improve the quality of milk products and improve sanitary methods in the production and marketing thereof, to prevent fraud and deception in the production and sale of dairy products, to aid in preventing and controlling tuberculosis and other infectious diseases in and from the dairy herds of the State; to establish uniform standards and uniform rules and regulations governing the production, manufacture and sanitation of dairy products, and to repeal all acts amendatory thereto—have had the same under consideration, and respectfully report the same back, and recommend that the amendments as proposed by the Committee on Agriculture, together with the amendments as proposed by the Committee on Finance be adopted and that the bill do pass as amended.

STEPHENS, Chairman.

Assembly Bill No. 536 ordered on file for second reading.

SENATOR CURTIN IN THE CHAIR.

At eight o'clock and fifty minutes p.m., Senator Curtin, of the Twelfth District, in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1099—An Act to amend Section 1509 of the Political Code of California, relating to the election of school trustees.

Also—Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1740, 1750, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Also—Assembly Bill No. 1255—An Act to amend Section 1856 of the Political Code of the State of California, relating to the powers of certain school districts and to the provision for the drills by military training.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

AVEY, Chairman.

Assembly Bills Nos. 1099, 71 and 1255 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1464—An Act to amend Section 1473 of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1464 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Cammetti, Caminetti, Carr, Chipman, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Larkins, Owens, Rush, Stanford, Thompson, and Wright—28.

NOES—Senator Kehoe—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1469—An Act to amend Sections 1365 and 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Read third time.

On motion of Senator Boynton, Senate Bill No. 1469 was passed on file.

RECESS.

At nine o'clock p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until ten o'clock p.m.

RECONVENED.

At ten o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SPECIAL ORDER RESET.

On motion of Senator Lyon, the consideration of Senate Bill No. 466 —An Act to regulate the hours of employment and safeguard the health of females employed in any mill, factory, manufacturing, or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging-house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise—was made a special order for Wednesday, April 30, 1913, at ten o'clock and forty-five minutes a.m.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Birdsall, the Senate took up the consideration of Senate Bill No. 5, out of order.

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the the taking, holding, succession to and disposition of property, real and personal, within said State of California.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moves to refer to Senator Thompson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Strike out all of line 1, page 1, of the printed bill, after the period following the word and figure "Section 1", and all of line 2 of said page and all of the rest of the bill, and insert in lieu thereof the following:

"All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit and inherit real property, or any interest therein, in this state, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this state.

SEC. 2. All aliens other than those mentioned in section one of this act may acquire, possess, enjoy and transfer real property, or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

SEC. 3. Any company, association or corporation organized under the laws of this or any other state or nation, of which a majority of the members are aliens other than those specified in section one of this Act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy and convey real property, or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise.

SEC. 4. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this Act any heir or devisee can not take real property in

this state which has not real possession and has or hereafter should have an order of the court instead of ordering a distribution of such land pursuant to the duly made decree shall order a sale of such land pursuant to the same in the manner provided by law for sales of real property and the proceeds of such sale shall be distributed to such persons as the court shall direct.

SEC. 5. Any real property hereafter acquired in fee in violation of the provisions of this Act by any alien entitled to acquire title to land by this Act or by any corporation, association or copartnership mentioned in section three of this Act, shall escheat to and become and remain the property of the State of California. The attorney general shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided for actions to escheat real property situated in this state under part three of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings the title to such real property shall pass to the State of California. The provisions of this section shall not apply to real property hereafter acquired by the satisfaction of debts contracted in the ordinary course of dealing, or by mortgage to secure such debts, or by any such real property hereafter acquired by inheritance, so long as such real property is owned by such person who acquired the property at the time, or by such person as devised such property to the alien devisee, inheritance or conveyance avoiding the same to such alien.

SEC. 6. Any landlord or other person in real property that does not, by, hereafter acquired in violation of the provisions of this Act or any alien ineligible to section three of this Act or by any corporation, association or copartnership mentioned in section three of this Act shall forfeit to the State of California. The attorney general shall institute proceedings to have such escheat declared and enforced as provided in section four of this Act. In such proceedings the court shall determine and ascertain the rights of such purchaser, or other persons in such real property, and order judgment for the money due thereon, or other relief, as equity may require. Upon the entry of final judgment in such proceedings the title to such real property shall pass to the State of California. The provisions of this section shall not apply to real property hereafter acquired by the satisfaction of debts contracted in the ordinary course of dealing, or by mortgage to secure such debts, or by any such real property hereafter acquired by inheritance, so long as such real property is owned by such person who acquired the property at the time, or by such person as devised such property to the alien devisee, inheritance or conveyance avoiding the same to such alien.

SEC. 7. Nothing in this Act shall be construed as a limitation upon the power of the state to enact laws with respect to the acquisition, holding or disposition of real property by alien.

SEC. 8. All Acts and parts of Acts inconsistent, or in conflict with the provisions of this Act are hereby repealed.

AMENDMENT No. 1

Strike out all of the title of the original bill after the words "An Act" and insert in lieu thereof the following: "relating to the public morals and prohibiting the use of places for the purpose of lewdness, assignation and commercialized vice, and to property in this state pertaining to such purposes; providing for enforcement of the provisions of this Act; providing for the abatement of such places and the enjoining of persons conducting the same; providing for the punishment of persons violating the provisions of this Act; providing for the disposition of moneys collected under the provisions of this Act; and repealing all Acts or parts of Acts inconsistent or in conflict herewith."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

RUSH ORDER TO PRINTER

On motion of Senator Birdsall, the Secretary was directed to issue a rush order for printing Senate Bill No. 5.

CONSIDERATION OF BILL — OUT OF ORDER

On motion of Senator Carr, the Senate took up the consideration of Senate Bill No. 472, out of order.

Senate Bill No. 472—An Act amending Section 1142 of the Political Code, relating to the appointment of election boards and the qualifications and duties of the members of such boards.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Flint, as a special committee of one, to amend as follows:

AMENDMENT No 1.

On page 1, line 12, of the printed bill, strike out the comma after the word "judges", and insert in lieu thereof the word "and".

AMENDMENT No. 2.

On page 1, line 12, insert a semicolon after the word "clerks", where it first appears in the line, and strike out the balance of the line; also, in line 13, strike out all up to and including the semicolon, and insert in lieu thereof the following: "*provided*, that in any precinct which has a total registration of less than seventy-five voters, the election board may, in the discretion of the board of supervisors or other board having charge and control of elections in such precinct, consist of one inspector, one judge and two clerks."

AMENDMENT No. 3.

On page 1, line 13, strike out the comma after the word "judges", at the end of the line, and insert in lieu thereof the word "and".

AMENDMENT No. 4.

On page 1, line 14, strike out the words "and ballot clerks", and insert in lieu thereof the following: "(except in general or special municipal elections)".

AMENDMENT No 5.

On page 2, line 1, strike out the words "and ballot clerks".

AMENDMENT No. 6.

On page 2, between lines 3 and 4, insert the following: "The inspectors, judges and clerks upon each board of election shall distribute the extra duties devolving upon such board of election in addition to their own duties in such a manner as they themselves shall deem most advantageous, and such extra duties assigned to the several officers or clerks of boards of election by other sections of this code shall be performed by the members of each board as the said duties have been distributed in accordance with this provision. Not more than two members of any board of election shall be absent from the polling place at any one time."

AMENDMENT No. 7.

On page 2, line 6, replace the word "elections", by the word "election".

AMENDMENT No. 8.

On page 2, line 13, replace the comma after the word "precinct", by a period, and strike out the words "and must be present at the closing of the polls".

AMENDMENT No. 9.

On page 2, line 35, between the words "each" and "dollar", insert the word "one".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 472, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At ten o'clock and forty-five minutes p.m., on motion of Senator Campbell, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Wednesday, April 30, 1913.

The Senate met at ten o'clock a.m., Lieutenant Governor Alfred J. Wallace, President of the Senate, in the Chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Bledsoe, Boynton, Brandt, Bryant, Butler, Campbell, Caminetti, Carr, Cartwright, Chandler, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Gerlach, Hans Holmes, Inman, Jones, Juilliard, Kehoe, Lawlor, Leavens, Mott, Owens, Regan, Rush, Sanford, Shearman, Stetkewicz, Thompson, Tyrrell, and Wright—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dean Napier.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 29, 1913, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGES OF FLOOR OF SENATE EXTENDED.

On request of Senator Kehoe, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Ralph W. Bull, of Arcata, Cal.

On motion of Senator Benson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Geo. W. Bergendardt, of New York, and Mr. Hugo Benson, of Placerville, and Miss Evelyn Shepard, of San Francisco.

On request of Senator Juilliard, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to ex-Assemblyman F. H. Powers, of San Francisco.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. George W. Frick.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day passed Senate Bill No. 1172—An Act to amend Section 2 of an Act entitled "An Act to create a state board of equalization, and to prescribe its duties and powers, and appropriating money therefor," approved March 27, 1909, as amended by Act approved May 3, 1911.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Chief Clerk.

Senate Bill No. 1172 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day passed Senate Bill No. 1065—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Chief Clerk.

Senate Bill No. 1065 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 512—An Act to amend Section 607f, of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Also: Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding a new section thereto to be numbered 77a relating to the doing of work and making improvements upon railroad tracks and the moving thereof existing upon the streets of municipalities and the proceedings relating thereto.

Also: Senate Bill No. 1720—An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Also: Senate Bill No. 221—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 512, 63, 1720 and 221 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street between Twenty-sixth and Twenty-seventh streets in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Also: Senate Bill No. 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theatre building and grounds at Monterey.

Also: Senate Bill No. 127—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Also: Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Also: Senate Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Also: Senate Bill No. 709—An Act to amend Section 1248a of the Code of Civil Procedure of the State of California, relating to the removal or relocation of railroad street, or interurban railway tracks on property sought to be taken under Title VII, Part III, of the Code of Civil Procedure.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 819, 1206, 127, 14, 132 and 709 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz county, and making an appropriation therefor.

Also: Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Also: Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Also: Senate Bill No. 483—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Also: Senate Bill No. 518—An Act appropriating money for repairing and improving Sutter's Fort.

Also: Senate Bill No. 520—An Act appropriating money for the installation of new lights at Sutter's Fort.

J. R. MALLORY, Chief Clerk of Assembly.
By Lawrence G. Watson, Assistant Clerk.

Senate Bills Nos. 18, 96, 144, 404, 483, 518 and 520 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly amended, and as thus amended passed, Senate Bill No. 205, "An Act to amend Section 1 of, and to add new Sections 2, 3 and 4 to, an Act entitled 'An Act to provide for the reporting of occupational diseases,' approved March 23, 1911, relating to the reporting of occupational diseases."

Also: Senate Bill No. 276—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, for the purpose of the state normal school at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 353—An Act to provide for regulating, licensing, controlling, and limiting cattle pasturage privileges on Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 393—An Act regulating the employment of women employed in seasonal labor, and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

And respectfully ask that the amendments be concurred in.

J. R. MALLORY, Chief Clerk of Assembly.
By Theodore C. Watson, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 205.

(Adopted April 29, 1913.)

Add four new sections, to be numbered and read as follows:

SEC. 4. Whenever in the judgment of the state board of health the public health and sanitation of any community demand, requires, or necessitates a full and complete investigation of all the conditions and circumstances of any occupation or occupations as referred to in the foregoing sections, such investigation shall be made and a report prepared. If the state board of health shall decide that this report warrants a thorough investigation, it shall confer with the commissioner of labor and the governor, and with their approval shall place the said occupation or occupations upon a provisional list of dangerous trades, and shall proceed with a thorough investigation and preparation of a final report to the legislature upon the prevention of accidents or other injuries affected by these occupations. For the purpose of this Act the said board or agents thereof have the power to hold meetings, take testimony, subpoena parties and witnesses as witnesses.

SEC. 5. Within ninety days after any occupation or occupations have been placed upon the provisional list of dangerous trades, any person, firm, or corporation desiring to engage in, or to continue the engaging in, operation or conduct any business requiring the employment of men, women, or children in such occupation or occupations shall file with the state board of health a petition for permission so to do, together with a complete and detailed plan, description and drawings of the existing or proposed works, system or plant, showing geographical location, with profiles of climatological and sanitary features as may, and of a character that shall aid the judgment of the examination or examinations upon the health of the employees and others present. Thereupon, a thorough investigation of the existing or proposed works, system or plant, and all circumstances and conditions deemed by the board to be material, shall be made under the direction of the state board of health. As a part of such investigation, and after ten days' notice by mail to the petitioner, a hearing or hearings upon the had thereon shall be given at an evening appointed by it for the purpose. At such hearing or hearings witnesses who may desire to testify in the premises concerning the hearing, and evidence pro and against the petition, may be received, a record of which shall be made and filed with said board. All of the expenses of such investigation, including hearings, excepting the compensation of state officers participating therein, shall be borne and paid as they accrue by the petitioner.

Upon the completion of such investigation and hearing, if it shall determine as a fact that any or all the employees or other persons are or may be under all the circumstances and conditions subject to influences which will endanger their lives, or be prejudicial to their health, shall, upon the approval of the commissioner

of labor and the governer (*a*) deny the prayer of such petition, if it be for a business not yet established, until the final report provided in section four of this Act has been duly considered by the legislature; or, (*b*) if such petition be for continuing a business already established, said board shall grant to petitioner a temporary and revocable permit authorizing the continuance of the business under such restrictions as in said permit may be specified, as urgently necessary for the protection of the employees or other persons from the occupational disease under investigation, until the final report provided in section four of this Act has been duly considered by the legislature.

SEC. 6. Any person violating any of the provisions of this Act, whether acting for himself or as the agent or servant of another person, or of a firm, company or corporation, or as an officer, agent, employee, or representative of any municipal corporation, or of the state, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment for a term of not more than ninety days, or by both such fine and imprisonment. Each day that anything in violation of any provision of this Act shall continue; each day that anything forbidden by the provisions hereof to be erected, constructed, maintained, operated or permitted, shall continue to exist, or be maintained, operated or permitted; each day that anything required to be constructed, erected, maintained, operated, or instituted shall be delayed; and each day that any person shall neglect to perform any act or to take any precautions required by rules and regulations that may be specified under the provisions of this Act, shall constitute a separate offense.

(Amendment adopted April 26, 1913.)

On page 1, in line 2 of the printed title, insert after the words "amend section one of" the words "and to add new sections four, five and six to".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 215?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 215 by the following vote:

AYES—None.

NOES—Senators Avey, Benson, Boynton, Butler, Campbell, Cogswell, Cohn, Flint, Gerdes, Hans, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—22.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 292.

On page 2, of the printed bill, strike out all of lines 4 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 5. The amount of the award of the commissioner shall be conclusively presumed to be the amount of the wages due and unpaid to the employee at the time of the termination of the employment, and prosecution may be commenced under the provisions of an Act entitled, 'An Act providing for the time of payment of wages,' approved May 1, 1911."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 292?"

The roll was called, and Assembly amendments to Senate Bill No. 292 concurred in by the following vote:

AYES—Senators Avey, Belan, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cohn, Gerdes, Hans, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Strobridge, Thompson, and Wright—24.

NOES—None.

Senate Bill No. 292 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Constitutional Amendment No. 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day passed Assembly Bill No. 1317—An Act to appropriate two sums, of three hundred and fifty-eight and 50/100 dollars to pay the claims of the State Board of Health.

Also: Assembly Bill No. 1048—An Act appropriating money for building and furnishing an auditorium at San Quentin.

Also: Assembly Bill No. 1196—An Act appropriating money for permanent heating to buildings at the Veterans' Home of California.

Also: Assembly Bill No. 1004—An Act to amend Section 1761 of the Political Code of the State of California, relating to the membership and powers of the board.

Also: Assembly Bill No. 1007—An Act to authorize the appointment of a commissioner and an assistant to act until said contract will not have been let for the construction of the Whittier State School, to examine the report of the Whittier State School to California Training School, to investigate and consider a new and suitable site for said school, to examine the plan covering said construction, upon the site so purchased or built, and other preliminary and incidental matters upon the site so purchased or built, and other preliminary and incidental matters upon the site so purchased or built, and other preliminary and incidental matters

of other county officers are paid; and one copyist for a period of four months in each year, which office of copyist is hereby created, at a salary of seventy-five dollars per month, payable during the months of March, April, May and June of each year, in the same manner as the salaries of other county officers are paid. The assessor may also appoint such number of additional deputies as he shall deem necessary, the salaries of such additional deputies to be paid by the assessor out of his salary above provided for.

All sums collected by the assessor or his deputies as fees or commissions allowed by law for the collection of personal property taxes, for making the military roll and all commissions now or hereafter allowed by law for the collection of poll taxes shall be paid into the county treasury for the use of said county monthly as collected with a statement of account of such collection.

8. The district attorney, two thousand dollars per annum.

9. The coroner, such fees as are now or may be hereafter provided by law.

10. The public administrator, such fees as are now or may be hereafter provided by law.

11. The superintendent of schools, one thousand eight hundred dollars per annum, and one clerk, which office of clerk to the superintendent of schools is hereby created, at a salary of six hundred dollars per annum, payable monthly in the same manner as the salaries of other county officers are paid.

12. The surveyor, such fees as are now, or may be hereafter provided by law.

13. Supervisors, each the sum of eight hundred dollars per annum, in full for all services performed by them as supervisors, and as members of the board of equalization, and road commissioners, and in any and every other capacity.

14. In counties of this class the township officers shall receive the following compensation, to wit:

In townships having a population of six thousand or over, justices of the peace shall receive a monthly salary of seventy-five dollars, and constables a monthly salary of one hundred dollars each.

In townships having a population of less than six thousand and over three thousand, each justice of the peace shall receive a monthly salary of fifty dollars, and constables a monthly salary of seventy-five dollars each.

In townships having a population of less than three thousand and over seven hundred and fifty, each justice of the peace shall receive a monthly salary of thirty-five dollars, and constables a monthly salary of fifty dollars each.

In townships having a population of less than seven hundred and fifty, the justice of the peace shall receive a monthly salary of five dollars, and constables a monthly salary of ten dollars each.

The above named salaries of justices of the peace and constables shall be in full compensation for all services of said justices of the peace and constables in criminal cases. They may also retain for their own use all other fees, except those in criminal cases, as are now or may hereafter be provided by law.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 487?"

The roll was called, and Assembly amendments to Senate Bill No. 487 concurred in by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Butler, Campbell, Cohn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Shanahan, Thompson, and Wright—23.

NOES—None.

Senate Bill No. 487 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 204, An Act to amend Section 1774 of the Code of Civil Procedure of the State of California, relating to guardians—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 204.

AMENDMENT No. 1.

On page 1, line 2, of the title, of the printed bill, strike out the word "a".

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the word "a".

AMENDMENT No. 3

On page 1, line 4, of the printed bill, strike out the figures "1773," and insert in lieu thereof the figures "1774."

AMENDMENT No. 4.

On page 1, line 12, of the printed bill, after the period add the following: "The termination of the trustee of property held by the deed of trust shall not affect any lien or ward or by the ward attaching his property or rights acquired to commence such not cause the court to lose jurisdiction of the proceeding for the purpose of settling the accounts of the guardian."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 204?"

The roll was called, and Assembly amendments to Senate Bill No. 204 concurred in by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Butler, Cartwright, Campbell, Carr, Cohn, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Leake, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

Senate Bill No. 204 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Committee Substitute for Senate Bill No. 140—An Act to establish parking meters in cities of the first and first class, to fix the compensation of said meters and to provide for the officers thereof to prescribe the powers and duties of officers of said courts and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish parking meters in cities of the first and first half class, to fix their compensation and provide for collection of said moneys and the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplemental thereto.

Also: Senate Bill No. 870—An Act to amend Sections 2, 3 and 6 of an Act known as "The Banking and Loan Commission Act," approved April 5, 1911, relating to the powers and duties of the Banking and Loan Commissioner.

Also: Committee Substitute for Senate Bill No. 1000—An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory as and as a part thereof, and for the distributing, government and municipal control of such annexed territory.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 27, 1913.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of Edward K. Strobridge for one hundred eleven and 15/100 ($111.15) dollars out of the Contingent Fund of the Senate in payment of the same provided for the expense of visiting the different institutions during the constitutional recess in accordance with a resolution adopted February 4, 1913.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GERDES, Chairman.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Cartwright, Campbell, Carr, Cohn, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Larkins, Leake, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 16—An Act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance, conduct and management of the same.

Also: Assembly Bill No. 803—An Act to add a new section to the Political Code, to be known as Section 1617*b*, relating to the establishment and maintenance of kindergartens, to the levy of taxes for the support of kindergartens and to the discontinuance thereof.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

AVEY, Chairman.

Assembly Bills Nos. 16 and 803 ordered on file for second reading.

SPECIAL ORDER CONTINUED.

On motion of Senator Lyon, the consideration of Senate Bill No. 466—An Act to regulate the hours of employment and safeguard the health of females employed in any mill, factory, manufacturing, or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise—was continued for ten minutes.

MOTIONS.

Senator Brown moved that the consideration of Senate Bill No. 466 be postponed till three o'clock and thirty minutes p.m. of this day.

Motion lost.

Senator Juilliard moved that the consideration of Senate Bill No. 735 and the pending amendments be taken up immediately following the consideration of Senate Bill No. 466.

Motion carried.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and ten minutes a. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 1769—An Act to provide for the registration of, and filing expense accounts by, legislative lobbyists and regulating the work of such lobbyists.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 652—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick and afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as

amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending Section 9 thereof.

During second reading of the bill, the following amendment was offered by the committee:

On page 4, line 9, of the printed bill, after the semicolon (;), strike out all of section 6, and insert in lieu thereof the following: "Upon issuance of certificates signed by the board under the seal thereof and signed by the president and the secretary, *First*, a certificate authorizing the holder thereof to practice medicine and surgery; *Second*, a certificate authorizing the holder thereof to practice osteopathy and surgery; *Third*, a certificate authorizing the holder thereof to practice such other system or mode of treating the sick as affirmed and endorsed by the first section. In order to constitute a certificate to practice medicine and surgery, the applicant for such certificate must file with said board, at least ten days prior to a regular meeting thereof, satisfactory testimonials of good moral character and a diploma issued by some legally chartered medical school then in existence of which said board shall, at the time of granting such diploma, be in good standing, and which diploma shall show that the person receiving the same has been engaged in the study of medicine and surgery for not less than four years, and has graduated from such school. The said board shall have the power to require such additional information, written or oral, as may be necessary to determine the moral character and professional qualifications of the applicant. Applicants for certificates to practice osteopathy shall be required to pass a satisfactory examination before the said board in the following subjects: Anatomy, physiology, chemistry, pathology, hygiene, obstetrics, gynecology, osteopathy, principles and practice of osteopathy, and such other subjects as may be required by said board. Applicants for certificates to practice such other system or mode of treating the sick or afflicted as may be specified in the first section of this Act shall be examined upon such subjects as may be required by said board. Applicants for certificates to practice medicine and surgery, osteopathy, or any other system or mode of treatment as may be specified in the first section of this Act, shall be required to pay a fee of twenty-five dollars which shall be paid into the treasury of the State of California. Every person who desires to obtain a certificate to practice medicine and surgery, osteopathy, or any other system or mode of treatment as specified in the first section of this Act, and who graduates from a medical college or institution after the passage of this Act, shall present to the board, at least ten days prior to a regular meeting thereof, a diploma issued by a legally chartered medical college or institution having a course of instruction of not less than four years, and after 1905, of three years of nine months each, and including the subjects examined upon under this Act. Applicants for a certificate to practice any other system or mode of treatment and to whom this Act extends, shall be subject to the same requirements, except that in place of the diploma herein required, he shall be required to file a statement from a legally chartered college of the system or mode of treatment which the applicant wishes to practice, to the effect that the said board of medical examiners may issue a certificate to the person who has graduated a regular course of study and received a diploma from said college, which course of study shall have been within the State of California, and equivalent to a special branch of medicine and surgery; that he or she is of good moral character, and has passed a satisfactory examination before the proper authorities of said college in the branch of medicine and surgery which he or she has been practicing, and which said college is authorized by its charter to confer upon graduates. Applicants for certificates to practice such other system or mode of treating the sick or afflicted as may be specified in the first section of this Act, shall be required to pay a fee of twenty-five dollars which shall be paid into the treasury of the State of California. Every person who desires to obtain a certificate to practice such other system or mode of treating the sick or afflicted as may be

examination papers shall form a part of the records of the board, and shall be kept on file by the secretary for a period of one year after each examination.

In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application. The secretary of the board shall in no instance participate as an examiner in any examination held by the board.

All applicants applying to the board of medical examiners shall possess the following minimum requirements: "A completed or unconditioned medical student's certificate, to be granted by a state medical examining and licensing board, or a board empowered by statute to grant such certificates, or a certificate of entrance to the academic department of any state university, or a teacher's permanent or life high school certificate, or a certificate of entrance to an accredited university or college, or a diploma from a high school in the State of California, or its equivalent."

In addition to the minimum requirements herein set forth, all applicants applying to said board of medical examiners for a certificate to practice medicine and surgery, must have a diploma issued by some legally chartered medical college or school, the requirements of which medical college or school must have been at the time of granting such diploma as follows:

"Candidates for the degree of doctor of medicine shall have attended four courses of study in four calendar years, each annual course to have been of not less than thirty-two teaching weeks' duration, and at least ten months shall intervene between the beginning of any course and the beginning of the preceding course. Each student shall be obliged to attend not less than 80 per cent of the exercises in every annual course of study for which he seeks credit. No student shall be given credit on examination unless he attains a grade of at least 70 per cent, or its equivalent in any other marking system. And no student shall be graduated unless he shall have attained a passing grade in each and all subjects of the required curriculum.

REQUIRED CURRICULUM.

The entire course of four years shall consist of at least 4,000 hours for each student, and shall be grouped in divisions and subdivided into subjects, each division and subject to be allowed the number of hours as shown in the following schedule:

Division No. 1—Anatomy, 710 hours.

(*a*) Gross anatomy (including applied anatomy)	510 hours
(*b*) Histologic and microscopic anatomy	135 hours
(*c*) Embryology	75 hours

Division No. 2—Physiology and Chemistry, 600 hours.

(*a*) Inorganic chemistry	180 hours
(*b*) Organic chemistry	75 hours
(*c*) Physiologic chemistry	104 hours
(*d*) Physiology	240 hours

Division No. 3—Pathology, Bacteriology and Hygiene, 450 hours.

(*a*) Bacteriology	135 hours
(*b*) Hygiene and general dietics	45 hours
(*c*) Pathology	270 hours

Division No. 4—Pharmacology, Materia Medica and Therapeutics, 240 hours.

(*a*) Pharmacology	105 hours
(*b*) Materia Medica and Pharmacology	80 hours
(*c*) Therapeutics	55 hours

Division No. 5—Medicine and Medical Specialties, 970 hours.

(*a*) General medicine (including clinical microscopy)	640 hours
(*b*) Pediatrics	150 hours
(*c*) Nervous and mental diseases	105 hours
(*d*) Jurisprudence, ethics and economics	30 hours
(*e*) Dermatology and syphilis	45 hours

Division No. 6—Surgery and Surgical Specialties, 720 hours.

(*a*) General surgery	510 hours
(*b*) Orthopedic surgery	45 hours
(*c*) Genito-urinary diseases	45 hours
(*d*) Eye	60 hours
(*e*) Ear, nose and throat	60 hours

Division No. 7—Obstetrics and Gynecology, 300 hours.

(*a*) Obstetrics	195 hours
(*b*) Gynecology (including some abdominal surgery)	105 hours

Colleges may reduce the number of hours in any subject not more than 20 per cent, provided that the total number of hours in a division is not reduced. Where the teaching conditions in a college are best subserved, the subject may be for teaching purposes, transferred from one division to another."

SEC. 2. An Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners

in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, is hereby amended by adding a new section thereto, to be known as Section 7 and to read as follows:

Sec. 7. The board of medical examiners shall have power to refuse to grant a certificate of registration or license issued by any examining board of any state or territory of the United States or the District of Columbia, or the corresponding board of osteopathy, and upon proof of the revocation for gross unprofessional conduct of such license or certificate of registration, or the refusal to grant the same, by the proper authorities of the state or territory or District of Columbia which issued such license or certificate of registration, may revoke any certificate issued by it to any person to practice [illegible] in this state.

(1) Where the board of medical examiners of the corresponding board of any state, territory or District of Columbia, which shall have refused to grant a certificate of registration or license, shall have failed to act upon the application of any person to whom such certificate or license was issued by the board of said state, territory or District of Columbia within sixty days after the receipt by said board of such application, or

(2) Where the board of medical examiners of the corresponding board of any state, territory or District of Columbia, which shall have granted a certificate of registration or license to any person, shall have failed to act upon a complaint duly filed with said board within sixty days after the receipt by said board of such complaint, charging the person to whom such certificate or license was granted by said board with gross unprofessional conduct, or

(3) Where the board of medical examiners of the corresponding board of any state, territory or District of Columbia, which shall have granted a certificate of registration or license to any person, shall have failed to revoke such certificate or license within sixty days after the receipt by said board of a complaint duly filed with said board charging the person to whom such certificate or license was granted by said board with gross unprofessional conduct, or

(4) Where the board of medical examiners of the corresponding board of any state, territory or District of Columbia, which shall have granted a certificate of registration or license to any person, shall have revoked such certificate or license upon a complaint duly filed with said board charging the person to whom such certificate or license was granted by said board with gross unprofessional conduct, and such person shall have failed within sixty days after the revocation of such certificate or license to take an appeal from the decision revoking such certificate or license, or

(5) Where the board of medical examiners of the corresponding board of any state, territory or District of Columbia, which shall have granted a certificate of registration or license to any person, shall have revoked such certificate or license upon a complaint duly filed with said board charging the person to whom such certificate or license was granted by said board with gross unprofessional conduct, and such person shall have failed to prosecute his appeal from the decision revoking such certificate or license with reasonable diligence, or

(6) Where the board of medical examiners of the corresponding board of any state, territory or District of Columbia, which shall have granted a certificate of registration or license to any person, shall have revoked such certificate or license upon a complaint duly filed with said board charging the person to whom such certificate or license was granted by said board with gross unprofessional conduct, and such person shall have failed to prosecute his appeal from the decision revoking such certificate or license with reasonable diligence, and the proceedings of the said board shall be duly certified by the president and secretary thereof, under the seal of said board, and shall be prima facie evidence of the truth of the matters therein stated, and of the regularity of all proceedings before and by said board, and of the action of said board in revoking said certificate or license, and of the giving of the notice required by this section, and of the receipt of the affidavit required by this section, and of the mailing of the notice and affidavit required by this section, and of the receipt of the letter required by this section, and of the mailing of the notice

of the board of medical examiners and out of it shall be paid all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this Act. An amount not to exceed two hundred dollars may be drawn from the contingent fund herein created, to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control and controller. The board shall have power to employ legal counsel and clerical assistance and to fix the salaries. It shall fix the salary of the secretary at a sum not to exceed twelve hundred dollars per annum, and also it shall fix the compensation to be paid to other members of the board, not to exceed ten dollars per diem each, for each and every day of actual service in the discharge of official duties; and said board may, in its discretion, add to said sums necessary traveling expenses.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1089—An Act providing for the organization and management of mutual workingmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On pages 1 to 3, strike out all of lines 1 to 15, inclusive, on page 1 and all of pages 2 and 3, and in lieu thereof insert the following:

"SECTION 1. The term 'compensation' as used in this Act shall mean and include any liability imposed upon any or all employers of labor to compensate their employees and the dependents of such employees for any injury sustained by the said employees by accident arising out of and in the course of their employment irrespective of the fault of either party.

The term 'employer' as used in this Act shall be construed to mean every person, firm, voluntary association and private corporation (including any public service corporation) who has any person in service under any appointment or contract of hire or apprenticeship, express or implied, oral or written, and the legal representatives of any deceased employer.

The term 'employee' as used in this Act shall be construed to mean: Every person in the service of an employer as defined by this Act under any appointment or contract of hire or apprenticeship, express or implied, oral or written, including aliens and also including minors.

SEC. 2. (*a*) Mutual associations of any number of employers, not less than five, may, subject to the approval of the insurance commissioner, be formed by incorporating under the laws of this state, for the purpose of insuring their members against liability for compensation and insuring to the employees of such members the payment of such compensation.

(*b*) It shall be within the power of the insurance commissioner to limit the membership of any such mutual association to those employers engaged in the same general character of industry or to employers within a limited part of the state, whenever in his judgment such limitation shall be required for the protection of the members of such association or persons insured.

SEC. 3. Before the articles of incorporation shall be filed, a copy thereof shall be submitted for the approval of the insurance commissioner. Such articles shall set forth:

First—The names of the employers entering into such association, their places of residence, the nature of the business in which they are engaged and the number of persons employed by each.

Second—The name by which such association shall be known, which name shall include the word 'mutual', and, if the liability of members is limited, the words 'limited mutual'.

Third—The period for which such association is incorporated, which shall not exceed fifty years.

Fourth—The number of directors, which shall not be less than five (5) nor more than eleven (11), and the names and residences of the directors for the first year.

Fifth—The location of the principal place of business, which shall be in this state.

Such articles must be executed, acknowledged and filed as provided by law for the formation of other corporations.

SEC. 4. The members of any company organized under this Act shall have power to make such by-laws, not inconsistent with the constitution and laws of this

state as may be deemed necessary for the government of its officers and provisions for the admission of new members, for the assessment and collection of premiums and assessments, and in general for the proper conduct of its affairs. Such by-laws shall not be effective until a copy thereof has been filed with the insurance commissioner and approved by him.

SEC. 5. Every employer accepting a policy in any company organized under this Act shall thereby become a member of such company and shall become liable for his proportionate share of losses and operating expenses as hereinafter provided.

SEC. 6. No policy shall be issued by any company organized under this Act until subscriptions for insurance have been received from at least one hundred employers having an average pay roll of not less than ——— dollars, and the assessment at least one thousand employees, nor until an amount in cash shall be in hand over and above all liabilities other than the capital stock, if any, not less than fifteen thousand dollars and in no event not less than one fifth annual premium upon each risk. If at any time the number of members should shall fall below one hundred or if the annual pay roll of said employers shall fall below $500,000.00 and the number of same said employees shall fall below one thousand then no further policies shall be issued and subscriptions have been received sufficient to comply with the requirements of this section.

SEC. 7. No single risk shall be assumed by any company organized under this Act upon which the premium charged is more than two per cent of the premium charged upon all the policies that the company has in force.

SEC. 8. After a compensation insurance fund shall have been established by the state workmen's compensation insurance rating bureau as provided hereinafter, organized under this Act shall charge a lower rate upon any risk than the pure premium rates applicable thereto.

SEC. 9. Every company organized under this Act shall in its by-laws and policies fix the contingent annual liability of its members for the payment of losses in excess of its available cash funds, but such contingent liability shall not for any one year amount to one annual premium in addition to the annual premium charged.

SEC. 10. Every company organized under this Act shall be subject to all the general provisions of the law relative to stock insurance companies and not to the general provisions of law inapplicable to it as a mutual company, so far as such provisions are not inconsistent or in conflict with the provisions of this Act.

SEC. 11. If any company organized under this Act at any assessment of such funds above its accrued premium reserve and other liabilities sufficient to pay losses and expenses it shall make an assessment for the amount needed to pay such losses and expenses upon the members liable to assessment therefor in proportion to their several liabilities. The company shall cause to be recorded in a book kept for that purpose the order for such assessment and the amount of the assessment called for, together with a statement setting forth the condition of the company at the date of the order, the amount of the said excess and contingent funds. Such record shall be made and".

Amendment adopted

AMENDMENT No. 2.

On page 4, lines 5 to 15, strike out all of lines 5 to 15, inclusive, and in lieu thereof insert the following:

"SEC. 12. The directors of every such mutual company shall each year use value as a surplus an amount equal to at least twenty-five per cent of all premiums actually paid such surplus shall be an amount not less than the liability of the policyholders charged upon all assessments to date after deducting therefrom the amount of compensations charged for and fees actually paid and expenses incurred in connection therewith.

After setting aside the amount of surplus required to be set aside by this section as a surplus fund, the directors of every such mutual corporation, at such times as their by-laws provide, shall apply the net profits and may in their discretion distribute all or such of the additional available surplus funds as they may deem proper to the policyholders and insured as annually provided by the by-laws, provided, however, that no such dividend shall be declared or paid unless there is then on hand a surplus of not less than $15,000 and equal to at least twenty-five per cent of all premiums charged upon all insurance in force after deducting therefrom the amount of compensations charged for and fees which must have been reinsured in other insurance carriers".

Amendment adopted

AMENDMENT No. 3.

On page 4, line 21, strike out the words "mutual" and in lieu thereof insert the words "other insurance companies".

Amendment adopted.

AMENDMENT No. 4.

On page 5, line 4, strike out the comma and the words "and all persons having similiar powers", and in lieu thereof insert the words "or trustees".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1015—An Act to amend Section 628, Section 635½ and Section 636 of the Penal Code of the State of California, all relating to the protection and preservation of fish.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 4, strike out the word "Every" and all the balance of the section down to and including all of line 7, on page 3, and insert in lieu thereof the following: "Every person who, between the first day of March and the thirty-first day of October of the same year, both dates inclusive, takes, catches, kills, has in possession, buys, sells, or offers for sale any lobster (crawfish), or who at any time takes, catches, kills, has in possession, buys, sells, or offers for sale any lobster (crawfish) of less than nine inches or more than thirteen and one half inches in length, measured from one extremity to the other and exclusive of legs, claws or feelers, or who shall at any time, pickle, can or otherwise preserve any lobster (crawfish) or crab (*Cancer magister*), or who shall at any time, sell any lobster (crawfish), crab (*Cancer magister*) meat not in the shell of such lobster (crawfish) or crab (*Cancer magister*), or who shall bring to shore any part or portion of any lobster (crawfish) or crab (*Cancer magister*) without remaining portions of such lobster (crawfish) or crab (*Cancer magister*) in such condition that the size of such lobster (crawfish) or crab (*Cancer magister*) cannot be measured, shall be guilty of a misdemeanor. Every person who, at any time, has in his possession for sale, or sells, or offers for sale, any dressed catfish less than seven inches in length not including the head, or who, at any time, kills or has in his possession any sturgeon of less than twenty-five pounds in weight, shall be guilty of a misdemeanor. Every person, who, at any time, takes, catches, kills, has in his possession, buys, sells, or offers for sale, any crab (*Cancer magister*) of less than seven inches in breadth measured straight across the back from point to point, or any female crab (*Cancer magister*), or who between the first day of August and the fifteenth day of November of the same year, both dates inclusive, takes, catches, kills, has in possession, buys, sells, or offers for sale any crab (*Cancer magister*), shall be guilty of a misdemeanor. Every person who, between the first day of February and the thirtieth day of April of the same year, both dates inclusive, takes, catches or kills any abalone (*Haliotis*), or who, at any time, takes, catches or kills any red abalone (*Haliotis rufescens*) less than nineteen inches around the outer edge of the shell or any green abalone (*Haliotis fulgens*) less than eighteen inches around the outer edge of the shell, or any pink abalone (*Haliotis corrugata*) less than sixteen inches around the outer edge of the shell, or any black abalone (*Haliotis crackerodic*) less than fourteen inches around the outer edge of the shell, or who by any means whatsoever, takes, or catches any abalone (*Haliotis*) and does not bring the same, naturally attached to the shell and alive, to the shore above high water mark, or who takes, catches, or kills any abalone (*Haliotis*) for other than food purposes, or who at any time offers for shipment, or ships, or receives for shipment or transportation from the State of California to any place in any other state, territory or foreign country any abalone meat, fresh or dried; or abalone shells, excepting articles manufactured from abalone shells; or who takes, catches, or kills any abalone (*Haliotis*) by the use of a spear or spears, shall be guilty of a misdemeanor. Every person who, in fish and game district six of this state, uses or assists in using any diving apparatus of any character for the taking or catching of any abalone (*Haliotis*), or who takes, catches, or kills any black abalone (*Haliotis crackerodic*), or who takes, catches or kills during any one calendar day more than ten (10) abalone (*Haliotis*) shall be guilty of a misdemeanor. None of the provisions of this act shall apply to lobster (crawfish) or abalone (*Haliotis*) caught or taken without the waters of this state, and bearing after inspection such evidence of having been so caught or taken as may be hereafter prescribed by the fish and game commission; *and be it provided*, that all the expense of such inspection shall be borne by the importer of such lobster (crawfish) or abalone (*Haliotis*); *and be it provided, further*, that all lobster (crawfish) or abalone (*Haliotis*) imported into this state shall be of the size prescribed in this section."

Amendment adopted.

AMENDMENT No. 2.

On page 3, Section 4, line 33, strike out the words "where title is in question during the fifteenth day of June and the succeeding day in June," and insert in lieu thereof the following: "in the counties of the San Joaquin district and the northeastern district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Southern district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Sacramento district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Northern district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Coast district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Mount Whitney district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Colorado River district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Honey Lake district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Modoc district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Tulare district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Kern River district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Santa Clara district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Santa Cruz district on the fourth Monday in September, 1913, and the fourth Monday in September, 1914, and in the counties of the Santa Barbara

industrial accident commission in the manner authorized by law for the use of said fund.

SEC. 2. The state controller and the state treasurer are hereby authorized and directed to transfer said sum of one hundred thousand dollars from the general fund of the state to the 'state compensation insurance fund'."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 821—An Act appropriating money to pay the claim of R. D. Barton against the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1084—AN Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in 1915.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No 266—An Act appropriating $5,000 for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross, at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, amend the title by striking out the words "five thousand" and inserting in lieu thereof the words "twenty-five hundred".

Amendment adopted.

AMENDMENT No. 2.

On page 1, section 1, line 2, strike out the words "five thousand" and insert in lieu thereof the following: "twenty-five hundred".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 466—An Act to regulate the hours of employment and safe-guard the health of females employed in any mill, factory, manufacturing, or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise—was made a special order for Wednesday, April 30, 1913, at ten o'clock and thirty minutes a.m.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Wright, as a special committee of one, to amend as follows:

By striking out in lines 25 and 26, page 2, the words "nor to graduate nurses in hospitals", and insert in lieu thereof a period.

Also: Strike out in line 14, page 2, the word "hospital."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 166, with instructions to amend, respectfully reports the same back, amended as per instructions.

WRIGHT, Committee.

SENATOR CARTWRIGHT IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Senator Cartwright, of the Twenty-sixth District, in the chair.

PRESIDENT WALLACE IN THE CHAIR.

At twelve o'clock m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem., of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the second reading file of Assembly bills.

Assembly Bill No. 1879—An Act to amend Sections 625, 626a, 626d and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

On motion of Senator Thompson, Assembly Bill No. 1879 was passed on file.

Assembly Bill No. 341—An Act to amend Section 3418 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 433—An Act to amend Section 2929 of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure to be known as Section 274c.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Bill read second time, and ordered on file for third reading.

SENATOR WRIGHT IN THE CHAIR.

At two o'clock and five minutes p.m., Senator Wright, of the Fortieth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 76—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1963—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i*, and 4225*j*, all relating to county boards of health and sanitary inspectors.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the title of the printed bill, after the word "county" insert the words "and municipal", and after the word "health", in the same line, insert the following: "county health officers".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 16, of the printed bill, after the words "duly licensed", strike out the words "and practicing".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 21, of the printed bill, after the word "the", insert the following: "county health officer of any county in which there is no county board of health or the".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 31, of the printed bill, after the period following the word "health", strike out the word "it", and insert in lieu thereof the words "the county health officer in any county in which there is no county board of health or the county board of health".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 1, of the printed bill, after the word "and", insert the following: "as said health officer or".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 2, of the printed bill, after the word "inspector", insert the words "of such board".

Amendment adopted.

AMENDMENT No. 7

On page 3, line 11, of the printed bill, after the words "signed by the", insert the following: "health officer of any county or whole (here is the county board of health or by the"

Amendment adopted.

AMENDMENT No. 8

On page 3, line 20, of the printed bill, after the words following the word "health", insert the following: "nothing in this section shall be construed to affect the" and omit the following: "county or municipal health officer from"

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 4, line 26, strike out the word "fifty", and insert in lieu thereof the words "seventy-five".

Amendment adopted.

AMENDMENT No. 2

On page 5, line 7, strike out the words "one half", and insert in lieu thereof the words "seventy-five per centum".

Amendment adopted.

AMENDMENT No. 3

On page 5, line 11, strike out the words "one half" and insert in lieu thereof the words "seventy-five per centum".

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 752—An Act creating the office of inspector of mines; fixing his duties and powers, prevailing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector and defining the duties of the attorney general and district attorneys in relation to suits instituted by the inspector of mines.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend the title of the printed bill by striking out in line 2 of the title the words "Sections 1083 and 1096", and insert in lieu thereof the following: "Section one thousand eighty-three".

Amendment adopted.

AMENDMENT No. 2

On page 2 of the printed bill, strike out all of line 10 and insert in lieu thereof the following: "native female person shall be deemed to lose her citizenship by reason of her marriage to a citizen of a foreign country."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting," in municipal elections.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No 1.

On page 1, line 4, of the printed bill, strike out the words "The method of making nominations, and", and insert in lieu thereof the following:

"Candidates for municipal offices to be voted for at elections held under the provisions of this Act, shall be nominated in the manner prescribed by general laws of the state for the nomination of candidates for municipal officers by petition of electors. For the purpose of holding and conducting elections under the provisions of this Act,".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, of the printed bill, strike out the words "general election".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 8, of the printed bill, insert between the word "state" and the semicolon (;), immediately after the same, the following: "relating to general elections".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1731—An Act to amend Section 1366*a* of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 10, insert a comma (,) immediately after the word "deputy" and before the word "and".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 24, strike out the word "register", and insert in lieu thereof the word "registrar".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,'" approved February 23, 1893.

During second reading of the bill, the following amendment was offered by the committee:

On page 2 of the printed bill, strike out all of line 27, and the word "recorded", in line 28, and insert in lieu thereof the following: "for filing or recording any statement required to be filed or recorded under the provisions of this Act".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 3, of the title to the printed bill, strike out the period and in lieu thereof insert a comma and the following words: "and for the destruction of such records upon acquittal."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, of the printed bill, after the word "persons" and before the word "held" insert the following words: "who in the first instance or after prior arrest, regularly attended officers of police and city prosecutors upon a warrant or without warrant or by whom prosecutions upon warrant are found, dismissed, found not guilty or otherwise terminated or against whom proceedings are carried to the end by those with felonious intent, or a person".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 2053—An Act to add a new section to the Penal Code of California, to be numbered 499c, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable, or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner, and providing the punishment for a violation thereof.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 2, of the printed bill, after the comma following the word "purpose", insert the following words: "shall be guilty of a felony and".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1608—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 13, at the end of the line, after the word "Siskiyou", insert a comma and the following: "Plumas, Shasta, Nevada, Placer, El Dorado."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 11, after the word "estray" add the following: "and be fined two dollars and fifty cents."

Amendment adopted.

AMENDMENT No. 3.

On page 5, beginning on line 18 and ending on line 28, strike out the semicolon (;) and the words "*provided*, that the owner may at any time within one year

specified accept if he so desires the estray or estrays in lieu of said sum held by the county treasurer, but must pay all costs, which sum together with the amount held by the county treasurer shall be paid over to the taker-up." and insert in lieu thereof a period (.).

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32 and 61, thereof, and to add two new sections to said Act, to be numbered $32\frac{1}{2}$ and $54\frac{1}{2}$, said new sections relating respectively to increasing the rate of interest on bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, in the thirteenth line of the title, strike out the words "increasing the rate of interest on", and insert in lieu thereof the following: "selling for less than par".

Amendment adopted.

AMENDMENT No. 2.

Strike out all from and including the word "until" in line 25, on page 3, down to and including the word "feasible" in line 10, on page 4, and insert in lieu thereof the following: "for one month, or from time to time, not exceeding one month in all. Upon receiving a copy of said resolution, the state engineer shall make or cause to be made such an investigation as may be practicable, with a view to determining whether any condition or conditions exist that would justify him in reporting against the organization of the proposed district. He shall report in writing on the matter to the board of supervisors from which the copy of said resolution was received, and said report shall be made within one month from the date of the adoption of said resolution, but failure by the state engineer to perform any duty required herein shall not invalidate the organization of any district nor shall any board of supervisors, because of failure to receive a report from the state engineer, delay the proceedings herein required for a longer time than is allowed herein. If the state engineer shall report that the supply of water available for the use of the proposed district, or that may be acquired by any practicable means, including the condemnation of existing rights, is not sufficient or that the project is not feasible for any other reason or reasons and if such report shall be filed with the said board of supervisors before the expiration of one month from and after the date of the adoption of the aforesaid resolution".

Amendment adopted.

AMENDMENT No. 3.

On page 5, line 5, strike out the words "approved by the state engineer".

Amendment adopted.

AMENDMENT No. 4.

On page 9, strike out all from and including the word "earlier" in line 16 down to and including the word "series" in line 19, and insert in lieu thereof the following: "the end of shorter periods than are specified herein and the number of series in any issue may be less than twenty, if the number of series in the proposed issue and the proposed periods at the end of which the respective series shall be payable".

Amendment adopted.

AMENDMENT No. 5.

On page 12, line 36, strike out the period in said line and insert in lieu thereof a semicolon, and add the following: "*and provided, further*, that any warrant of the district payable on demand, if presented to the treasurer for payment when funds

are not available for the payment thereof, shall thereafter draw interest at the rate of five per cent per annum until paid, as such funds are available. Upon the presentation of any such warrant for payment to the treasurer of the district, if there are not sufficient funds to pay the same, the treasurer of the district shall indorse thereon the words "funds not available for payment," with the date of indorsement, and shall sign his name thereto. He shall keep a record showing the number and amount of each such warrant, the date of its issuance, the person to whom issued, and the date of its presentation for payment. Whenever there be sufficient money in the treasury to pay all such outstanding warrants, or whenever the board of directors shall order that all such warrants presented for payment prior to a certain date be paid, and there be sufficient money available for such payment, the treasurer shall give notice to make payment of such warrants, by publication of such notice thereof, three times in some newspaper published in the county in which the district or such portion thereof is situated, or, if none is published in such county, then in a newspaper published in the county nearest the district or such portion thereof in which a publication can be made, that the district or such portion thereof is prepared to pay all such warrants, or those ordered paid, as the case may be. Such notice shall name a date not less than thirty days after the first publication thereof, on which the board of directors of the district has the purpose of which funds shall arise and available money, except original appropriations, on all such warrants which were presented for payment prior to the date fixed by the board of directors on the notice upon the call for the last publication of the notice. Such notice shall set forth the number and amount of each warrant to be paid, the name of the person to whom originally issued, and the date of its presentation for payment. From and after the date named in such notice no interest shall be allowed on any warrant described therein. If on presentation of any warrant entitled to payment under the terms of such notice the treasurer shall pay it, together with interest thereon as the rate of five per cent per annum from the date of its presentation for payment to the date of the first publication or posting of the said notice, and if payment for the payment of which funds are declared by such notice to be available shall cease to draw interest on the date of the first publication or posting of said notice. The treasurer shall enter on the record hereinbefore required to be kept the date of such payment of all such warrants, the name of the person to whom originally issued, and the amount paid to each person."

Amendment adopted.

The following amendments were offered by Senator Metz:

On page 9, line 30 of the printed bill, strike out the words "on the unpaid portion of the last installment per annum" and insert in lieu thereof the following: "at a rate to be determined by the board of directors of the district (not exceeding six per cent) per annum".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 96—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title to said Act, and by amending Sections 1, 17, and 18 thereof to include therein the application of electrical power to the development of water for pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes; and to add a new section to be known as Section 1109.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

In the title strike out all from and including the word "to" in the eighth line down to and including the figures "1109" in the last line of said title, and insert in lieu thereof the following:

"and Sections 1, 15, 17 and 18 of said Act and adding a new section thereto so as to permit the organization of irrigation districts for the purpose of distributing to the individual landowners therein power for pumping water for the acquisition, development and distribution of electrical power for such purposes in irrigation districts, to provide for the assessment of taxes upon and condemnation of such districts and to strike from said Act a provision relating to the assignment of the right to water."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 12, strike out the period after the word "appurtenances", and insert in lieu thereof a comma and begin the following word "and" with a lower case letter "a".

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 10, after the word "price", insert a comma.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of $1,916, and for such purpose authorizing the State Registrar to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1281—An Act appropriating the sum of $5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura or Santa Barbara and making an appropriation therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 999—An Act to provide for the reforestation, the cutting of fire lanes and fire trails in the Angeles National Forest and to make an appropriation therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 792—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 290—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the state or counties, or cities, or cities and counties of the premium or charge on official bonds when given by surety companies," approved March 23, 1903.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, section 2, line 4, after the word "the", and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, after the word "the", in line 11, and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 10, after the word "the", and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 9, after the word "the", and before the word "current" insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 781—An Act to appropriate money to pay the claim of the Coalinga Water and Electric Company against the State of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 7, after the word "the" and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1633—An Act appropriating money for the purchase of land adjoining the campus of the San Diego State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 1, strike out the word "thirty-seven" and insert in lieu thereof the word "forty-three".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, lines 2 and 3, strike out the words "said amount to be drawn from the San Francisco Harbor fund".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of a state hospital near the city

of Los Angeles, for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 3, strike out the word "thirteen", and in lieu thereof insert the word "ten".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 3, strike out the words "and one half".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 10, after the word "the", and before the word "Governor", insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 155, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 10, after the word "the", and before the word "Governor", insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes of 1909, for leveling and planting the grounds and painting and repairing the buildings of the State Agricultural Park.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 11, after the word "the", and before the word "Governor", insert the word "said".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 9, after the word "the", and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes of 1907, for searching for beneficial insects.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 2, line 9, after the word "the", and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 4, line 10, after the word "pharmacists", insert the words "and laboratories operating under United States Government license".

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 17, after the word "pharmacist", and before the word "shall", insert the words "and laboratory chemist".

Amendment adopted.

AMENDMENT No. 3.

Beginning on page 11, Section 13, subdivision (*b*), strike out all after the word "contains", in line 34, to and including the word "fat", in line 1, on page 12, and insert in lieu thereof the following: "the quantities of fats and solids stated in the following specifications.

1*a*. The percentage of total solids and of fat shall be as set forth in the standard of purity of condensed or evaporated milk proclaimed and established by the secretary of the department of agriculture of the United States.

1*b*. If for any reason the provisions of the foregoing subdivision 1*a*, describing standard of purity of condensed or evaported milk be held to be invalid, or become inoperative, or without force or effect, then, and in that event, the percentage of total solids and of fat shall be such that the sum of the two shall not be less than thirty-four and three tenths per cent (34.3%) and contain not less than seven and eight tenths (7.8%) per cent of milk fat."

Amendment adopted.

AMENDMENT No. 4.

On page 5, in line 15, at the end of the word "creams", strike out the letter "s".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of the State of California, relating to the election of school trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1749, 1749, 1750, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1255—An Act to amend Section 1850 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third reading file of Assembly Bills.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

On motion of Senator Thompson, Assembly Bill No. 282 was passed on file.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as section six hundred fifty-three c, relating to wages to be paid to certain employees of the State of California or of any political subdivision thereof, whether such employees be employed directly or by contractors or subcontractors of the same, making it the duty of the Commissioner of the Bureau of Labor Statistics upon demand and for the purposes of this Act, to determine and certify the rate of wages prevailing in any trade or occupation in any locality, providing the manner of enforcing the provisions of this Act, and fixing penalties for the violation thereof.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1495 passed by the following vote:

Ayes—Senators Belshaw, Benson, Birdsall, Bronson, Broughton, Brown, Burnett, Caminetti, Campbell, Carr, Cartwright, Chan, Flint, Flint (Frank Gordon), Hewitt, Jones, Lyon, Mott, Regan, Rush, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—28.

Noes—Senator Cogswell—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 555—An Act ratifying and confirming proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 555 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Regan, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 84—Relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 31 of Article IV, relating to irrigation districts.

On motion of Senator Anderson, Assembly Constitutional Amendment No. 84 was passed on file.

Assembly Bill No. 418—An Act relating to the furnishing of pure drinking water and individual drinking cups on passenger trains of railroad corporations, and providing penalties for the violation of this Act.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 418 passed by the following vote:

AYES—Senators Beban, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Cartwright, Cohn, Finn, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush Sanford, Shanahan, Tyrrell, and Wright—25.
NOES—Senators Anderson and Avey—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Wright gave notice that he would, on next legislative day, move to reconsider the vote whereby Assembly Bill No. 418 was this day passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Read third time on a previous day.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—29.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1685 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brandt, Brown, Bryant, Burnett, Campbell, Carpenter, Cartwright, Caminetti, Chamberlain, Cogswell, Cole, Curtin, Flint, Gerdes, Gerlach, Gesford, Hewitt, Jones, Juilliard, Kehoe, Larkins, Leale, Lewis, Owens, Rigdon, Rush, Sanford, Shanahan, Stetson, Thompson, Tyrrell and Wright—34.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1247—An Act delegating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1247 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brandt, Brown, Bryant, Burnett, Campbell, Carpenter, Cartwright, Caminetti, Cole, Curtin, Flint, Gerdes, Gerlach, Gesford, Hewitt, Jones, Juilliard, Kehoe, Larkins, Leale, Lewis, Owens, Rigdon, Rush, Sanford, Shanahan, Stetson, Thompson, Tyrrell and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1081—An Act to provide for additional judges of the Superior Court of the county of Contra Costa.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1081 passed by the following vote:

Ayes—Senators Avey, Boynton, Brandt, Brown, Bryant, Burnett, Campbell, Carpenter, Cartwright, Caminetti, Cogswell, Cole, Curtin, Flint, Gerdes, Gerlach, Gesford, Hewitt, Juilliard, Larkins, Leale, Lewis, Owens, Rigdon, Rush, Sanford, Thompson, Tyrrell and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

On motion of Senator Sanford, Assembly Constitutional Amendment No. 2 was passed on file.

Assembly Bill No. 515—An Act to amend the Penal Code by adding thereto a new section to be numbered 272a, relating to the selling, relinquishing or disposing of children.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Cogswell, as a special committee of one, to amend as follows:

By striking out of lines 3 and 4 of the title the words "relinquishing or disposing of".

Also: By striking out all after "of" in Section 1, the words "causing the cause of adoption".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

On motion of Senator Thompson, Assembly Bill No. 1647 was passed on file.

Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

On motion of Senator Thompson, Assembly Bill No. 597 was passed on file.

Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 159*c*, relating to sending by mail or otherwise, threats or statements that judgments rendered against any person will be printed or published.

On motion of Senator Thompson, Assembly Bill No. 1232 was passed on file.

Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

On motion of Senator Thompson, Assembly Bill No. 103 was passed on file.

Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code, relating to the powers and duties of normal school boards.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1096 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Lyon, Regan, Rush, Sanford, Shanahan, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1508—An Act to amend Section 295 of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1508 passed by the following vote:

AYES—Senators Ayer, Boynton, Bradley, Breed, Brown, Burnett, Chamberlain, Campbell, Carr, Caminetti, Cobb of Lassen, Cobb of Marin, Curtin, Finn, Gerdes, Gesford, Hewitt, Holohan, Kehoe, Leale, Owens, Rush, Sanford, Slaughter, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

On motion of Senator Boynton, Assembly Bill No. 747 was passed on file.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1289—An Act to amend Section 629½ of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

Add a new paragraph after line 18, to read as follows: "Nothing in this section shall be construed to prohibit the sale of any species of wild duck from the first day of November to the first day of December of the same year."

Motion carried.

SENATOR ANDERSON IN THE CHAIR.

At three o'clock and ten minutes p.m., Senator Anderson, of the Thirty-ninth District, in the chair.

PRESIDENT WALLACE IN THE CHAIR.

At four o'clock p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At five o'clock and fifteen minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

VOTE RECONSIDERED.

Senator Wright moved to reconsider the vote whereby the Senate ordered Assembly Bill No. 1289 referred to Senator Campbell as a special committee of one, with instructions to amend.

Motion carried.

MOTION WITHDRAWN.

Senator Wright withdrew his motion to refer Assembly Bill No. 1289 with instructions to amend.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer to Senator Hans, as a special committee of one, to amend as follows:

By inserting in line 3, after the word "who", and before the word "buys", the words "kills or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1289, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANS, Committee.

CONSIDERATION CONTINUED.

On motion of Senator Wright, the further consideration of the report of the special committee of one and of Assembly Bill No. 1289 was continued until seven o'clock and thirty minutes p.m. of this day.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Scripps Institute of Biological Research the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 2045 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain Acts a felony and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1909, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional

expenses of said department and to make an appropriation therefor for the remainder of the forty-eighth fiscal year, commencing August 1, 1912, and amending an Act entitled "An Act providing for the appointment of an auditing board for the Commissioner of Public Works, authorizing him and them to perform certain duties relating to leasing, to purchase agreements, work, dredging and engineering generally, to operate and modify leases, agreements, work, dredging and engineering generally, to establish and fix rates, payment for the operation thereof, making certain Acts or laws, and making an appropriation to provide for the expenses of the same," approved March 17, 1887, and all Acts or parts of Acts inconsistent therewith or in addition to Act entitled "An Act to provide for the improvement, development and preservation of a deep water harbor and commercial port in San Francisco Bay, to create an improvement district for the construction of the harbor improvements authorized by the Act of the Legislature of this State entitled 'An Act providing for the improvement, development and preservation of a deep water harbor and commercial port in San Francisco Bay, to create an improvement district for the construction of said harbor improvements authorized by the Act of the Legislature of this State entitled "An Act providing for the improvement, development and preservation of a deep water harbor and commercial port in San Francisco Bay, to create an improvement district for the construction of said harbor improvements authorized by the Act of the Legislature of this State entitled '

to the charter of the city of San Bernardino, in the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

CARR, Chairman.

Senate Concurrent Resolutions Nos. 27 and 28 ordered on file.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2167*b*, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the superior court sitting as a lunacy court in each county providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Also: Assembly Bill No. 136—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

RUSH, Chairman.

Assembly Bills Nos. 1951 and 136 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital of Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the cost and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electric current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding—have had the same under consideration, and respectfully report the same back, and recomend that it do pass as amended, and be re-referred to Committee on Finance.

RUSH, Chairman.

Assembly Bill No. 2083 ordered re-referred to Committee on Finance.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1194—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENSON, Chairman.

Assembly Bill No. 1194 ordered on file for second reading.

SENATOR GATES IN THE CHAIR.

At five o'clock and fifty-five minutes p.m., Senator Gates of the Thirty-fourth District, in the chair.

REQUEST FOR INTRODUCTION OF BILL

The following request for permission to introduce a bill was presented:

By Senator Boynton: Permission to introduce a Senate bill—An Act to confer upon the Industrial Accident Commission all the duties, liabilities, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission.

Request referred to Committee on Introduction of Bills.

RECESS

At six o'clock p.m., on motion of Senator Ogle, the acting President declared the Senate at recess until seven o'clock and thirty minutes p.m.

RECONVENED

At seven o'clock and thirty minutes p.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

PRIVILEGES OF FLOOR OF SENATE EXTENDED.

On request of Senator Juilliard, the privilege of the floor of the Senate Chamber for this day was unanimously extended to ex-Senator Chas. B. Bills, of Sacramento.

On request of Senator Wright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Judge Geo. Fuller.

CONSIDERATION OF BILLS—OUT OF ORDER.

On motion of Senator Benson, the Senate took up the consideration of Senate Bill No. 870, out of order.

Senate Bill No. 870—An Act to amend Sections 2, 7 and 9 of an Act known as "The Building and Loan Commissioner Act," approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 870 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Brown, Bryant, Burnett, Caminetti, Carr, Cohn, Flint, Gates, Gerdes, Grant, Kehoe, Leak, Rolfe, Roseberry, Shanahan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

On motion of Senator Thompson, the Senate took up the consideration of Senate Bill No. 752, out of order.

Senate Bill No. 752—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

Read third time.

The following amendments were offered by the Committee on Finance:

AMENDMENT No. 1.

On page 1, section 1, line 3, after the word "of" and before the word "thousand", strike out the word "thirty", and insert in lieu thereof the word "seven".

Amendment lost.

AMENDMENT No. 2.

Strike out all of section 3, and insert in lieu thereof a new section to be numbered Section 3, and to read as follows:

"SEC. 3. The state controller is hereby authorized and directed to draw his warrants in such sums and at such times as the state engineering department may, after the said appropriation becomes available, present claims therefor, and the state treasurer is directed to pay the same."

Amendment lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Strobridge, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "thirty", and insert in lieu thereof the word "seven".

AMENDMENT No. 2.

Strike out all of section 3 of the bill, and insert in lieu thereof a new section to be numbered Section 3, and to read as follows:

"SEC. 3. The state controller is hereby authorized and directed to draw his warrants in such sums and at such times as the state engineering department may, after said appropriation becomes available, present claims therefor, and the state treasurer is directed to pay the same."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 752, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

On motion of Senator Caminetti, the Senate took up the consideration of Senate Constitutional Amendment No. 60, out of order.

Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 2½, relating to sessions of the Legislature.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Wright, as a special committee of one, to amend as follows:

By striking out, on page 1, line 15, the word "solution", where it occurs therein, and inserting in lieu thereof the word "resolution".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 69, with instruction to amend, respectfully reports the same back, amended as per instructions.

WRIGHT, Chairman.

Report read and adopted.

Constitutional amendment ordered to print and engrossment.

CONSIDERATION OF BILL OUT OF ORDER.

On motion of Senator Gerdes, the Senate took up the consideration of Senate Bill No. 1000, out of order.

Senate Bill No. 1000—An Act to amend Section 4300a of the Political Code of the State of California, relating to county clerk's fees.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Campbell, as a special committee of one, to amend Senate Bill No. 1000 as follows:

AMENDMENT No. 1.

On page 1, line 6, strike out the words "by, or licensed by,"

AMENDMENT No. 2.

On page 1, lines 9 and 10, strike out the following: "or at whose request the action or proceeding was transferred"

AMENDMENT No. 3.

On page 1, line 10, after the period, insert the following: "On the filing of papers in any action or proceeding on transfer from the superior court of any other county, except probate proceedings, to be paid by the party filing such transfer, two dollars."

AMENDMENT No. 4.

On page 1, line 11, strike out the word "or" at end of line.

AMENDMENT No. 5.

On page 1, line 12, after the word "proceedings," and before the words "two dollars", insert the following: "or special letters of administration".

AMENDMENT No. 6.

On page 1, line 17, after the word "or", insert the words "the filing of"

AMENDMENT No. 7.

On page 2, line 1, strike out the word "The"

AMENDMENT No. 8.

On page 2, line 2, strike out all of said line, and insert in lieu thereof the following: "On the filing of each subsequent supplemental or cross complaint or petition or number of defendants answering jointly, for each of said pleas. On the filing of any complaint, action or proceeding by intervention, to be paid by the party or parties so intervening, the sum of two dollars."

AMENDMENT No. 9.

On page 2, line 3, after the comma following the word "action" and before the word "except", insert the words "or proceeding"

AMENDMENT No. 10.

On page 2, line 7, after the word "copies", insert the following: "except for the making of certificates to copies".

AMENDMENT No. 11.

On page 2, line 14, after the period, insert the following: "For filing and docketing a transcript of judgment from the court of a justice of the peace or any other inferior court, one dollar."

AMENDMENT No. 12.

On page 2, lines 20 and 21, strike out the following: "relating to any civil action pending in said court".

AMENDMENT No. 13.

On page 2, line 23, following the comma after the word "court" and before the words "twenty-five cents", insert the following: "except certificate to copy".

AMENDMENT No. 14.

On page 3, lines 12 and 13, strike out the following: "for receiving and filing remittitur from supreme court, fifty cents."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1000, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

SPECIAL ORDER RESET.

Senator Wright moved that the further consideration of his motion to reconsider the vote whereby Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court—was passed, be made a special order at three o'clock and thirty minutes p.m., on Tuesday, May 1, 1913.

Senator Caminetti moved to amend the motion to strike out the figures "3.30" and insert the figures "7.30."

Motion to amend lost.

Motion to set the special order carried.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Benson, the Senate took up the consideration of Senate Bill No. 1225, out of order.

Senate Bill No. 1225—An Act appropriating money for the construction of outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1225 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Bryant, Caminetti, Carr, Cohn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Shanahan, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD-READING OF BILLS.

Senate Bill No. 1290—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this

State, and making an appropriation to pay the cost and expense of the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1240 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Burke, Cannetti, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Rigdon, Rush, Stanford, Shanahan, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1600 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Burke, Cannetti, Carr, Cohn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Rigdon, Rush, Shanahan, Thompson, and Wright—20.

NOES—Senator Finn—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1750—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1750 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Burke, Cannetti, Carr, Cohn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Mott, Rigdon, Rush, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 163—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 163 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Burke, Cannetti, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Mott, Rigdon, Rush, Shanahan, Stanford, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "For printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book

(exempt from Section 4 of this Act) ten thousand dollars." available for the distribution of said Blue Book.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1722 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Jones, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Regan gave notice that he would on the next legislative day move to reconsider the vote whereby Senate Bill No. 1600 was this day passed.

MOTION TO RECONSIDER.

On motion of Senator Cogswell, the consideration of his motion to reconsider the vote whereby Senate Bill No. 1524 was passed, was continued till the next legislative day.

CONSIDERATION OF BILLS—(RESUMED).

The consideration of Assembly Bill No. 1289, with the pending report of the special committee of one to amend, was resumed.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Beban, Boynton, Brown, Bryant, Butler, Campbell, Cohn, Curtin, Gerdes, Juilliard, Kehoe, Sanford, Shanahan, and Wright—14.

NOES—Senators Avey, Benson, Birdsall, Breed, Caminetti, Carr, Cartwright, Cogswell, Finn, Flint, Gates, Grant, Hewitt, Jones, Larkins, Lyon, Mott, Regan, Strobridge, and Tyrrell—20.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

Add a new paragraph after line 18 to read as follows:

"Nothing in this section shall be construed to prohibit the sale of any species of wild duck from the first day of November to the first day of December of the same year."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, APRIL 30, 1913.

Mr. President: Your special committee of one, to whom was referred Assembly Bill No. 1480, with instructions to amend, respectfully reports the same back amended as per instructions.

CAMPBELL, Committee.

SENATOR FLINN IN THE CHAIR.

At eight o'clock and thirty minutes p.m., Senator Flinn of the Twenty-third District, in the chair.

The question being on the adoption of the report of Senator Campbell as a special committee of one.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, nine o'clock and twelve minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Avey, Boynton, Bunnett, Burnett, Burnett, Bush, Burnett, Campbell, Chandler, Cogswell, Cartwright, Cosgrove, Curtin, Curtis, Finn, Flinn, Gerdes, Gibson, Hewitt, Jones, Juilliard, Kehoe, Leyden, Lyon, Mott, Rigdon, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At nine o'clock and eighteen minutes p.m., Senator Anderson was brought to the bar of the Senate, and, on motion of Senator Kehoe, was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At nine o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The roll of absentees was called, and the report adopted by the following vote:

AYES—Senators Boynton, Bunnett, Burnett, Burnett, Bush, Campbell, Chandler, Cogswell, Cartwright, Cosgrove, Curtin, Curtis, Finn, Flinn, Gerdes, Gibson, Hewitt, Jones, Juilliard, Kehoe, Leyden, Lyon, Mott, Rigdon, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—36.

NOES—Senators Anderson, Avey, Burnett, Bunnett, Bush, Campbell, Chandler, Cartwright, Cogswell, Curtin, Finn, Flinn, Hewitt, Jones, Lyon, Rigdon, and Thompson—17.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At nine o'clock p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Sanford moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

By striking out of section 1, line 18, the period (.) and inserting in lieu thereof a semicolon (;) and the following: "provided, further, that it shall be unlawful

for any person to kill deer between August 1, 1913, and August 1, 1914; or to kill quail between October 1, 1914, and October 1, 1915; or to kill duck between November 1, 1915, and November 1, 1916.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1289, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

Report read and adopted.

Senator Wright moved that the vote whereby the report of Senator Juilliard as a special committee of one was adopted, be reconsidered.

Motion carried.

The question being on the adoption of the report.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Breed, Tyrrell and Wright.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sanford moved a call of the Senate.

Motion carried.

Time, nine o'clock and thirty-five minutes p.m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names.

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—37.

The Secretary announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At nine o'clock and forty minutes p.m., Senator Hans was brought to the bar of the Senate, and, on motion, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At nine o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Sanford.

The roll of absentees was called, and the report refused adoption by the following vote:

AYES—Senators Beban, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Cohn, Curtin, Gerdes, Hans, Juilliard, Larkins, Rush, Sanford, Shanahan, and Wright—17.

NOES—Senators Anderson, Avey, Benson, Birdsall, Breed, Carr, Cartwright, Cogswell, Finn, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Strobridge, Thompson, and Tyrrell—21.

CONSIDERATION CONTINUED.

On motion of Senator Campbell, the further consideration of Assembly Bill No. 1289 was temporarily continued.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The consideration of Senate Bill No. 402 was resumed.

SENATOR GRANT IN THE CHAIR.

At nine o'clock and fifty minutes p.m., Senator Grant, of the Nineteenth District, in the chair.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and twenty-five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILL—(RESUMED).

The Senate resumed the consideration of Assembly Bill No. 1289.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Jones, as a special committee of one, to amend as follows:

By striking out of section 1, line 5, the comma after the word "soldiers", and inserting a comma after the word "guns".

Also: Strike out the comma after the word "deer" in line 6, of section 3, and insert in lieu thereof the word "and".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1289, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and adopted.

Bill ordered to print.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Sanford moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

By striking the period out of section 1, line 18, and inserting in lieu thereof a semicolon and the following: "provided, further, that it shall be unlawful to hunt District No. 2 for any person to kill deer between August 1, 1913, and August 1, 1914; or to kill quail between October 1, 1914, and October 1, 1915."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1289, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

POINT OF ORDER.

Senator Kehoe raised the point of order that the amendment was not germane.

DECISION ON POINT OF ORDER.

The President pro tem. announced his decision, and declared the point of order not well taken.

The question being on the adoption of the report

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Bryant, Campbell, Gerdes, Hans, Juilliard, Larkins, Rush, Sanford, Shanahan, and Wright—10.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Caminetti, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Regan, Strobridge, Thompson, and Tyrrell—22.

Bill ordered to print.

SENATOR STROBRIDGE IN THE CHAIR.

At eleven o'clock and five minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The Senate resumed the consideration of Senate Bill No. 466.

Senate Bill No. 466—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment, employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

The question being on the adoption of the report of Senator Wright as a special committee of one.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Birdsall, Boynton, Breed, Campbell, Cogswell, Cohn, Curtin, Flint, Juilliard, Larkins, Mott, Strobridge, Thompson, and Wright—14.

NOES—Senators Anderson, Avey, Belan, Benson, Bryant, Butler, Caminetti, Carr, Cartwright, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Lyon, Regan, Rush, Sanford, Shanahan, and Tyrrell—21.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Cogswell, as a special committee of one, to amend as follows:

By striking out of Section 1, line 14, the word "hospital"; also, in line 25, strike out the comma after the word "vegetable" and all the rest of line 25 and all of line 26, and insert in lieu thereof a semicolon and the following: "*and provided, further*, that no female other than a graduate nurse shall be employed in any hospital more than fifty-six hours in any one week."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 466, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Birdsall, Brereton, Bissell, Campbell, Case, Chipman, Cohn, Curtis, Juilliard, Mott, Studwell, Thompson, and Wright—16.

NOES—Senators Anderson, Avery, Bolton, Bowers, Bryant, Butler, Cammann, Finn, Gordon, Grant, Hans, Hewitt, Jones, Kellar, Larkin, Lyon, Rogers, Rush, Sanford, Shanahan, and Tyrrell—21.

MOTION TO REFER TO JUILLIARD COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Juilliard, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 20, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "provided, however, that any female employed and permitted to work on the manufacturing of canned fruits, vegetables, hemp, jute or flax goods may work before or after, or before and after the regular hours of labor as above fixed, for the sole purpose of canning or preserving fruit or vegetables the product of the farm on which she resides, but not more than one day out of any week, and not more than ten days in any one year, and the hours of labor on said fruit or vegetables shall not exceed three hours in any one day."

AMENDMENT No. 2.

On page 3, after line 22, of the printed bill, insert a new section as follows:

"SEC. 3. If any section, provision or clause of this Act or the application thereof to any person or circumstance is held unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act and each section, provision or clause thereof irrespective of the fact that any one or more other sections, provisions, clauses or applications may be declared unconstitutional."

Motion carried.

REPORT AS TO SENATE AMENDMENT OF BILL.

SENATE CHAMBER, ALBANY, April 30, 1913.

MR. PRESIDENT: Your special committee of one to whom was referred Senate Bill No. 466, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

QUESTION DIVIDED.

On motion of Senator Wright, the Senate first took up the consideration of Amendment No. 1.

The question being on the adoption of the report as to Amendment No. 1.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Birdsall, Brereton, Bissell, Cartwright, Chipman, Cohn, Finn, Mott, Thompson and Wright—10.

NOES—Senators Anderson, Avery, Bolton, Bowers, Bryant, Butler, Cammann, Case, Curtis, Finn, Gordon, Grant, Hewitt, Jones, Juilliard, Kellar, Larkin, Lyon, Rogers, Sanford, and Shanahan—23.

Report as to Amendment No. 2 read, and refused adoption.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 466 passed by the following vote:

AYES—Senators Anderson, Avery, Bolton, Bowers, Birdsall, Brereton, Bissell, Bryant, Butler, Cammann, Campbell, Cartwright, Case, Curtis, Finn, Finn, Gordon, Grant, Hans, Hewitt, Jones, Juilliard, Kellar, Larkin, Lyon, Rogers, Sanford, Shanahan, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER RESET.

On motion of Senator Sanford, the consideration of Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof—with the pending amendments, was made a special order for Thursday, May 1, 1913, immediately after the special order already set.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Also: Assembly Bill No. 1416—An Act to amend Section 626o of the Penal Code of the State of California, relating to the shooting of wild ducks.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HANS, Chairman.

Assembly Bills Nos. 2058 and 1416 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings locating on abutting property.

Also: Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CARR, Chairman.

Assembly Bills Nos. 563 and 2075 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1762—An Act to amend the Penal Code of California by adding thereto a new section to be known as Section 266*h* of the Penal Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

Senate Bill No. 1762 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies, relating to future assessments.

Also: Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California to be known as Section 2567*a*, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

Also: Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633*a*, relating to the time for notice of loss in casualty or accident insurance policies.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BRYANT, Chairman.

Assembly Bills Nos. 1561, 1739 and 1740 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1054—AN ACT to amend Section 2 of an Act entitled "An Act to provide for consolidation of municipal corporations," approved March 13, 1909—have had the same under consideration, and respectfully report back a committee substitute for the same and recommend that the committee substitute do pass.

CARR, Chairman.

Senate Bill No. 1664 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1374—AN ACT to add a new section to the Political Code, to be known as Section 3056b, relating to the duty of assessor in equalizing assessment books.

Also: Assembly Bill No. 1264—AN ACT to amend Section 4270 of the Political Code, relating to the salaries and fees of officers of counties of the fourth second class.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BREED, Chairman.

Senate Bill No. 1373 ordered on file for second reading.

Assembly Bill No. 1264 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom were referred Senate Bill No. 337—AN ACT to amend Section 4070 of the Political Code of the State of California, relating to the assessing of property and taking statement by supervisors of a county when acting as a county board of equalization—have had the same under consideration, and respectfully report the same back without recommendation.

BREED, Chairman.

Senate Bill No. 337 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 671—AN ACT to provide for examining the county auditor and a report of commissioners in certain institutions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BREED, Chairman.

Assembly Bill No. 671 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 8—AN ACT appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of building, improving, and dredging the channel of San Rafael Creek, Marin, and the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 8 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 172—AN ACT to provide for the salary, clothing and maintenance of a state

highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 172 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California—have had the same under consideration, and respectfully report the same back, with committee substitute, and recommend that the committee substitute do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1126 ordered on file.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto, to be known as Section 27—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Assembly Bill No. 1318 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 882—An Act to add a new section to the Penal Code to be designated as Section 378*a*, relating to the transportation of offal, swill, garbage, the carcasses of dead animals, and other refuse from one county or city and county into another county, and providing regulations governing the same—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JONES, Chairman.

Assembly Bill No. 882 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1065—An Act to amend Section 476*a* of the Penal Code of the State of California, relating to the making, drawing, uttering, or delivering of bank checks with intent to defraud.

Also: Senate Bill No. 1622—An Act to amend Section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Also: Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Also: Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered five hundred and ninety-seven *h*, providing for the extermination of the ground squirrel.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 1065 and 1335 ordered on file for second reading.

Senate Bills Nos. 1622 and 1396 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1288—An Act to amend Section 6 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, misbranded or poisonous foods and liquors and regulating the trade therein, providing penalties, authorizing a food laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 14, 1907.

Also: Assembly Bill No. 477—An Act to regulate the sale of beverages, drinks, cans, bottles, commodities and containers of all kinds, with the right and privilege of the original manufacturer thereof, providing for the enforcement of, and providing for penalties for the violation of, the provisions of this Act.

Have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Senate Bill No. 1288 ordered on file for second reading.
Assembly Bill No. 477 ordered on file for second reading.
Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 70—A resolution to propose to the people of the State of California amendments to the Constitution of the State of California by repealing Sections 1, 14, 15 and 16 of Article IV thereof and by adding a new section to said article to be numbered Section 1½ all relating to sessions of the Legislature—have had the same under consideration and respectfully report the same back, with amendments, without recommendation.

GATES, Chairman.

Senate Constitutional Amendment No. 70 ordered on file.
Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 68, relating to conduct of public officials.

Also: Senate Bill No. 1617—An Act to establish a tax on gifts, bequests, inheritances, bequests, devises, successions and transfers, to provide for the collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to enforce such liens against claims or liens arising hereunder; to repeal an Act entitled "An Act to establish a tax on gifts, bequests, successions, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to enforce such liens against claims or liens arising hereunder; to repeal an Act entitled "An Act to establish a tax on gifts, bequests, successions, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to enforce such liens against claims or liens arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 31, 1905, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act" approved April 7, 1911.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Assembly Bill No. 1128 ordered on file for second reading.
Senate Bill No. 1617 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 46—An Act to establish a state training school for girls to provide for the maintenance and management of the same and to make an appropriation therefor—and report that the same has been correctly engrossed.

GRANT, Chairman.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Gerdes, the Senate took up for consideration Senate Bill No. 46, out of order.

Senate Bill No. 46—An Act to establish a state training school for girls, to provide for the maintenance and management of the same and to make an appropriation therefor.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

By striking out of Section 14, page 4, line 30, the word "three", and inserting in lieu thereof the word "four".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 46, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

BILLS ORDERED ON FILE.

On motion of Senator Gerdes, Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426*a*, relating to the complaint in actions for divorce:

Also: Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905:

Were ordered from the file of unfinished business to third-reading file.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class—and appointed Assemblymen Wyllie, Judson and Slater as a committee on conference to meet a like committee from the Senate.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

COMMITTEE ON CONFERENCE APPOINTED.

The President pro tem. announced the appointment of Senators Gerdes, Hans and Cartwright as a committee on conference to meet with a similar committee from the Assembly on Assembly amendments to Senate Bill No. 364.

MESSAGES FROM THE ASSEMBLY—(RE-MSG.)

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to accede to the amendments to Senate Bill No. 847, An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their trains," approved February 20, 1911—and appointed Assemblymen Hewitt, Hayes and Bledsoe as a committee on the part of the Assembly to meet a like committee from the Senate.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

COMMITTEE ON CONFERENCE ASKED FOR.

The President pro tem announced the appointment of Senators Birdsall, Thompson and Juilliard as a committee on conference to meet with a similar committee from the Assembly on Assembly amendment to Senate Bill No. 847.

MESSAGES FROM THE ASSEMBLY—(RE-MSG.)

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1277—An Act making an appropriation for maintenance of the Fairground race track road.

Also: Concurred in Senate amendments to Assembly Bill No. 1276—An Act to make an appropriation for maintenance of the state road from Mooney Station to McKinney's.

Also: Concurred in Senate amendment to Assembly Bill No. 1275—An Act to make an appropriation for maintenance of the Tioga-Hazelton state road.

Also: Concurred in Senate amendment to Assembly Bill No. 1042—An Act appropriating money to pay the claim of the Pacific Independent Telephone Company against the State of California.

Also: Concurred in Senate amendment to Assembly Bill No. 711—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Concurred in Senate amendment to Assembly Bill No. 1276—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Also: Concurred in Senate amendment to Assembly Bill No. 782—An Act appropriating money to pay the claim of Tenbrunsel Cowen against the State of California.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

LEAVES OF ABSENCE.

Senator Hans was, on his own motion, granted leave of absence for the remainder of the week.

Senator Boynton was, on his own motion, granted leave of absence for May 1, 1913, after three o'clock p.m.

Senator Butler was, on his own motion, granted leave of absence for May 1, 1913.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p.m., on motion of Senator Gerdes, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, May 1, 1913.

The Senate met at ten o'clock a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 30, 1913, the further reading was dispensed with, on motion of Senator Rush.

PRESIDENT WALLACE IN THE CHAIR.

At ten o'clock and ten minutes a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

COMMUNICATIONS.

The President laid before the Senate, telegrams as follows:

Urging passage of anti-prize fight bill, from E. P. Ryland, representing sixty thousand people of Los Angeles.

Urging passage of bill regarding the ownership of land by aliens, from the Cooks' and Waiters' Union, of Oakland.

Also, from Oakland Machinists' Union.

Also, from Oakland Barbers' Union.

Also, from the Labor Council, of Oakland, representing eighteen thousand male taxpayers.

Also, from Alameda County Butchers, representing six hundred members.

Also, from Bartenders' Union, of Alameda County.

Also, from Teamsters' Union, of Oakland and Berkeley, representing eighteen hundred members.

COMMUNICATION TO SENATE.

The following communication was received and read:

PASADENA, CAL., April 30, 1913.

Lieutenant Governor A. J. WALLACE, *Sacramento, Cal.:*

We respectfully protest Senate Bill 771, believing its passage will seriously hamper investments in electric railway companies, thereby preventing building of new lines and needed extensions which the public demands; also, probably result in impairment of service and equipment.

PASADENA BOARD OF TRADE.

L. H. TURNER, President.
H. A. BERTONNEAU, Secretary.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed Assembly Bill No. 2080—An Act to provide for a general system based upon investigation as to merit, efficiency and fitness for appointment to and holding state civil service offices and employments; prescribing certain rules relating and in that behalf, to create a state civil service commission, to prescribe the powers and duties, to make the lawful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith, to take effect immediately, and to appropriate money to carry out the purposes of this Act, and to make an appropriation therefor.

Also: Assembly Bill No. 2085—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1903, relating to contracts for public works.

Also: Assembly Bill No. 1378—An Act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the boundaries and limits thereof as the landowners desire and the board of supervisors of the county in which the same are found; providing for the power of supervisors of the county in which any county or whole city of the said proposed to said districts are located; providing for the acquisition and construction by said districts of works for the irrigation of the lands embraced therein and for the distribution thereof of water for irrigation purposes; providing for the payment of the costs thereof by a tax levied on the taxable property therein; providing for the issuance of the bonds of said districts; providing that said bonds may be exchanged for the warrants issued by said districts; providing for the appointment by the supervisors of the county in which said district is located of three disinterested freeholders of said district as commissioners to appraise the property of said district; providing for the appointment by the board of three freeholders engineers; providing for the appointment of said boards by the State Superintendent of Banks in case said supervisors fail to appoint; providing that said boards shall be sworn; providing for the duties of said boards; providing that said boards shall be sworn; providing for the duties of said boards; providing that said boards shall be sworn; providing for the duties of said boards

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1670, An act to establish a legislative counsel bureau and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1670 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1070, An act to amend Section 1776 of the Political Code of the State of California, relating to and defining the terms of the Orphans' Guardian for the third and 4th Judicial

Also: Senate Bill No. 1071—An act to amend Section 1776 of the Political Code of the State of California, relating to the election of members of high school boards.

Also: Senate Bill No. 1072—An act to amend sections 1 and 2 of an act entitled "An act to provide for the establishment and maintenance of county high schools, and to provide for the payment of the expenses thereof, and repealing all acts and parts of acts in conflict therewith," approved March 16, 1907, and all acts amendatory thereof, relating to the establishment of county high schools, and to provide for the payment of the expenses thereof, and repealing all acts and parts of acts in conflict therewith, and to provide for the joint construction of county buildings to be used jointly for county and municipal purposes.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1069, 1071 and 1072 referred to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly concurs in the following amendments to Senate Bill No. 1072, An act to amend Section 1776 of the Political Code of the State of California, relating to the establishment of county high school districts in high school districts and to the inclusion of school districts from time to time within high school districts.

Also: Senate Bill No. 1069—An act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 653f, providing that notice withdrawn shall be presumed after one month.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1072.

On page 2, strike out all of lines 1, 2, 3 and 4, and insert in lieu thereof the following: "schools shall after canvassing the returns, declare which proposition has received the majority of votes cast upon the proposition, and certify the result to the county superintendent of schools of the county, who shall thereupon, in their discretion, make an order including such school district from the high school district from which it has been excluded, or excluding such school district from the high school district from which it has been included, as the case may be; provided, however, that no school district shall be excluded from a high school district by an order including territory in such high school district unless such order excluding such territory from such high school district shall also include territory which shall contain a number of pupils between the ages of five and twenty-one years, equal to the number of such pupils residing in the territory included in such high school district by such order; provided, however, that no order excluding territory from a high school district shall be made which will reduce the assessed valuation of the territory remaining in such high school district to less than the assessed valuation of the territory included in such high school district by such order, as shown by the last assessment of the county or counties in which such high school district is located. The power of the board of supervisors concerning a school district as to including it from, or excluding it from, a high school district, shall be exercised by their order in the matter of including a high school district in a high school district, or excluding a high school district from a high school district, and he shall also make a copy thereof, and file the same with the clerk of such county in which said part of such high school district is situated, who shall enter it in the record of high school districts."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1072?"

The roll was called, and Assembly amendments to Senate Bill No. 1072 concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Bunning, Cloud, Evans, Finnigan, Gaynor, Gerdes, Hatch, Hayes, Hewitt, Hoyt, Inman, Jones, Kehoe, Mott, Owens, Rush, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—26.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL No. 1207.

(Amendment adopted April 29, 1913.)

On page 1, line 9, of the printed bill, after the word "building," insert the following: "An exhaust duct of a building as defined by the Code of any district, or any other provision of law, building officers, plumbers and contractors for work for exhaust or a room or series of rooms, or".

The provisions of this Act shall not apply to buildings having a space of about or equivalent thereof used to which all the provisions thereof, including exhaust and those, and of incombustible material and the entire area of floor, under or underlying provisions".

(Amendment adopted April 24, 1913.)

On page 2, line 3, strike out the period after the word "provisions" and insert in lieu thereof a comma and the following: "but in any building adapted, altered, and maintained for use from which or as connected as to comply with the provisions of municipal ordinances having to the contrary".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 1207?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 1207 by the following vote:

Ayes—None.

Noes—Senators Anderson, Bennett, Boynton, Breed, Burke, Campbell, Caminetti, Cogswell, Finn, Flint, Gates, Gaylord, Hewitt, Jones, Kehoe, Mahe, Owens, Rush, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—20.

REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON BANKS.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Banks, to whom was referred Assembly Bill No. 1491—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 3000—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1491 ordered on the list for second reading.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills have examined the following:

Senate Bill No. 1132—An Act providing for the organization of water districts by the board of supervisors of the different counties of the State when petition signed by the landowners; providing that the said organization shall consist of lands in the landowners (board) and the board of supervisors of the county in which the lands are located; providing for the duties of supervising inspection of the various officers of such county in which any of the lands contained in said districts are located; providing for the appointment and compensation of such officers; providing for the appointment of engineers to make surveys and estimates; providing for the filing of the boundaries of said districts; providing for the organization of the board of directors of said districts; providing for the election of directors; providing for the powers of said boards of directors; providing for the acquisition of water for irrigation purposes; providing for the acquisition of the rights thereto or of the land on the same; providing for the issuance of bonds of said districts; providing that said bonds shall be issued in denominations of not less than one hundred dollars nor more than one thousand dollars; providing that the proceeds of said bonds shall be used for the purposes for which they were issued; providing for the payment of said bonds; providing for the levying of assessments; providing for the collection of assessments; providing for the sale of lands for delinquent assessments; providing for the redemption of lands sold for delinquent assessments; providing for the payment of the purchase money to the owners of lands sold for delinquent assessments; providing for the appointment of a board of appraisers; providing for the appointment of a board of equalization; providing for the appointment of a board of review; providing for the appointment of a board of control; providing for the appointment of a board of directors; providing for the appointment of a board of trustees; providing for the appointment of a board of commissioners; providing for the appointment of a board of supervis

Also: Senate Bill No. 175—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

Also: Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California.

Also: Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Also: Senate Bill No. 276—An Act to authorize the appointment of an interpreter of the Italian and Slavonian languages and their dialects, in criminal proceedings, in counties of the first class, and prescribing his duties and compensation.

Also: Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

Also: Committee Substitute for Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, at a state hospital, and to provide for the government and management thereof, and making an appropriation therefor.

Also: Senate Bill No. 681—An Act to create a "state bureau of criminal identification and investigation"; providing for the appointment of a board of managers of said bureau, defining the qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Also: Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having an organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of seventy-five thousand dollars therefor.

Also: Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the present Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

Also: Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Also: Committee Substitute for Senate Bill No. 1486—An Act relating to combinations, defining certain unlawful practices, and providing penalties for violations thereof, and repealing conflicting Acts.

Also: Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Also: Senate Bill No. 1765—An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Also: Senate Bill No. 1769—An Act to provide for the registration of and filing expense accounts by, legislative lobbyists and regulating the work of such lobbyists.

Also: Senate Bill No. 821—An Act appropriating money to pay the claim of R. D. Barton against the State of California.

Also: Senate Bill No. 1457—An Act appropriating moneys in the "accident prevention fund," for the purpose of enforcing and promoting safety in employment and places of employment.

Also: Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Also: Senate Bill No. 977—An Act to amend Sections 633 of the Civil Code, relating to building and loan associations.

Also: Senate Bill No. 976—An Act to amend Sections 637 and 638 of the Civil Code, relating to building and loan associations.

Also: Senate Bill No. 813—An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following bill:

SENATE BILL NO. 142—An Act to provide for the expenses of boards for conciliation and arbitration for the purpose of determining the entitlement of aliens to relief work.

ALSO: SENATE BILL NO. 5—An Act relating to the rights, powers and liabilities of aliens and of persons, companies, associations and corporations acting, claiming or proposing to act in this State connecting the residence of married women, the jurisdiction of courts and tribunals and the service of process upon them, and amending section 1 of an Act entitled "An Act to provide for the probate of wills and the granting of letters testamentary and of administration, and to repeal an Act entitled 'An Act concerning wills,' passed March 11, 1872, and all Acts amendatory thereof," approved March 26, 1880, and all Acts amendatory thereof.

ALSO: SENATE BILL NO. 6—An Act to amend section 1858 of the Code of Civil Procedure of the State of California, relating to the rights of married women, and to add a new section thereto, to be numbered 1858a, relating to property and liabilities thereof, and to repeal an Act entitled "An Act to amend section 1858 of the Code of Civil Procedure of the State of California, relating to the rights of married women," approved March 31, 1891, and all amendatory thereof.

ALSO: SENATE BILL NO. 84—An Act to add a new section to the Code of Civil Procedure, to be numbered 1170a, relating to certain landlords, and providing for the recovery of rent, where the tenant abandons, leaves, quits and refuses to occupy the same.

And reports that the same have been correctly engrossed.

GRANT, Chairman.

RECONSIDERATION OF VOTE

On motion of Senator Caminetti, the Senate took up for reconsideration the vote whereby Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget"—was refused adoption.

The question being on the motion to reconsider.

The roll was called and the vote whereby Senate Constitutional Amendment No. 21 was refused adoption reconsidered by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Burnett, Burnham, Caminetti, Campbell, Chan, Chipman, Curtin, Dennett, Flint, Gerdes, Gerrish, Hewitt, Hoyt, Inman, Johnson, Leavitt, Lewis, Lukens, Mott, Owens, Rush, Sanford, Shearer, Stetson, Strobridge and Wright—27.

NOES—None.

Senate Constitutional Amendment No. 21 ordered on file.

INTRODUCTION OF JOINT RESOLUTION

The following joint resolution was introduced:

By Senator Stetson: Senate Joint Resolution No. 6—Relative to acquisition of title under homestead law.

Resolution referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER)

The following report of standing committee was received:

ON ENGROSSED AND ENROLLED

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills, to which was referred Assembly Bill No. 2013—An Act to amend section 1858 of the Political Code relating to husband and wife property as community or separate, and to repeal an Act, and providing the jurisdiction of the Superior Courts therein, have examined the same and find the same correctly engrossed, and respectfully report the same back and recommend that it do pass.

BROWN, Chairman.

Assembly Bill No. 2013 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the present Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1064 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Mott, Owens, Sanford, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shanahan, and Wright—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1750 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 67—An Act appropriating money for building a horse barn, a swine barn, a pavilion and other farm buildings at the California Polytechnic School.

On motion of Senator Campbell, Senate Bill No. 67 was ordered to the file of unfinished business.

Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities and towns or other municipalities having one organization of the National Guard located therein, creating

a commission therefor, providing for repayment to the State, and appropriating the sum of fifty thousand dollars therefor.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1014 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Bryson, Boyd, Burnett, Butler, Cartwright, Caminetti, Campbell, Carpenter, Chandler, Cogswell, Cutten, Curtis, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Kehoe, Larkins, Leavitt, Lewis, Lukens, Mott, Owens, Rigdon, Rush, Sanford, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, and Wright—38.

NOES—None.

Senator Beban moved to amend the title as follows:

Strike out of line 6 the words "seventy-five," and insert in lieu thereof the word "fifty."

Amendment adopted.

Title as amended, read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 175—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 175 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Bryson, Boyd, Burnett, Butler, Caminetti, Campbell, Cartwright, Chandler, Cogswell, Cutten, Curtis, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Kehoe, Larkins, Mott, Owens, Rigdon, Rush, Sanford, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Committee Substitute for Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues, at a state hospital, and to provide for the government and management thereof and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 628 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Bryson, Boyd, Burnett, Caminetti, Campbell, Cartwright, Cogswell, Cutten, Curtis, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lewis, Mott, Owens, Rigdon, Rush, Shortridge, Stetson, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meeks's Station at the head of Tahoe state wagon road along the west shore of Lake Tahoe, to McKinney's.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 167 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Cartwright, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

QUESTION OF PERSONAL PRIVILEGE.

Senator Strobridge arose to a question of personal privilege, and stated that a San Francisco morning paper, in reporting the Chaplain of the Senate in favor of prize fighting, had done a great injustice to Mr. Naylor, and the Senator further stated that the Chaplain had appealed to him as the Senator of the district in which Mr. Naylor resides, to vote for the anti-prize fight bill, thus indicating the attitude of the Chaplain of the Senate, who is opposed to prize fights, but does not disapprove of boxing exhibitions.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 681—An Act to create a "state bureau of criminal identification and investigation," providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 681 passed by the following vote:

AYES—Senators Anderson, Beban, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 891 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cassidy, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1467—An Act appropriating moneys in the "accident prevention fund" for the purpose of enforcing and promoting safety in employment and places of employment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1467 passed by the following vote:

Ayes—Senators Anderson, Boynton, Breed, Brown, Burnett, Caminetti, Campbell, Carpenter, Cartwright, Cogswell, Cutten, Finn, Flint, Gerdes, Gerlach, Gerwer, Harris, Hatch, Holohan, Inman, Jones, Judkins, Lanagan, Leavitt, Lewis, Lukens, Mahan, Martin, Owens, Rigdon, Roseberry, Rush, Sanford, Saunders, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wolfe and Young—37.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 823—An Act appropriating money to pay the claim of R. D. Barton against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 823 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Butler, Caminetti, Campbell, Carpenter, Cartwright, Cogswell, Cutten, Finn, Flint, Gerdes, Gerlach, Gerwer, Harris, Hatch, Holohan, Inman, Jones, Judkins, Lanagan, Leavitt, Lewis, Lukens, Mahan, Martin, Owens, Rigdon, Roseberry, Rush, Sanford, Saunders, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wolfe and Young—42.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1084 passed by the following vote:

Ayes—Senators Anderson, Boynton, Breed, Brown, Burnett, Caminetti, Campbell, Carpenter, Cartwright, Cogswell, Cutten, Curtin, Finn, Flint, Gerdes, Gerlach, Gerwer, Harris, Hatch, Holohan, Inman, Jones, Judkins, Lanagan, Leavitt, Lewis, Lukens, Mahan, Martin, Owens, Rigdon, Roseberry, Rush, Sanford, Saunders, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wolfe and Young—42.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of nets, dams, nets, traps, or seines.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 52 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Caminetti, Campbell, Cartwright, Cutten, Curtin, Finn, Gerdes, Gerlach, Gerwer, Harris, Hatch, Holohan, Inman, Jones, Judkins, Lanagan, Lewis, Mahan, Martin, Owens, Rigdon, Rush, Sanford, Saunders, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wolfe and Young—37.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1362—An Act to amend Section 656 of the Civil Code of the State of California, relating to the ownership of wild animals while living.

On motion of Senator Finn, Senate Bill No. 1362 was ordered to the file of Unfinished Business.

Senate Bill No. 1440—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

In the absence of the author, Senate Bill No. 1440 was passed on file.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools in the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 824 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Brown, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Kehoe, Lyon, Rush, Shanahan, and Wright—21.

NOES—Senators Birdsall, Campbell, Cartwright, Gates, Jones, Juilliard, Larkins, Mott, Regan, Sanford, and Strobridge—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced:

By Senator Curtin: Senate Joint Resolution No. 36—Relative to alien land ownership.

Resolution referred to Committee on Federal Relations.

RUSH ORDER TO PRINTER.

On motion of Senator Curtin, the Secretary was directed to issue a rush order for printing Senate Joint Resolution No. 36.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 5—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

Read third time.

MOTION TO CONTINUE CONSIDERATION.

Senator Curtin moved that the further consideration of Senate Bill No. 5 be continued till Friday, May 2, 1913, at eleven o'clock a.m.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

PRESIDENT WALLACE IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

MOTION TO CONTINUE CONSIDERATION CARRIED

The question being on the motion of Senator Curtin
Motion carried

THIRD READING OF BILL—(DISPOSED OF)

Senate Bill No. 1420—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 2804, relating to disputes between employers and employees concerning terms and conditions of employment.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Bryant moved a call of the Senate.

Motion carried.

Time, twelve o'clock and thirty-one minutes p. m.

The President directed the Sergeant at Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ayer, Boynton, Bryant, Burnett, Caminetti, Campbell, Chandler, Cogswell, Cutten, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Inman, Jacobsen, Kehoe, Lanktree, Leale, Metz, Owens, Regan, Sanford, Saunders, Thompson, Tyrrell, and Wright—26.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At twelve o'clock and thirty-five minutes p. m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Bryant.

The roll of absentees was called, and Senate Bill No. 1420 was refused passage by the following vote:

AYES—Senators Boynton, Bryant, Caminetti, Campbell, Cutten, Flint, Gates, Gerdes, Grant, Jacobsen, Kehoe, Lanktree, Lyon, Regan, Sanford, Saunders, and Thompson—17.

NOES—Senators Anderson, Ayer, Burnett, Chandler, Cogswell, Curtin, Hewitt, Inman, Leale, Metz, Owens, Tyrrell, and Wright—13.

NOTICE OF MOTION TO RECONSIDER

Senator Bryant gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1420 was this day refused passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER)

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Revising and Engrossing, to which was referred Assembly Bill No. 1421—An Act to amend Section 18 of an Act entitled "An Act to define and regulate the business of banking," approved March 4, 1909, and amended April 21, 1911, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1421 ordered on file for second reading.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having passed, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Thompson asked and was granted unanimous consent to take up for consideration Senate Bill No. 1356, out of order.

Senate Bill No. 1365—An Act to amend Sections 655, 678 and 683 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer Senate Bill No. 1365 to Senator Thompson, as a special committee of one, to amend as follows:

By striking out of line 4, page 1, of the printed bill, the word "four", and inserting in lieu thereof the word "five".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1365, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 16—An Act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance of the same out of the school fund of the State of California, and providing for the conduct and management of the same.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, Section 2, line 7, after the period following the word "for", insert the following:

"Such use of the said schoolhouses, property and grounds shall be granted free; *provided*, that in case of entertainments where an admission fee is charged, a charge may be made for the use of said schoolhouses, property and grounds."

Amendment adopted.

AMENDMENT NO. 2

On page 2, strike out all of section 4.

Amendment adopted.

Bill read second time, and ordered for third reading.

Assembly Bill No. 803—An Act to authorize and encourage the establishment of kindergartens in connection with the public schools of California, and providing the manner in which funds for the support of public kindergartens shall be raised.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 3, of the title, strike out the letter "s" after the word "common-wealth" and insert in lieu thereof the letter "s".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 2015—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea, and to report on the advisability of establishing perpetual reservation of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of its officers and employes thereof, defining its powers and prescribing the duties of said department, its officers and employes, to provide the compensation of such officers and employes, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1881, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employes thereof, and to provide for the compensation of said officers and employes, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1895, also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commission of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts amendatory thereof, also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a delta commissioner,

and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act, approved April 1, 1897, and all Acts or parts of Acts amendatory thereof,' approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof, and by adding three new sections, to be numbered Sections 9*a*, 9*b* and 9*c*, relating to the powers and duties of the Department of Engineering, and making certain acts a misdemeanor, and repealing Section 1½ of said Act."

During second reading of the bill, the following amendment was offered by the committee:

On page 9, line 32, beginning at the word "four", strike out all up to and including the word "annum", on line 33, page 9, and in lieu thereof insert the following: "Six thousand dollars per annum and said payment of said six thousand dollars shall be made monthly out of the San Francisco harbor improvement fund".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1194—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies, relating to future assessments.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 9, after the period, insert a new sentence as follows: "*Provided, however*, that the provisions of this section shall not apply to any policy of a mutual fire insurance company".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1739—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633*a*, relating of fraud and irregularities in insurance policies and the time for payment.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 10, strike out the comma after the word "states", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out all of lines 11, 12 and 13.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2473a, relating to the time for notice of loss in casualty or accident insurance policies.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 10, strike out the word "thirty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 12, strike out the word "three," and insert in lieu thereof the word "ninety".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SENATOR CAMPBELL IN THE CHAIR

At two o'clock and ten minutes p.m., Senator Campbell, of the Seventeenth District, in the chair.

SECOND READING OF BILLS—CONTINUED.

Assembly Bill No. 363—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 2038—An Act to repeal Section 4 of an Act entitled "An Act to prevent the taking of fish by means of seine, fish nets, traps or seines in certain tidewater in the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1410—An Act to amend Section 626 of the Penal Code of the State of California, relating to the shooting of wild fowls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1264—An Act to amend Section 4291 of the Political Code relating to the salaries and fees of officers of counties of the twenty second class.

During second reading of the bill, the following amendment was offered by the committee:

On page 3, line 12, strike out the words "three thousand and no hundred" and substitute in lieu thereof the following: "four thousand".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying, improving, and dredging the channel of San Rafael Creek.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all of Sections 2 and 3, and insert in lieu thereof the following:

"SEC. 2. All expenditures hereunder for labor, material, machinery, or any payment in whole or in part of any contract shall before being paid be audited by the state board of control as provided by law.

SEC. 3. None of the moneys hereby appropriated shall be available until the city of San Rafael shall have appropriated and deposited with the state treasurer the sum of forty thousand dollars, to be used for the purposes of and in the manner mentioned in this Act, which moneys the state treasurer is authorized to receive and place to the credit of the fund for the money hereby appropriated and all of said moneys shall then be available for the purposes mentioned in this Act.

SEC. 4. The state controller is hereby directed to draw his warrant on the state treasurer from time to time on the total of the moneys mentioned in this Act and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, line 3, of the printed bill, strike out the semicolon after the word "permitted", and insert in lieu thereof a comma, and strike out the rest of line 3 and all of lines 4, 5 and 6, and insert in lieu thereof the following: "and such tolerances, and exemptions as to small packages, shall also be permitted as may be established by rules and regulations made from time to time by the secretary of the United States department of agriculture."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378*a*, relating to the transportation of offal, swill, garbage, the carcasses of dead animals and other refuse from one county or city and county into another county, and providing regulations governing the same.

During second reading of the bill, the following amendment was offered by the committee:

Amend the title by striking out in line 4 the words "the carcasses of dead animals"; also strike out the comma following the word "animals".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1065—An Act to amend Section 476*a* of the Penal Code of the State of California, relating to the making, drawing, uttering, or delivering of bank checks with intent to defraud.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Bill read second time, and ordered on file for third reading.

Assembly Bill 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with name and address of the original manufacturer thereof, providing for the enforcement of and providing for penalties for the violation of the provisions of this Act.

On motion of Senator Thompson, Assembly Bill No. 477 was passed on file.

Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 96, relating to conduct of public officials.

During second reading of the bill the following amendment was offered by the committee:

On page 1 and 2 of the printed bill, [illegible] to line 2 page 2, strike out all the remainder of the bill, being lines 3 to 16, inclusive, on page 2 and all of page 3, and in lieu thereof insert the following:

"96. Any state senator, member of the assembly, commissioner or appointee to be by a commissioner of any board or department, who shall, either for himself or as agent, directly or indirectly, receive or agree to receive any compensation, reward or gratuity from any person, or who shall, either for himself or as agent, directly or indirectly, receive or agree to receive any compensation, reward or gratuity from any corporation, company, association, syndicate, trust or other combination, or from any officer, agent or employee thereof, or guardian, trustee or other person holding or controlling the property or business of any person,

Also: Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District No. 999," and providing for the control and management thereof.

Also: Senate Bill No. 1262—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Also: Senate Bill No. 694—An Act to amend Section 1597 of the Political Code, relating to the time that polls shall be open at elections in school districts.

Also: Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

Also: Senate Bill No. 939—An Act to create a drainage district to be called "Knight's Landing Ridge Drainage District"; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds.

Also: Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Also: Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered thirteen hundred and fourteen, and relating to the nomination of guardians by persons who may afterward become insane or incompetent.

Also: Senate Bill No. 138—An Act to amend Sections 1763 and 1764 of the Code of Civil Procedure in relation to the appointment of guardians of insane and incompetent persons.

Also: Senate Bill No. 631—An Act to amend Section 817 of the Penal Code, relating to peace officers.

Also: Senate Bill No. 687—An Act to amend Section 1183 of the Civil Code of the State of California, relating to proof or acknowledgement of an instrument made without the United States.

Also: Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Senate Bill No. 691—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Also: Senate Bill No. 692—An Act confirming and validating the organization of school districts.

Also: Senate Bills Nos. 863 and 1991—An Act to amend Sections 1986 of the Code of Civil Porcedure, both relating to subpœna.

And report that the same have been correctly enrolled, and presented the same to the Governor on this thirtieth day of April, 1913, at four o'clock and thirty minutes p.m.

GRANT, Chairman.

SECOND READING OF BILLS.

On motion of Senator Gerdes, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the State and improving the navigability of such streams and for acquiring land for necessary rights of way.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1772—Appropriating money for the purchase of land for the Fresno State Normal School.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 115—An Act appropriating money for the erection and equipment of an [illegible] at the Stockton State Hospital.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 63—An Act to provide one additional judge of the Superior Court of the county of Riverside.

During second reading of the bill, the following amendment was offered by the Committee on County Government:

[illegible]

Amendment lost.

During second reading of the bill, the following amendments were offered by the Committee on Finance:

Amendment No. 1

[illegible]

Amendment adopted.

Amendment No. 2

[illegible]

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 1767—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be known as Section 266k of the Penal Code.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1654—An Act to amend section 2 of an Act entitled "An Act to provide for consolidation of municipal corporations," approved March 11, 1909.

During second reading of the bill, the following committee substitute was offered by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1654

An Act to provide for the consolidation of municipal corporations.

The people of the State of California do enact as follows:

Section 1. Municipal corporations organized in the same county may be consolidated in accordance with proceedings had and taken under the provisions of this Act. Whenever municipal corporations are proposed to be consolidated under the provisions of this Act, the city of such municipal corporations which has the greatest population as shown by the last federal census or by the state [illegible]

Sec. 2. Whenever a petition, signed by not less than ten per cent of the qualified electors of any municipal corporation, as shown by the last assessment of electors of the county in which such municipal corporation is situated, [illegible] with the legislative body thereof asking that such municipal corporation and any other municipal corporation contiguous thereto, designated in such petition, and having a greater population, be consolidated, such legislative body must, within [illegible] days, call a special election and submit to the electors of both municipal corporations the question whether such municipal corporations shall be consolidated. Such legislative body shall cause notice to be given of such election and the publication of a notice thereof, or a resolution of general circulation. A map which shall be printed and published in such municipal corporation as designated to be consolidated with such other municipal corporation, at least once a week for a period of four

consecutive weeks next preceding the date of such election. If there be no such newspaper, then such legislative body shall cause notice of such election to be given by the publication thereof in a newspaper of general circulation, printed and published in the county in which such municipal corporation is situated, and by posting such notice in three public places in such municipal corporation, at least four weeks prior to such election. Such notice shall distinctly state the proposition to be submitted, the names of the municipal corporations proposed to be consolidated, and the date of such election, which date shall be within twenty days after the expiration of the publication of such notice. Such notice shall direct the electors to vote upon the question of such proposed consolidation in the manner hereinafter provided. Such legislative body is hereby empowered to, and it shall be its duty, to establish, and in such notice to designate, the voting precinct or precincts and the place or places at which the polls will be open for such election, which place or places shall be that or those commonly used as voting places in the municipal corporation in which such election is held, if any such there be. The legislative body of such municipal corporation is hereby empowered to, and it shall, appoint the officers of such election, who shall be, for each voting place, two judges and one inspector, each of whom shall be a qualified elector of the voting precinct in which he or she is appointed to act as an officer of such election. Upon the ballot to be used at such election, there shall be printed the words "Shall the cities of (giving names of municipal corporations proposed to be consolidated) be consolidated?" And opposite such proposition to be voted upon, and to the right thereof, the words "Yes" and "No" shall be printed on separate lines, with voting squares. If an elector shall stamp a cross (×) in the voting square after the printed word "Yes," the vote of such elector shall be counted in favor of such consolidation; and if an elector shall stamp a cross (×) in the voting square after the printed word "No," the vote of such elector shall be counted against such consolidation. The ballots used at such election, the opening and closing of the polls, and the holding and conducting of such election, shall be in conformity, as near as may be, with the general laws of this state concerning municipal elections, except as herein otherwise provided. The judges and inspector of such election for each polling place shall make returns on the closing of the polls, count the ballots, make a certificate and seal the ballots and tally sheets of the ballots cast at their respective polling places, doing so as nearly as practicable, in the manner provided in the laws of this state relating to general elections, and they shall thereupon deliver the ballots, tally sheets, and returns to, and deposit the same with the clerk of the legislative body of the municipal corporation in which such election was held. Such legislative body shall, at the time provided for its regular meeting next after the expiration of three days from and after the date of said election, meet and proceed to canvass said returns, and such canvass shall be completed at such meeting, if practicable, and in any event as soon as same can be, avoiding adjournment or adjournment over until said canvass is completed. Immediately upon the completion of such canvass, said legislative body shall declare the result of such election and shall cause a record thereof to be made and entered upon its minutes, stating the proposition so submitted, and showing the whole number of votes cast thereon in each municipal corporation, the number of votes cast therein in favor of consolidation, and the number of votes cast therein against consolidation.

SEC. 3. If it shall appear from the canvass of the returns of the election mentioned in section two of this Act, that a majority of all the votes cast in the municipal corporation in which such election was held, upon the question of consolidation submitted at such election, are in favor of such consolidation, the clerk of the legislative body of such municipal corporation, shall forthwith make, under the seal thereof, and deliver to the clerk of the legislative body of the other of the municipal corporations proposed to be so consolidated, to wit: the municipal corporation having the greater population, a copy in duplicate, of the record of such canvass, together with a statement of the proposition submitted at such election. The clerk of the legislative body of such municipal corporation so having the greater population shall present one such copy of said record and said statement to such legislative body without delay, and retain the other to be filed as hereinafter provided. Upon receiving the copy of such record so presented, such legislative body must then submit to the electors of such other of the municipal corporations so proposed to be consolidated and having the greatest population, the question whether such consolidation shall be effected. Such question may be so submitted at the next general municipal election to be held in such municipal corporation, or it may be so submitted prior to such general election, whether either at a special election called therein for that purpose, or at any other special municipal election therein, except an election at which the submission of such question is prohibited by law. Whenever such question is submitted at any election in such municipal corporation, such question shall be stated in the notice of such election and on the ballots to be used at such election, and the electors shall vote thereon, in the same manner as hereinbefore provided in the case of the election mentioned in section two of this Act. And whenever such question is submitted at any such municipal election, general or special, as provided in this section, it shall be submitted and voted upon as other questions are required by law to be submitted and voted upon at such elections, except in particulars otherwise in this Act set forth; and the laws applicable to

and governing the time and manner of giving notice, conducting ballots, canvassing the returns, and declaring the result of any such election shall apply to and govern the submission of such question to the electors of such municipal corporation at any such election.

SEC. 4. Immediately upon the completion of the canvass of the returns of any election in the municipal corporations named the governing committee of said municipal corporations proposed to be consolidated, at which the question of such consolidation was submitted, as provided in section three of this Act, the chairman or clerk of such municipal corporation having the greatest population shall declare the result of such election and shall cause a record to be made and entered upon the minutes of the proceedings of the governing committee of such municipal corporation stating the proposition submitted and showing the total number of votes cast in each municipal corporation upon the question, the number of such votes cast in favor of consolidation, and the number thereof cast against consolidation. If it shall appear from the canvass of the returns of such election that a majority of the qualified electors of each municipal corporation voting on the question of such consolidation cast in favor thereof, provided no other municipal corporation named in the petition filed as provided in section one of this Act shall have failed to receive a majority of the votes cast at such election in favor of consolidation, and provided further, that the governing committee of each municipal corporation shall promptly make and certify, under the seal thereof, and transmit to the secretary of state a copy of the record of the proceedings and canvass of the election in such municipal corporation having the greatest population at which the question of such consolidation was submitted, and a duplicate thereof, as provided in this section, and also shall file with the secretary of state a statement showing the total number of votes cast in each municipal corporation proposed to be consolidated, and the number of votes cast for and against consolidation, and shall also

election was held, shall forthwith deliver a copy in duplicate of such record and statement to the clerk of the legislative body of the other of the municipal corporations so proposed to be consolidated, and having the greater population. Thereupon the question of such consolidation shall be submitted to the electors of such other municipal corporation at an election therein, and in the same manner in all respects as provided in section three of this Act. And upon the canvass of the returns of such election, if it shall appear therefrom, that a majority of the votes cast at such election in such other municipal corporation having the greater population, upon the question of such consolidation, are in favor thereof, the same proceeding shall be had as provided in section four of this Act, and such consolidation shall be deemed to be, and shall be completed in the same manner, and with the same effect as in said section provided. After the completion of the consolidation of such municipal corporations, as hereinbefore provided, the property in the one of such municipal corporations so consolidated, not having the greater population, shall thereafter be taxed equally with the property in the one of such municipal corporations having the greater population and that originally incurred, or authorized the incurring of the bonded indebtedness specified in the petition for such consolidation.

SEC. 6. Nothing in this Act contained shall be construed to prevent the submission to the electors of any municipal corporation having a greater population than either of the other municipal corporations proposed to be consolidated therewith, as separate propositions to be voted upon separately at one and the same election in the municipal corporation so having the greater population, of the questions of the consolidation therewith of two or more such other municipal corporations, each of which is contiguous to such municipal corporation having the greatest population. Whenever, upon proceedings had and taken, and at elections called and held in accordance with the provisions of this Act, the electors of each of two or more such other municipal corporations have voted in favor of the consolidation thereof with the same municipal corporation, having the greatest population, the legislative body of such municipal corporation must submit to the electors thereof, as separate propositions, each to be voted upon separately and without regard to any of the others, the question whether each such other municipal corporation shall be consolidated with such municipal corporation so having the greatest population. Such questions may be so submitted at the next general municipal election to be held in such municipal corporation, or they may be so submitted prior to such general election, either at a special election called therein for that purpose, or at any other special election therein, except an election at which the submission of such questions is prohibited by law. The notice of such election shall state, as separate propositions to be submitted at such election, the question of the consolidation of each such other municipal corporation, in the same manner as hereinbefore provided in the case of the notice of an election in such municipal corporation at which the question of the consolidation of only one other municipal corporation therewith is submitted; and the question, as to each such other municipal corporation, shall be printed upon the ballots to be used at such election and the same shall be voted upon, separately, in like manner as hereinbefore provided in the case of the submission of the question of the consolidation therewith of one such other municipal corporation. The provisions of this Act shall apply to the holding and conducting of such election in all respects the same as in the case of an election when only one such question is submitted; *provided, however*, that the consolidation of such municipal corporation having the greatest population and any other municipal corporation or corporations, upon the question or questions of which consolidation a majority of votes cast thereon at such election shall have been cast in favor thereof, shall not be affected or prejudiced in any manner, in the event that a majority of the votes cast at such election upon the question or questions of the consolidation of such municipal corporation having the greatest population and any other municipal corporation or corporations shall have been cast against such consolidation.

If it shall appear from a canvass of the returns of such election, that a majority of the qualified electors of such municipal corporation having the greatest population, voting separately upon the question of the consolidation of the same and any one or more other municipal corporations are in favor thereof, the clerk or other officer performing the duties of clerk of the legislative body of such municipal corporation having the greatest population shall promptly make and certify, under the seal thereof, and transmit to the secretary of state, a copy of the record of the canvass of the returns of the election in such municipal corporation having the greatest population at which the questions of such consolidations were submitted, and entered upon its minutes as aforesaid, and one of the copies delivered to him as aforesaid, of the record of the canvass of the returns in each of the other municipal corporations proposed to be consolidated, together with a statement showing the date of the elections in such municipal corporation and in each such other municipal corporation proposed to be consolidated therewith, and the time and result of the canvass of the returns of such elections: *provided, however*, that the aforesaid record and statement as to any number of such consolidations may be included in one document. Upon the filing of said document in the office of the secretary of state, each such consolidation shall be deemed to be, and shall be complete, and

each municipal corporation as constituted with the territorial extension during the greatest population, shall be governed by the said chief or superintendent with control and power to act thereof from the date of such municipal corporation having the greatest population.

SEC. 7. Whenever a petition for the consolidation of any two municipal corporations has been received by the legislative body of one of them as provided by this Act, provided no other petition asking for the consolidation of the municipal corporation whose legislative body received such petition, or any other municipal corporation shall be presented to the legislative body of such municipal corporation, and such legislative body shall not publish the notice of the consolidation of such municipal corporation as provided herein until the question of the consolidation of the municipal corporations whose legislative body received the petition shall have been submitted to the electors of the municipal corporations whose legislative body received the petition, and a majority of electors voting upon such question in each municipal corporation shall have voted in favor of consolidation. If a majority of electors voting upon such question in such municipal corporation shall have voted against such consolidation, then the proceedings of such municipal corporations shall be void, and no further proceedings shall be had in relation to the consolidation of such municipal corporations. If a majority of the electors of each municipal corporation voting upon such question shall have voted in favor of consolidation, then the proceedings of such municipal corporations shall have been completed as in the case of such municipal corporations having the greatest population, and a majority of electors voting upon such question shall have voted against such consolidation.

SEC. 8. Upon the completion of the consolidation under the provisions of this Act of any of such municipal corporations with another municipal corporation having a greater population than any of the municipal corporations so consolidated therewith such municipal corporation so consolidated, other than the municipal corporation having the greatest population shall upon being so declared to be and shall be dissolved and disincorporated, and the municipality thereof shall be deemed to be and shall be terminated and extinguished. In the event that any one of any municipal corporations consolidated under the provisions of this Act having the greatest population, is governed under a Constitution charter framed and adopted under the authority of the provisions of this Act, the chief executive officer of such municipal corporation so consolidated thereof, shall be deemed to be and shall be merged therein, and shall be likewise possessed of the powers of, and the freeholders thereof, and as a part of such municipal corporation having the largest population, and in the event that the two or more municipal corporations consolidated under the provisions of this Act having the greatest population, shall be incorporated and organized as a municipal corporation under the general laws of the state providing for the organization, incorporation and government of municipal corporations, the other municipal corporations so consolidated therewith shall be merged with, and be deemed to be and shall be parts of such municipal corporation, and shall be governed in the same and as a part of the municipal corporation having the greatest population which shall succeed to the powers of the municipal corporations so consolidated therewith, and shall be subject to the same duties and obligations as having been granted under such laws, to which such municipal corporations are having been granted legislation enacted at the time of such consolidation; provided, however, that nothing herein contained shall be construed to prevent any such municipal corporation consolidated hereunder, from thereafter changing its form of government, or from surrendering its charter, and becoming a municipal corporation so governed under a freeholders' charter framed and adopting a new charter, after such consolidation, or to prevent any such municipal corporation of operation so governed as a municipal corporation under such charter, from changing its class under such laws as from time to time, or adopting a freeholders' charter for its government after such consolidation.

SEC. 9. Whenever municipal corporations are consolidated under the provisions of this Act, the one of such municipal corporations having the greatest population shall be deemed and taken to be and shall be the successor of each of the other municipal corporations consolidated therewith, and the one so succeeding thereto, or held to such joint municipal corporation, as to such property, assessed or levied or other or taxes thereof, or those of different, the same shall have been made, collection being continued, the consolidation proceedings shall be valid as to the one of such municipal corporations so consolidated having the greatest population, or such other or such other as may be designated by the proceedings for the consolidation of such municipal corporations so consolidated under the provisions of this Act, and the chief executive officer of such municipal corporation so consolidated under the provisions of this Act having the greatest population, or possessed of such other powers and duties as may be designated by the proceedings for the consolidation of such municipal corporations so consolidated under the provisions of this Act, and the treasurer, the auditor or possessed of such other powers and duties and treasurer, and they shall severally forthwith deliver all moneys, funds, books, papers, evidences and records in their custody, and all other property and every description, respectively, in their hands or under their control to the proper officers of such municipal corporation so consolidated having the greatest population.

SEC. 10. That any consolidation of municipal corporations effected under the provisions of this Act shall not affect any debts, demands, liabilities or obligations of any kind existing in favor of or against any such municipal corporations so consolidated at the time of such consolidation or any action or proceeding then pending in any court in which any such municipal corporation is or shall be

kind may be involved, or any action or proceeding brought by or against any such municipal corporation prior to such consolidation; but all such proceedings shall be continued and concluded, by final judgment or otherwise, in all respects the same as if such consolidation had not been effected. All ordinances of any municipal corporation consolidated under the provisions of this Act, except those of the one having the greater or greatest population shall immediately, upon such consolidation being effected, be deemed to be repealed and of no further force and effect: *provided, however*, that such repeal shall not operate to discharge any person from any liability, civil or criminal, then existing, nor to affect any prosecution then pending for any violation of any such ordinances, and all cases then pending in any justice's court, police court or court of any recorder, or other judicial municipal magistrate or officer of any of the municipal corporations so consolidated, except of the one having the greater or greatest population shall, upon such consolidation being effected, *ipso facto*, be deemed to be and be transferred to the justice's court, police court or court of any recorder, or other judicial municipal magistrate or officer of the one of such municipal corporations having the greater or greatest population which has jurisdiction of proceedings or misdemeanors or of other actions civil or criminal of the character so transferred: *provided, further*, that such repeal shall not apply to ordinances under which vested rights have accrued, or to ordinances relating to proceedings for street or other public improvements, or to proceedings for opening, extending, widening or straightening streets or other public places, or to proceedings for changing the grade thereof, all of which proceedings shall be continued and conducted by and under the authority of the municipal corporation so consolidated, having the greater or greatest population, with the same force and effect as if continued and conducted by and under the authority of the municipal corporation by which they were commenced. And all ordinances of the one of the municipal corporations consolidated under the provisions of this Act having the greater or greatest population, shall, upon the completion of such consolidation *ipso facto*, have full force and effect in and throughout the consolidated municipal corporations.

SEC. 11. That no property in any of the municipal corporations consolidated under the provisions of this Act shall ever be taxed to pay any portion of any indebtedness or liability of any of the other such municipal corporations, contracted or incurred prior to or existing at the time of such consolidation, unless the proceedings for such consolidation shall have been had in accordance with the provisions of section five of this Act, in which event the property in such municipal corporations shall be taxed as provided in said section. The legislative body of the one of the municipal corporations consolidated under the provisions of this Act having the greater or greatest population, shall provide for the payment of the indebtedness or liability of each of the other municipal corporations consolidated therewith, and shall levy and collect the necessary taxes therefor, and for that purpose, and for all other purposes, such greater or greatest in population of any municipal corporations consolidated under the provisions of this Act and its officers, shall be deemed the successor and successors of such other municipal corporations so consolidated therewith and their respective officers.

SEC. 12. In the event that the greater or greatest in population of any municipal corporations, consolidated under the provisions of this Act, shall be operating under a freeholders' charter, which charter shall at any time provide that a borough or boroughs may be established in any territory, or incorporated city or town, annexed to or joined to or consolidated with such municipal corporation, nothing in this Act contained shall prevent or be construed to prevent any other municipal corporation, or any portion thereof so consolidated with the municipal corporation so operating under such freeholders' charter, from becoming a borough under such freeholders' charter, to be established and governed as therein provided.

SEC. 13. All proper expenses of proceedings for the consolidation of municipal corporations under this Act, shall, if such consolidation be made and completed, be paid by the consolidated municipal corporation, and if such consolidation be not completed, each municipal corporation shall pay the expenses of calling and holding any election within such corporation at which the question of such consolidation was submitted.

SEC. 14. This Act shall in no wise affect an Act entitled "An Act to provide for the annexation of municipal corporations," approved March 11, 1899, or Acts amendatory to said Act, and this Act shall not apply to proceedings had or taken thereunder, but is intended to and does provide an alternative method for the consolidation of municipal corporations. When any proceedings for the consolidation of municipal corporations are commenced under this Act, the provisions of this Act, and of such amendments thereof as may hereafter be adopted, and none other, shall apply to such proceedings. This Act may be designated and referred to as the "Municipal Annexation Act of 1913."

Committee substitute read and adopted.

Bill read second time and ordered to print, engrossed and third reading.

Senate Bill No. 1373.—An Act to add a new section to the Political Code to be known as Section 3670c, relating to the duty of assessors in compiling assessment books.

During second reading of the bill the following amendment was offered by the committee:

On page 1, Section 1, line 10, strike out the period after the word "district", and insert in lieu thereof the following: a comma and the words "provided, that this section shall not apply to counties in which there are fourteen (14) or more school districts."

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

Senate Bill No. 337.—An Act to amend Section 3670 of the Political Code of the State of California, relating to the subpoena of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Bill read second time, ordered engrossed and on the file for third reading.

Senate Bill No. 173.—An Act to provide for the survey, location and construction of a state highway from a point known as the Dragon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out the title of the printed bill and insert in lieu thereof the following:

"An act to lay out, survey, construct and reconstruct as a state highway from a point known as the Dragon House, in the county of Yuba, thence to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 6, in the printed bill, strike out the word "seventy-five" and insert in lieu thereof the word "four."

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 8, of the printed bill, strike out the comma immediately following the word "engineering" and insert in lieu thereof the word "and."

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 9, of the printed bill, strike out the words "and construction."

Amendment adopted.

AMENDMENT No. 5.

On page 4, beginning with the words "In" in line 5, strike out all of the bill including the word "cents" in line 9.

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 11, of the printed bill, after the word "survey", strike out the comma (,) and insert the word "and".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 11, of the printed bill, strike out the words "and construction".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 4, of the printed bill, strike out the word "various".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 10, of the printed bill, after the period following the word "completion" add the following: "Road construction shall commence at Goodyear Bar and be carried on continuously from that point."

Amendment adopted.

AMENDMENT No. 10.

On page 2, beginning at line 17, of the printed bill, strike out all of Section 4

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1622—An Act to amend Section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 597*h*, providing for the extermination of the ground squirrel.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1288—An Act to amend an Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1617—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and trans-

fers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising thereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

During second reading of the bill, the following amendment was offered by the committee:

AMENDMENT No. 1

Strike out all of the Act following line 2 on page 2 of the printed bill and in lieu thereof insert the following:

(b) The words "estate" and "property" as used in this Act shall be taken to mean the real and personal property or interest therein of the testator, intestate, grantor, bargainor, vendor or donor passing or transferred to individual legatees, devisees, heirs, next of kin, grantees, donees, vendees or successors and shall include all personal property within or without the state.

(c) The word "transfer" as used in this Act shall be taken to include the passing of property or any interest therein, in possession or enjoyment, present or future, by inheritance, descent, devise, succession, bequest, grant, deed, bargain, sale, gift or appointment in the manner herein described.

(d) The word "decedent" as used in this Act shall include the testator, intestate, grantor, vendor or donor.

(e) The words "county treasurer" and "district attorney" and "inheritance tax appraiser," as used in this Act, shall be taken to mean the treasurer or the district attorney or the inheritance tax appraiser of the county of the superior court having jurisdiction, as provided in section fifteen of this Act.

(f) The words "contemplation of death," as used in this Act, shall be taken to include that expectancy of death which actuates the mind of a person on the execution of his will, and in no wise shall said words be limited and restricted to that expectancy of death which actuates the mind of a person in making a gift causa mortis; and it is hereby declared to be the intent and purpose of this Act to tax any and all transfers which are made in lieu of or to avoid the passing of property transferred by testate or intestate laws.

SEC. 2. A tax shall be and is hereby imposed upon the transfer of any property, real, personal or mixed, or of any interest therein or income therefrom, in trust or otherwise, to persons, institutions or corporations, not hereinafter exempted, to be paid to the treasurer of the proper county, as hereinafter directed, for the use of the state, in the following cases:

(1) When the transfer is by will or by the intestate or inheritance laws of this state, from any person dying seized or possessed of the property while a resident of the state, or by any [illegible] and apart from said property.

(2) When the transfer is by will or intestate laws, of property within this state and the decedent was a non-resident of the state at the time of his death.

(3) When the transfer is of property made by a resident, or by a non-resident when such non-resident's property is within this state, by deed, grant, bargain, sale, assignment or gift, made without valuable and adequate consideration, in contemplation of the death of the grantor, vendor, assignor or donor, or intended to take effect in possession or enjoyment at or after such death. When such person, institution or corporation becomes beneficially entitled in possession or expectancy to any property or the income therefrom by any such transfer, whether made before or after the passage of this Act.

SEC. 3. (a) Whenever any person or corporation shall be given a power of appointment by virtue of any disposition of property made before or after the passage of this Act, such gift of power of appointment shall, under the provisions of this Act, be deemed a transfer made from the donor of said power to the donee thereof and taxable upon said donor's death.

(b) Whenever a decedent appoints one or more executors or trustees and makes a bequest or devise of property to them in lieu of commissions or allowances, which otherwise would be liable to said tax, or appoints them his residuary legatees, and said bequests, devises, or residuary legacies exceed what would be a reasonable compensation for their services, such excess over and above the exemptions herein provided for shall be liable to said tax; and the superior court in which the probate proceedings are pending shall fix the compensation.

(c) Where any property shall, after the passage of this Act, be transferred subject to any charge, estate or interest, determinable by the death of any person, or at any period ascertainable only by reference to death, the increase accruing to any person or corporation upon the extinction or determination of such charge, estate or interest, shall be deemed a transfer of property taxable under the provisions of this Act in the same manner as though the person or corporation beneficially entitled thereto had then acquired such increase from the person from whom the title to their respective estates or interests is derived.

SEC. 4. Such taxes shall be and remain a lien upon the property passed or transferred until paid, and the person to whom the property passes or is transferred, and all administrators, executors and trustees of every estate so transferred or passed, shall be liable for any and all such taxes until the same shall have been paid as hereinafter directed. The provisions of the Code of Civil Procedure relative to the limitation of time of enforcing a civil remedy shall not apply to any proceeding or action taken to levy, appraise, assess, determine, or enforce the collection of any tax or penalty prescribed by this article and this section shall be construed as having been in effect as of date of the original enactment of the inheritance tax law: *provided*, that unless sued for within five years after they are due and legally demandable, such taxes, or any taxes accruing under any Act herein repealed, shall cease to be a lien as against any bona fide purchaser of real property: *and provided*, that no such lien shall cease within five years from the date of the passage of this Act. The tax so imposed shall be upon the market value of such property at the rates hereinafter prescribed and only upon the excess over the exemptions hereinafter granted: *and provided*, that in determining said market value no deduction shall be made for any family allowance made out of said estate.

SEC. 5. When the property or any beneficial interest therein so passed or transferred exceeds in value the exemption hereinafter specified and shall not exceed in value twenty-five thousand dollars, the tax hereby imposed shall be:

(1) Where the person or persons entitled to any beneficial interest in such property shall be the husband, wife, lineal issue, lineal ancestor of the decedent or any child adopted as such in conformity with the laws of this state, or any child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent (provided, however, such relationship began at or before the child's fifteenth birthday, and was continuous for said ten years thereafter), or any lineal issue of such adopted or mutually acknowledged child, at the rate of one per centum of clear value of such interest in such property.

(2) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister or a descendant of a brother or sister of the decedent, a wife or widow of a son, or the husband of a daughter of the decedent, at the rate of two per centum of the clear value of such interest in such property.

(3) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the father or mother or a descendant of a brother or sister of the father or mother of the decedent, at the rate of three per centum of the clear value of such interest in such property.

(4) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the grandfather or grandmother or a descendant of the brother or sister of the grandfather or grandmother of the decedent, at the rate of four per centum of the clear value of such interest in such property.

(5) Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the decedent, or shall be a body politic or corporate, at the rate of five per centum of the clear value of such interest in such property.

SEC. 6. The foregoing rates in section five are for convenience termed the primary rates. When market value of such property or interest exceeds twenty five thousand dollars, the rates of tax upon such excess shall be as follows:

(1) Upon all in excess of twenty-five thousand dollars and up to fifty thousand dollars, two times the primary rates.

(2) Upon all in excess of fifty thousand dollars and up to one hundred thousand dollars, three times the primary rates.

(3) Upon all in excess of one hundred thousand dollars and up to two hundred and fifty thousand dollars, four times the primary rates.

(4) Upon all in excess of two hundred and fifty thousand dollars and up to five hundred thousand dollars, five times the primary rates.

(5) Upon all in excess of five hundred thousand dollars and up to one million dollars, five times the primary rate and in addition thereto two and one half per centum of the clear market value of such interest in such property.

(6) Upon all in excess of one million dollars, five times the primary rate and in addition thereto five per centum of the clear market value of such interest in such property.

SEC. 7. The following exemptions from the tax are hereby allowed:

(1) All property transferred to societies, corporations, and institutions now or hereafter exempted by law from taxation, or to any public corporation, or to any society, corporation, institution, or association of persons engaged in or devoted to any

enjoyment or possession whereof there are persons or corporations presently entitled thereto, no allowance shall be made on account of any contingent incumbrance thereon, nor on account of any contingency upon the happening of which the estate or property or some part thereof or interest therein might be abridged, defeated or diminished; *provided, however*, that in the event of such incumbrance taking effect as an actual burden upon the interest of the beneficiary, or in the event of the abridgement, defeat or diminution of said estate or property or interest therein as aforesaid, a return shall be made to the person properly entitled thereto of a proportionate amount of such tax on account of the incumbrance when taking effect, or so much as will reduce the same to the amount which would have been assessed on account of the actual duration or extent of the estate or interest enjoyed. Such return of tax shall be made in the manner provided by section twelve hereof upon order of the court having jurisdiction.

(*c*) When property is transferred in trust or otherwise, and the rights, interest or estates of the transferees are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated, extended or abridged, a tax shall be imposed upon said transfer at the highest rate which, on the happening of any of the said contingencies or conditions, would be possible under the provisions of this Act, and such tax so imposed shall be due and payable forthwith by the executors or trustees out of the property transferred; *provided, however* that on the happening of any contingency whereby the said property, or any part thereof, is transferred to a person or corporation exempt from taxation under the provisions of this Act, or to any person taxable at a rate less than the rate imposed and paid, such person or corporation shall be entitled to a return of so much of the tax imposed and paid as is the difference between the amount paid and the amount which said person or corporation should pay under the provisions of this Act. Such return of overpayment shall be made in the manner provided by section twelve of this Act, upon order of the court having jurisdiction.

(*d*) Estates in expectancy which are contingent or defeasible and in which proceedings for the determination of the tax have not been taken or where the taxation thereof has been held in abeyance, shall be appraised at their full, undiminished value when the persons entitled thereto shall come into the beneficial enjoyment or possession thereof, without diminution for or on account of any valuation theretofore made of the particular estates for purposes of taxation, upon which said estates in expectancy may have been limited.

(*e*) Where an estate for life or for years can be divested by the act or omission of the legatee or devisee it shall be taxed as if there were no possibility of such divesting.

(*f*) The value of every future, or contingent or limited estate, income or interest, shall, for the purposes of this Act be determined by the rule, methods and standards of mortality and of value that are set forth in the actuaries' combined experience tables of mortality for ascertaining the value of policies of life insurance and annuities and for the determination of the liabilities of life insurance companies, save that the rate of interest to be assessed in computing the present value of all future interest and contingencies shall be five (5) per cent per annum. The insurance commissioner shall without a fee on the application of any superior court or of any inheritance tax appraiser determine the value of any future or contingent estate, income or interest therein limited, contingent, dependent or determinable upon the life or lives of persons in being, upon the facts contained in any such appraiser's application or other facts to him submitted by said appraiser or said court and certify the same in duplicate to such court or appraiser, and his certificate thereof shall be conclusive evidence that the method of computation therein is correct.

SEC. 10. (*a*) Any administrator, executor, or trustee having in charge or trust any legacy or property for distribution, subject to the said tax, shall deduct the tax therefrom, or if the legacy or property be not money he shall collect the tax thereon, upon the market value thereof, from the legatee or person entitled to such property, and he shall not deliver, or be compelled to deliver, any specific legacy or property subject to tax to any person until he shall have collected the tax thereon; and whenever any such legacy shall be charged upon or payable out of real estate, the executor, administrator, or trustee shall collect said tax from the distributee thereof, and the same shall remain a charge on such real estate until paid; if, however, such legacy be given in money to any person for a limited period, the executor, administrator, or trustee shall retain the tax upon the whole amount; but if it be not in money he shall make application to the superior court to make an apportionment, if the case require it, of the sum to be paid into his hands by such legatees, and for such further order relative thereto as the case may require.

(*b*) All executors, administrators, and trustees shall have full power to sell so much of the property of the decedent as will enable them to pay said tax, in the same manner as they may be enabled by law to do for the payment of debts of the estate, and the amount of said tax shall be paid as hereinafter directed.

(*c*) Every sum of money retained by an executor, administrator, or trustee, or paid into his hands, for any tax on property, shall be paid by him, within thirty days thereafter, to the treasurer of the county in which the probate proceedings are pending.

SEC. 11. Upon the payment to any county treasurer of any tax due under this Act, such treasurer shall issue a receipt therefor in triplicate, one copy of which he shall deliver to the person paying said tax, and the auditor and one copy thereof he shall immediately send to the auditor of state, whose duty it shall be to charge the treasurer so receiving the tax with the amount thereof, and such treasurer shall enter one of said receipts, and the tally he shall countersign and seal with the seal of his office, and immediately transmit to the clerk of the court having such tax. And an executor, administrator, or trustee shall not be entitled to a discharge from liability for such tax nor shall such estate be distributed, unless a receipt as required and countersigned by the auditor of state therefor certified by the clerk of said court, has been delivered to the county treasurer of the county where the executor, administrator or trustee is appointed, and duly entered upon the records of said treasurer for the payment of any tax under this Act.

SEC. 12. If any debts shall be proven against the estate of a decedent after the payment of any legacy or distributive share thereof, from which any such tax has been deducted or upon which it has been paid by the person entitled to such legacy or distributive share, and such person is required by the order of the probate court having jurisdiction, to refund the amount of such debts or any part thereof, an equitable proportion of the tax shall be repaid to him by the executor, administrator or trustee, if the tax has not been paid to the county treasurer, or if such tax has been paid to such county treasurer, such officer shall refund out of such legacy or any funds in the hands of such executor, administrator or trustee, or due from the county treasurer, such proportion of the tax and credit himself with the same in the account current required to be rendered by him under this Act. If after the payment of any tax in pursuance of an order fixing such tax, under or by virtue of this Act, such order is modified or reversed by the supreme court having jurisdiction within two years from and after the date of entry of the order fixing the tax, or is modified or reversed at any time on appeal taken thereafter within the time allowed by law in the case to the state treasurer, the county treasurer shall, subject to the executive administrative features pertaining thereto, pay to the person entitled to the same, the amount of any money paid in deposited on account of such tax in excess of the amount of tax fixed by the order appealed or reversed, and all such deficiencies by reason to be made up by him to the auditor of state, whose duty it shall be to charge the county treasurer with the amount of such refund, and credit himself with the same in the account required to be rendered by him to the auditor of state. No application for such refund shall be made after one year from such modification or modifications, unless an appeal shall be taken therefrom, in which case no such application shall be made after one year from the final determination of such appeal or of any appeal taken therefrom, and the determination of the probate, insolvency or distributive court of the amount of any refund to which any person entitled thereto is entitled, and the proportion of the refund to which any person entitled thereto is entitled, shall be conclusive upon the parties interested, unless appeal is taken as in other cases. No interest shall be allowed on any refund under this section, and the state auditor shall deduct from any refund to be made to any person interest at the rate of six per cent per annum on the amount of such refund from the date of payment to the date of such refund. This section as amended shall apply to appeals and proceedings now pending and taxes heretofore paid in relation to which the period of time from such payment or modification has not expired when this section, as amended, takes effect.

SEC. 13. If a foreign executor, administrator or trustee shall assign or transfer any stock or obligations in this state standing in the name of a decedent, or in trust for a decedent, liable to any such tax, the tax shall be paid to the treasurer of the proper county on the transfer thereof. No safe deposit company, trust company, corporation, bank or other institution, person or persons holding assets in its possession or under its control as depositary, trustee or otherwise, or otherwise owing to or belonging to or standing in the name of a decedent who was a resident of this state, or belonging to or standing in the joint names of such a decedent and one or more persons, including the shares of the capital stock of, or other interest in the safe deposit company, trust company, corporation, bank or other institution, liable for the tax imposed by this Act, shall deliver or transfer the same to the executor, administrator or trustee representative of said decedent, or to the survivor or survivors, when held in the joint names of a decedent and one or more persons, or upon their order or request, without retaining a sufficient portion or amount thereof to pay the tax due and payable or which may thereafter be assessed thereon under this Act until notice of the time and place of such delivery or transfer of such stock or obligations has been given in writing to the state treasurer at least ten days prior to such delivery or transfer, and such treasurer shall thereupon or sooner by him as evidence thereof, or in lieu thereof, a receipt in writing to said delivery or transfer and such treasurer shall issue and any safe deposit company, trust company, corporation, bank or other institution, person or persons from the obligation hereunder to give such notice or to withhold any of said stocks, bonds or other assets in their possession or control. And it shall be lawful for the state treasurer or county treasurer, personally or by representative, to examine said securities, deposits or assets at the time of said delivery or transfer. Failure to comply with the provisions of this section shall render such safe deposit company, trust company, corporation, bank or other institution, person or persons,

liable to a penalty of not less than one thousand ($1,000.00) dollars, nor more than twenty thousand ($20,000.00) dollars, and in addition thereto said safe deposit company, trust company, corporation, bank or other institution, person or persons shall be liable for the amount of the taxes, interest and penalties due under this Act on said securities, deposits, or other assets above mentioned, and said penalties and liabilities of said safe deposit company, corporation, bank or other institution, person or persons for the violation of this section may be enforced in an action brought by the state controller or county treasurer in any court of competent jurisdiction.

SEC. 14. The state controller shall appoint, and may at his pleasure remove, one or more persons in each county of the state to act as inheritance tax appraisers therein. Every such inheritance tax appraiser (in addition to any fees paid him as appraiser under Section 1444 of the Code of Civil Procedure) shall be paid by the county treasurer out of any funds that he may have in his hands on account of said tax, on presentation of a sworn itemized account and on the certificate of the superior court, at the rate of five dollars per day for every day actually and necessarily employed in said inheritance tax appraisement, together with his actual and necessary traveling and other incidental expenses, and the fees paid such witnesses as he shall subpoena before him which fees shall be the same as those now paid to witnesses subpoenaed to attend in courts of record; *provided*, that in any probate proceeding in which the executor or administrator shall have failed to take and file the inheritance tax appraiser Act as one of the appraisers under Section 1444 of the Code of Civil Procedure and to have paid him his fees therefor, the expense of making the inheritance tax appraisement in this Act provided for shall be paid out of said estate, and the executor or administrator thereof shall be liable for said fee. Any such appraiser who shall take any fee or reward other than such as may be allowed him by law, from any executor, administrator, trustee, legatee, next of kin, or heir of any decedent, or from any other person liable to pay said tax, or any portion thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than two hundred and fifty dollars nor more than two thousand dollars, or be imprisoned in the county jail ninety days, or both, and in addition thereto the court shall dismiss him from such service.

SEC. 15. The superior court in the county in which is situate the real property of a decedent, who was not a resident of the state, or if there be no real property, then in the county in which any of the personal property of such non-resident is situate, or in the county of which the decedent was a resident at the time of his death, shall have jurisdiction to hear and determine all questions in relation to the tax arising under the provisions of this Act, the court first acquiring jurisdiction hereunder shall retain the same, to the exclusion of every other; *provided*, that the superior court having acquired jurisdiction in probate of the estate of a decedent shall hear and determine in said probate proceedings all questions in relation to any tax arising under the provisions of this Act; (*a*) Upon property passing in said probate proceedings. (*b*) Upon any other property transferred within the meaning of Subdivision 3 of Section 2 of this Act, to any person, institution or corporation taking any property under and by virtue of said probate proceedings

SEC. 16. (*a*) When any superior court, having jurisdiction in probate of the estate of any decedent, or a judge of such court, shall, in accordance with Section 1444 of the Code of Civil Procedure, appoint the appraiser or appraisers in said section provided for, said superior court or judge thereof shall also at the same time designate and appoint an inheritance tax appraiser (unless such designation and appointment be previously made to ascertain and report to said superior court the amount of inheritance tax due upon any property passing in said probate proceeding, or a lien thereon, or upon any other property transferred within the meaning of Subdivision 3 of Section 2 of this Act, to any person, institution or corporation taking property under and by virtue of said probate proceedings, together with such other or additional information as shall assist said court in the determination of said tax. Thereupon said inheritance tax appraiser shall have all the powers of a referee of said superior court, and shall have jurisdiction to require the attendance before him of the executor or administrator of said estate, or any person interested therein, or any other person whom he may have reason to believe possesses knowledge of the estate of said decedent, or knowledge of any property transferred by said decedent within the meaning of this Act, or knowledge of any facts that will aid said appraiser or the court in the determination of said tax. For the purpose of compelling the attendance of such person or persons before him, and for the purpose of appraising any property or interest subject to, or liable for any inheritance tax hereunder, and for the purpose of determining the amount of tax due thereon, the said inheritance tax appraiser is hereby authorized to issue subpoenas compelling the attendance of witnesses before him. And he may examine and take the evidence of such witnesses or of such executor or administrator, or other persons under oath concerning such property and the value thereof, and concerning the property or the estate of such decedent subject to probate, and concerning any transfer made by such decedent within the meaning of this Act. Upon the completion of his inheritance tax appraisement in any probate proceeding, the inheritance tax appraiser shall make a report in writing to the superior court of the clear market value of the several interests in the estate of the decedent, and shall report the amount of inheritance or transfer tax chargeable against, or a lien upon such in-

forests acquired by virtue of said contract hereinbefore set out and thereafter during the existence of this Act, any persons, companies or corporations operating said property by virtue of said contract hereinbefore described and any such person, firm or corporation who shall succeed to the rights of any of the persons, companies or corporations operating said property by virtue of said contract hereinbefore described, shall be entitled to cut, remove and dispose of all timber, trees, logs, poles, cordwood, ties, lumber, shingles, bolts, staves, pulpwood, excelsior or other timber or forest products on the said forest land embraced in said contract, subject to the terms, conditions and provisions of said contract and of this Act.

(b) Upon the filing of such report such applicant shall pay a sum [illegible] to the state controller and the state controller shall thereupon give notice of such filing, by one publication in each of [illegible] newspapers of general circulation published in each of the counties in which any of the lands described in said report are situated, and by additional publication in two such newspapers published in the county of the state capital, to all persons claiming any part or all of said lands, that said report has been filed, and that on a day [illegible] days after the date of the last publication of said notice, he will proceed to examine said report and the matters and things therein contained, and to hear any objections that may be made thereto by any person claiming any interest in said lands, or any part thereof, adverse to the claim of said applicant, and that at the time of the publication of said notice

thereof, is subject to any such tax, the same shall be appraised and taxed as in other cases.

SEC. 18. If, after the expiration of eighteen months from the accrual of any tax under this article, such tax shall remain due and unpaid after the refusal or neglect of the persons liable therefor to pay the same, the county treasurer shall notify, or the state controller may notify, the district attorney of the county in writing of such failure or neglect, and such district attorney shall bring and prosecute an action or actions in the name of the state as plaintiff, for the recovery of such tax and for the purpose of enforcing any lien or liens existing on any of the property subject thereto. In any such action the owner of any property or of any interest in property against which the lien of any such tax is sought to be enforced, and any predecessor in interest of any such owner whose title or interest was deraigned through any such owner but by will or succession or by decree of distribution of the estate of such decedent, and any heir or incumbrancer subsequent to the lien of such tax may be made a party defendant. The enumeration in this section of the persons who may be made defendants shall not be deemed to be exclusive, but the joinder or non-joinder of parties, except as is otherwise herein provided, shall be governed by the rules in equity in similar cases.

(a) Actions may be brought against the state for the purpose of quieting the title to any property, against the lien or claim of lien of any tax or taxes under this Act, or for the purpose of having it determined that any property is not subject to any lien for taxes under this Act. In any such action the plaintiffs may be any administrator or executor of the estate or will of any decedent, whether the said estate shall have been fully administered and the estate settled and closed or not, and any heir, legatee or devisee of any such decedent, or trustee of the estate or of any part of the estate of such decedent, or distributee of the estate or of any part of the estate of any such decedent, and any assignee, grantee or successor in interest of any of such persons, and all or any other persons who might be made parties defendant in any action brought by the state under the provisions of this section, and notwithstanding that all or any of the persons enumerated in this section shall or may have assigned, granted, conveyed or otherwise parted with all or any interest in or title to the property, or any thereof, involved in any such claim of lien before the commencement of such action. All or any of the persons in this action enumerated may be joined or united as parties plaintiff. The enumeration in this section of the persons who may be made parties shall not be deemed to be exclusive, but the joinder or non-joinder of parties, except when otherwise herein provided, shall be governed by the rules in equity in similar cases. In all cases any person who might properly be a party plaintiff in any such action who refuses to join as plaintiff may be made a defendant.

(b) All actions under this section shall be commenced in the superior court of the county in which is situated any part of any real property against which any lien is sought to be enforced, or to which title is sought to be quieted against any lien, or claim of lien; but if in said action no lien against real property is sought to be enforced, the action shall be brought in the superior court of the county which has or which had jurisdiction of the administration of the estate of the decedent mentioned herein.

(c) Service of summons in the actions brought against the state shall be made on the controller of state and on the district attorney of the county in which the estate of the decedent mentioned herein is being administered, or has been administered in probate proceedings, and it shall be the duty of said district attorney to defend all such actions.

(d) The procedure and practice in all actions brought under this section, except as otherwise provided in this Act, shall be governed by the provisions of the Code of Civil Procedure in relation to civil actions, so far as the same shall or may be applicable, including all provisions relating to motions for new trials and appeals.

(e) The remedies provided in this section shall be in addition to and not exclusive of any remedies provided in the sections preceding this section.

SEC. 19. Whenever the treasurer of any county or an inheritance tax appraiser therein, or the controller shall have reason to believe that any transfer has been made within the meaning of this Act and that a tax due thereon remains undetermined and unpaid, he may notify the district attorney in writing of such transfer, and the district attorney, if he have probable cause to believe a tax is due, and remains undetermined, shall prosecute the necessary proceedings in the superior court to determine and fix such tax and for the enforcement and collection thereof. Said district attorney shall be allowed his actual and necessary expenses incurred in such proceedings out of any inheritance tax moneys in the hands of the county treasurer on order of the superior court.

SEC. 20. The treasurer of each county shall collect and pay the state treasurer all taxes that may be due and payable under this Act, who shall give him a receipt therefor; of which collection and payment he shall make a report, under oath, to the controller, between the first and fifteenth days of May and December of each year, stating for what estate paid, and in such form and containing such particulars as the controller may prescribe; and for all such taxes collected by him and not paid to the state treasurer by the first day of June and January of each year he shall pay interest at the rate of ten per centum per annum.

SEC. 21. The treasurer of each county shall be allowed to retain, on all moneys paid and accounted for by him each year under this Act, in addition to his salary or fees now allowed by law, three per centum of the first ten thousand dollars so paid and accounted for; two and one half per centum on the next fifty thousand dollars so paid and accounted for; two per centum on the next fifty thousand dollars so paid and accounted for; and one half of one per centum on all additional sums so paid and accounted for by him; provided, that the county treasurer shall be entitled to receive as his said commissions for any one year not more than one hundred dollars out of the collections upon which he is allowed to retain commissions or transfers made by or resulting from the work of any one department, nor more than three thousand dollars out of the entire commissions upon collections for any one year.

SEC. 22. The state comptroller, whenever he shall be called as a party to any proceeding or action to determine any tax under this Act, hereinafter by this Act shall direct, is necessary that the [illegible] of this Act be made very complete employment to assist in the preparation of such case, and to represent the state in any proceeding or action to determine any tax hereunder; and, with the advice and consent of the attorney general, may employ such assistance, or associate with the attorney general in any proceeding or action to determine any tax hereunder, such counsel on behalf of the state, and to deal with such counsel of the opposite party, as he may deem necessary and proper; provided, however, that the county commissioners of [illegible] shall be entitled to have the necessary expense for such employment and the necessary and reasonable attorney's fees paid. And the county commissioners of [illegible] authorized and directed to pay out of any funds which may be in the hands of the county treasurer of said county, upon the warrant of the state comptroller, the amount of [illegible] on account of this Act, on presentation of a sworn itemized statement [illegible] thereof by the state comptroller and attorney general, all expenses incurred as in this section above provided, but no expense for such special employment or legal services, as in and by [illegible] the duty of the county attorney of the county [illegible] becoming [illegible] shall exceed ten per centum of the gross amount collected or recovered, unless the necessity for such employment, and the reasonableness of the fees [illegible] be approved by the court having jurisdiction of the proceeding in which such services are rendered; provided, however, that nothing herein contained shall be construed to prevent the county attorney from appearing in any such proceeding, and the provisions herein made shall not apply thereto.

SEC. 23. All taxes levied and collected under this Act, for the full amount of [illegible] hundred and fifty thousand dollars annually, shall be paid into the treasury of the state for the uses of the state school fund, and all taxes levied and collected in excess of two hundred and fifty thousand dollars annually shall be paid into the state treasury to the credit of the general [illegible] fund.

SEC. 24. Every officer who fails or refuses to perform, within a reasonable time, any and every duty required by the provisions of this Act, or who fails, refuses or neglects to make and deliver within a reasonable time any statements or reports required by this Act, shall forfeit to the State of California the sum of one thousand dollars, to be recovered in an action brought for that purpose in the name of the people of the state in the relation of the comptroller.

SEC. 25. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 26. An Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for the collection and to direct the disposition of the proceeds; to provide for the enforcement of liens created by this Act and for suits to enforce the payment thereof; providing for the repeal of an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for the collection, and to direct the disposition of the proceeds; to provide for the enforcement of liens created by this Act and for suits to enforce such liens; providing for the repeal of an Act entitled 'An Act to establish a tax on collateral inheritances, bequests and devises; to provide for the collection, and to direct the disposition of the proceeds,' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act and providing that this Act shall take effect immediately," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act, approved April 7, 1911, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act are hereby expressly repealed; provided, however, that such repeal shall in nowise affect any suit, prosecution or other proceeding pending at the time this Act shall take effect, or any right which the State of California may have at the time of the taking effect of this Act, to enforce a tax [illegible] under the provisions of the Act or Acts hereby repealed, for which no proceeding has been commenced nor affect any appeal, right of appeal in any such pending or other [illegible] existing in this state at the time of the taking effect of this Act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONCURRENCE IN ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Hewitt, the Senate took up the consideration of Assembly amendments to Senate Bill No. 261, out of order.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 261.

(Amendments adopted April 22, 1913.)

On page 1, line 3, strike out the word "and", after the word "lodging-house", and insert "and apartment house".

Also: On page 1, line 7, before the word "for", insert "or apartment house".

Also: On page 1, line 16, after the word "lodging-house", insert "or apartment house".

Also: On page 2, line 2, after the word "lodging-house", insert "or apartment house".

Also: On page 2, line 8, after the word "house", insert "or apartment house".

Also: On page 2, line 13, after the word "lodging-house", insert "or apartment house".

Also: On page 2, line 21, before the word "keeper", insert "or apartment house".

(Amendments adopted April 23, 1913.)

On page 1, line 3, strike out the word "and" and insert in lieu thereof a comma (,); also, after the word "lodging-house", insert the words "and apartment house".

In line 6, page 1, after the word "lodging-house", insert "or apartment house.".

In line 11, page 1, strike out the word "or".

In line 12, page 1, before the word "and", insert "or apartment house".

In line 13, page 1, strike out the word "or" after the word house and insert after the word "lodging-house" a comma (,) and then the words "or apartment house".

In line 7, page 2, insert a comma (,) after the word "boarding-house".

In line 8, page 2, strike out the word "or" and after the word "lodging-house" insert a comma (,) and then the words "or apartment house".

In line 12, page 2, strike out the word "or", insert a comma (,) after the word "boarding-house"; also a comma after the word "lodging-house", and insert the words "or apartment house".

In line 18, page 2, after the word house, insert a comma (,) and the words "or apartment house".

In line 23, page 2, after the word "lodging-house", insert a comma (,), also the words "or apartment house".

In line 31, page 2, before the word "keeper", insert the words "or apartment house".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 261?"

The roll was called, and Assembly amendments to Senate Bill No. 261 concurred in by the following vote:

AYES—Senators Avey, Beban, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Kehoe, Regan, Thompson, and Tyrrell—21.

NOES—None.

Senate Bill No. 261 ordered to enrollment.

LEAVE OF ABSENCE.

Senator Kehoe was, on his own motion, granted leave of absence for Friday, May 2, 1913, and Saturday, May 3, 1913.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

On motion of Senator Thompson, Assembly Bill No. 282 was passed on file.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improve-

ments in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

On motion of Senator Thompson, Assembly Bill No. 1024 was passed on file.

Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1368 passed by the following vote:

AYES—Senators Ayer, Boynton, Breed, Brown, Bunner, Burnett, Campbell, Carr, Cartwright, Caminetti, Chipman, Finn, Gaston, Gerdes, Gray, Hewitt, Jones, Kehoe, Rogers, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1284—An Act appropriating the sum of $5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1284 passed by the following vote:

AYES—Senators Belshe, Boynton, Breed, Bunner, Burnett, Campbell, Caminetti, Carr, Cartwright, Chipman, Finn, Gaston, Gerdes, Gray, Hewitt, Jones, Kehoe, Rogers, Strobridge, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 303 passed by the following vote:

AYES—Senators Anderson, Ayer, Belshe, Boynton, Breed, Brown, Bryant, Bunner, Caminetti, Campbell, Carr, Cartwright, Finn, Gaston, Gerdes, Gray, Hewitt, Jones, Rogers, Strobridge, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 533 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cohn, Finn, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Regan, Strobridge, Thompson, Tyrrell, and Wright—22.
NOES—None.

Title read and approved

Bill ordered transmitted to the Assembly.

Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 702 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Regan, Strobridge, Thompson, Tyrrell, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 986 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cohn, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Regan, Strobridge, Thompson, and Tyrrell—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 14 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Regan, Strobridge, Thompson, and Tyrrell—25.
NOES—None.

Title read and adopted.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 32 passed by the following vote:

AYES—Senators Anderson, Avey, Belshaw, Boynton, Brown, Bryant, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Gerdes, Gerrity, Hewitt, Jones, Juilliard, Kehoe, Regan, Strobridge, Thompson, Tyrrell and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 209 passed by the following vote:

AYES—Senators Anderson, Avey, Belshaw, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Gerrity, Hewitt, Jones, Juilliard, Kehoe, Regan, Strobridge, Thompson, Tyrrell and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 292 passed by the following vote:

AYES—Senators Anderson, Avey, Belshaw, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Finn, Flint, Gerdes, Gerrity, Hewitt, Jones, Juilliard, Regan, Strobridge, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 299 passed by the following vote:

AYES—Senators Anderson, Avey, Belshaw, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Gerrity, Hewitt, Jones, Juilliard, Regan, Strobridge, Thompson, Tyrrell and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 301 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Regan, Strobridge, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1633—An Act appropriating money for the purchase of additional land for the San Diego State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1633 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Regan, Strobridge, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 84—Relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

On motion of Senator Anderson, Assembly Constitutional Amendment No. 84 was passed on file.

ASSEMBLY JOINT RESOLUTION No. 19.

Relative to establishing game refuges in the national forest reserve in the State of California.

WHEREAS, There is in the State of California over twenty-five million acres of national forest reserves, containing a large variety of wild game animals and birds; and

WHEREAS, Because of the largely increasing population adjacent to such forest reserves, many species of wild animals and birds are facing extinction and there is a necessity for the protection and preservation of such game animals and birds, that they have places of refuge where they can propagate and increase unmolested; *Resolved*, That the Senate and Assembly of the Legislature of the State of California, in joint action, memorialize Congress to set aside all or part of each of the national forest reserves in California as game refuges in which the taking or hunting of game animals and birds shall be prohibited.

Resolved, That our Senators and Representatives in Congress be requested to use all honorable means to secure the passage of a measure or such other action as may be necessary declaring said lands as game refuges for the protection and conservation of the game therein.

Resolved, That a copy of this resolution be forwarded to the President of the United States, the Secretary of the Interior, the Secretary of Agriculture, the respective houses in Congress, and to each of our Senators and Representatives in Congress now in office, and those who will assume office on March 4, 1913.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 19 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Bunker, Burnett, Chesbro, Cogswell, Campbell, Cutten, Curtin, Gerdes, Grunsky, Hewitt, Jones, Kehoe, Lewis, Rigdon, Sanford, Thompson, Tyrrell, Walker, Wolfe—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At three o'clock p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—FINAL PASSAGE.

Assembly Bill No. 547—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

Read third time.

On motion of Senator Kehoe, Senate Bill No. 537 was passed on the.

Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1647 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Bunker, Burnett, Chesbro, Cogswell, Campbell, Cutten, Curtin, Flint, Gates, Gerdes, Grunsky, Hewitt, Jones, Kehoe, Lewis, Rigdon, Sanford, Strobridge, Thompson, Tyrrell, Walker, Wolfe—25.

NOES—Senators Carr, Muir, and Sanford—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 653*c*, relating to sending by mail or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1232 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Chesbro, Cogswell, Flint, Gates, Gerdes, Grunsky, Hewitt, Jones, Kehoe, Rigdon, Sanford, Thompson, and Wolfe—18.

NOES—Senators Avey, Benson, Bunker, Campbell, Carr, Cutten, Curtin, Jones, Muir, Strobridge, and Tyrrell—11.

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of $1,916, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1112 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The consideration of the motion of Senator Wright to reconsider the vote whereby Senate Bill No. 1296—An Act to provide for a trial by jury in certain cases of contempt of court—was passed, was laid before the Senate.

The question being on the motion to reconsider.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, four o'clock and thirty minutes p.m.

The acting President directed the Sergeant-at-arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Shanahan, Thompson, Tyrrell, and Wright—30.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock and fourteen minutes p.m., Senators Birdsall, Strobridge, Sanford and Rush were brought to the bar of the Senate, and, on motion of Senator Wright, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The roll of absentees was called, and the vote whereby Senate Bill No. 1296 was passed reconsidered by the following vote:

AYES—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Cartwright, Curtin, Flint, Gates, Hayes, Lane, Leavitt, Rolfe, Lewis, Mott, Rush, Strobridge, Thompson and Wright—21.

NOES—Senators Beban, Benson, Bryant, Caminetti, Cogswell, Crane, Finn, Gerdes, Grant, Regan, Shanahan, and Tyrrell—11.

INTRODUCTION OF JOINT AND CONCURRENT RESOLUTIONS.

The following joint and concurrent resolutions were introduced:

By Senator Curtin:

Senate Joint Resolution No. 37—Relative to alien land ownership.

Resolution referred to Committee on Federal Relations.

Also:

Senate Concurrent Resolution No. 41—Relative to leave of absence for Senators.

Resolution referred to Committee on Rules.

RECONSIDERATION OF VOTE.

Pursuant to his notice given on a previous day, Senator Regan moved to reconsider the vote whereby Senate Bill No. 1681—An Act making an appropriation to pay the claim of William J. Burns against the State of California—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 1699 was passed reconsidered by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Bryant, Breed, Burnett, Boynton, Caminetti, Campbell, Cartwright, Cogswell, Crane, Finn, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Sanford, Shanahan, Thompson and Tyrrell—27.

NOES—None.

LEAVE OF ABSENCE.

Senator Rush was, on his own motion, granted leave of absence until seven o'clock and thirty minutes p.m.

SPECIAL ORDER SET.

Senator Wright moved that the further consideration of Senate Bill No. 1600 be made a special order for Friday, May 2, 1913, at ten o'clock and forty-five minutes a.m.

Motion carried.

CONSIDERATION OF SPECIAL ORDER.

The consideration of Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof—with the pending amendments, was laid before the Senate.

The question being on the report of Senator Regan, as a committee of one to amend as follows:

AMENDMENT No. 1.

Amend the title by striking out all after the word "twelve", in line 2 of the title, and inserting in lieu thereof the words "of the Penal Code."

AMENDMENT No. 2.

Strike out all after the figures "412", in line 3, page 1, of the printed bill, and insert in lieu thereof the following:

"Any person, who within this state, engages in, instigates, aids, encourages, or does any act to further a contention or fight, without weapons, between two or more persons, or a fight commonly called a ring or prize fight, either within or without the state, or who engages in a public or private sparring exhibition, with or without gloves, within the state, or who sends or publishes a challenge or acceptance of a challenge for such a contention, exhibition, or fight, or carries or delivers such a challenge or acceptance, or trains or assists any person in training or preparing for such a contention, exhibition or fight, shall be guilty of a felony, and upon conviction shall be fined not less than one thousand dollars nor more than five thousand dollars, and be imprisoned in the state prison not less than one year nor more than three years; *provided, however*, that sparring exhibitions not to exceed twenty rounds with gloves of not less than five ounces each in weight may be held by a domestic incorporated club upon the prepayment by such club of an annual license to be fixed by the board of supervisors of cities and counties, or the city council or other governing bodies of incorporated cities. Said exhibitions must comply with the rules and regulations as the said supervisors, city councils or other governing bodies of cities and towns shall prescribe by ordinance: *provided, further*, that the boxers prior to each exhibition must be examined by a physician who shall determine whether or not they are in perfect physical condition."

Report read and refused adoption.

PRESIDENT WALLACE IN THE CHAIR.

At five o'clock and forty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The Senate resumed the consideration of the special order, Senate Bill No. 735.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Brown moved to refer to Senator Grant, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 20, strike out the word "is", and insert in lieu thereof the words "shall be".

AMENDMENT No. 2.

On page 2, line 20, after the comma following the word "indirectly", insert the following: "in excess of twenty-five cents, and at which no extra charge shall be made or collected for seats,".

AMENDMENT No. 3.

On page 2, line 22, strike out the word "four", and insert in lieu thereof the word "eight".

AMENDMENT No. 4.

On page 2, line 23, after the word "each", change the comma to a period, and strike out the following: "with one minute intermission between each round."

AMENDMENT No. 5.

On page 2, line 25, after the word "ounces", insert the word "each".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 735, with instructions to amend, respectfully reports the same back, amended as per instructions.

GRANT, Committee.

On motion of Senator Brown, the further consideration of the report of the special committee and the bill was continued until eight o'clock and thirty minutes p.m. of this day.

SECRETARY OF THE SENATE

I beg to announce that I have this day appointed Milton Aitken and Jack Schnapper at a per diem of $2.50 and respectively are the messengers of the Senate during the A. J. WALLACE.

APPOINTMENTS CONFIRMED

Senator Thompson moved that the Senate confirm the appointments of the President.

The question being on the motion.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Anderson, Elliott, Emmons, Hubbard, Ewell, Brown, Bunnell, Butler, Campbell, Cate, Chittenden, Copeland, Cohn, Curtin, Edgar, Elliot, Gaston, Gerdes, Green, Hewitt, Jones, Lafferty, Lewis, Lyon, Mary, Mason, Sanford, Sheridan, Shumway, Thompson, Tyrrell and Wright—32.

NOES—None.

RESOLUTION.

The following resolution was introduced:

By Senator Strobridge:

Resolved, That Ruth E. Hampton be and she is hereby granted leave of absence from the list of attaches of the Senate as Stenographer at $5 per diem.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Aram, Edgar, Bunnell, Lewis, Purkitt, Copeland, Cohn, Flint, Gerdes, Grant, Hewitt, Jones, Justesen, Kehoe, Mark, Regan, Sanford, Strobridge, Thompson, Tyrrell and Wright—22.

NOES—None.

COMMUNICATION.

The following communication was received:

PANAMA-PACIFIC INTERNATIONAL EXPOSITION,
SAN FRANCISCO, April 30, 1913.

Lieutenant Governor A. J. WALLACE, *President of the Senate, Sacramento, Cal.*

DEAR SIR: I enclose herewith a duly attested copy of resolutions unanimously adopted by the directors of the Panama-Pacific International Exposition at a meeting held April 23, 1913, in commemoration of a telegram of similar date to Hon. Chester H. Rowell, president of the California State Commission of the Panama-Pacific International Exposition, in which I was informed that California was honored and I respectfully request that same be presented to the Assembly, over which you preside.

Yours very truly,

RUDOLPH J. TAUSSIG, Secretary.

At a regular meeting of the board of directors of the Panama-Pacific International Exposition, held Wednesday, April 23, 1913, the following resolutions were unanimously adopted:

WHEREAS, The State of California, of its urgent solicitation, was selected by the Congress of the United States, through the medium of the Panama-Pacific International Exposition, to act in behalf of the government as the host for the people of the United States, to all peoples who may so desire to join with the United States in celebrating the opening of the Panama Canal by participating in the universal exposition of 1915; and

WHEREAS, In pursuance of this Act of Congress, as passed at the urgent request of the State of California and its Legislature, the President of the United States invited all nations and all peoples, without regard to race, creed, political system or social development, to take part in the celebration of the opening of the great international highway; and

WHEREAS, In accepting this trust at the hands of the people and government of the United States and in special behalf of the State of California, the exposition has been seriously requested, and has solemnly agreed, to provide every facility and to offer every encouragement that physical preparation can afford, or the broadest spirit of universal fellowship suggest, and has intended and still intends so to do, in a manner responsive to the invitation of the United States and to the sentiment of universal brotherhood that this celebration is intended to promote; and

WHEREAS, Any action upon the part of the people of California, through its Legislature or otherwise, calculated to lessen the interest of all nations and peoples in the success of this celebration, will negative and nullify the implied and expressed covenants of the State of California; therefore, be it

Resolved, By the board of directors of the Panama-Pacific International Exposition, that any action on the part of the Legislature of California that shall be regarded by any foreign country or government as offensive to their pride as a people, or their honor as a nation, must and will challenge the good faith of the commonwealth of California.

Resolved, That it is the deliberate and unqualified conviction of this board that, by accepting this great trust for the nation, rendered of deep international dignity and import by the request of the American government to all nations and all peoples, without exception, to share with our nation the gratification and pride all patriotic Americans feel in the tremendous gift of the Panama Canal to the world, with its immeasurable commercial and civilized advantages, the State of California unquestionably pledged to all participants equal opportunity and courtesy and undiscriminating welcome and hospitality.

Resolved, further, That we, as a board of directors, deeply impressed with the responsibility we have assumed on behalf of the State of California, emphatically protest against the passage of any measures in the Legislature of the State that are in any wise contrary to the spirit of the obligation incurred by this State at the time it assumed the responsibility conferred upon it by Act of Congress.

Resolved, further, That the president of this exposition be authorized and instructed to sign, and the secretary of the company to place the seal of the corporation upon these resolutions, and to suitably engross and copy the same, and transmit them to each House of the Legislature of the State of California, with the request that they be printed in the Journals thereof, and to such other bodies or persons as, in the opinion of the president, it shall be deemed advisable to do, thereby confirming similar previous acts by this board, and the representations of committees of this board before the Legislature at Sacramento, as well as official statements previously given to the press and public.

[SEAL] PANAMA-PACIFIC INTERNATIONAL EXPOSITION.
CHAS. C. MOORE, President.
RUDOLPH J. TAUSSIG, Secretary.

San Francisco, Cal., April 23, 1913.

MOTION TO RECONSIDER.

Pursuant to his notice on a previous day, Senator Wright moved to reconsider the vote whereby Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof—was passed.

SPECIAL ORDER SET.

Senator Wright moved that the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 418 was passed, be made a special order for Friday, May 2, 1913, at three o'clock and thirty minutes p.m.

Motion carried.

REPORTS OF STANDING COMMITTEES— (OUT OF ORDER).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identifi-

cation of motor vehicles and for the payment of compensation from moneys to be made for the licensing of persons operating motor vehicles, to prohibit persons from operating motor vehicles upon the public highways [illegible] of use of a motor vehicle without the consent of the owner thereof and to prevent the offer to or acceptance by persons thereof of any money or thing of value in consideration for the purchase of repairs or parts for motor vehicles or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereby; to provide for the disposition of moneys and license fees from said [illegible] thereunder; to repeal [illegible] and [illegible] of this Act and to take an appropriation; and to create a revolving fund therefor, and to repeal all laws or parts of laws insofar as inconsistent or in conflict with this Act.—Have had the same under consideration, and recommend the same be [illegible] and [illegible] that it do pass as amended, and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Assembly Bill No. 2005 ordered re-referred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1713—An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings into portions of the State not infected, to control the spread of such diseases when introduced, and empowering the State Board of Health to make rules and regulations therefor.

Also: Senate Bill No. 1239. An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Also: Corrected Engrossed Act Senate Bill No. 1130. An Act to amend Section 2249 of the Political Code of the State of California, relating to indigent insane and public wards.

Also: Senate Bill No. 281. An Act to amend Section 1964 of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

Also: Senate Bill No. 1176. An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water [illegible] for irrigation purposes," approved March 31, 1897, by amending Section 84 thereof and inserting a new section relating to joint use of irrigation works.

And report that the same have correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to which was referred Assembly Bill No. 1418—An Act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners, providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquiring, and maintaining by said district of irrigation works for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; ensuring that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be [illegible] by the proceeds or pledge as security for any money on deposit or for the performance of any Act by banks, banking associations, trust companies, trust companies, guardians, executors, administrators and certain [illegible] providing in certain cases for the removal of directors from the organization of the county board of supervisors to another; and providing for the dissolution of said districts for non-user or corporate power.

Also: Senate Bill No. 1132—An Act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners, providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of

the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased or received in pledge as security for any money or deposits or for the performance of any Act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another, and providing for the dissolution of said districts for non-user or corporate power.

Have had the same under consideration, and respectfully report that Assembly Bill No. 1378 is identical with Senate Bill No. 1132.

GRANT, Chairman.

Assembly Bill No. 1378 ordered on file for second reading.
Senate Bill No. 1132 ordered to the file of unfinished business.

SENATOR THOMPSON IN THE CHAIR.

At six o'clock and fifteen minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Also: Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FINN, Chairman.

Assembly Bill No. 2044 ordered on file for second reading.
Assembly Concurrent Resolution No. 14 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

Also: Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Also: Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

Also: Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Also: Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Finance.

FINN, Chairman.

Assembly Bills Nos. 523, 524, 526, 527, 529 and 790 ordered re-referred to Committee on Finance.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 288—An Act to amend an Act entitled "An Act to add a new section to the Political Code, to be known as Section 1670a, providing for the establishment and maintenance of [illegible] schools, and to levy [illegible] for the establishment, maintenance and support of such schools, and providing when and how [illegible] shall be created, the powers, duties and obligations [illegible] in connection with the Public Schools," approved March 24, 1909, amending an [illegible] of the first and third and last half [illegible] thereof, have had the same under consideration and respectfully report the same back, with amendments, and recommend that it do pass as amended.

[illegible]

Senate Bill No. 288 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 1184—An Act to amend an Act entitled "An Act to encourage the growth of commercial fertilizers by improving them, and [illegible] purposes for the [illegible] thereof, and repeal [illegible] approved March 20, 1905, and as amended by an Act approved March 24, 1911—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

[illegible]

Assembly Bill No. 1181 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 311—An Act to amend Section 4058 of the Political Code of the State of California, relating to assistants or deputies in counties containing [illegible] inhabitants—

Also, Assembly Bill No. 390—An Act to amend Section 4058 of the Political Code of the State of California, relating to the number and term of the deputies of the recorder in [illegible] (Santa Cruz County)—

Also, Assembly Bill No. 740—An Act to amend Section 4058 of the Political Code of the State of California, relating to county and township officers in counties of the fifth [illegible] class—

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

[illegible]

Assembly Bills Nos. 311, 390 and 740 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 1295—An Act to amend Section 4057 of the Political Code of the State of California, relating to consolidating of county offices—have had the same under consideration, and respectfully report the same back, with amendments, without recommendation.

[illegible]

Assembly Bill No. 1295 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 1291—An Act to amend Section 4204 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

[illegible]

Assembly Bill No. 1291 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 846—An Act to reimburse the county of Shasta, in the State of California, for loss of revenue sustained in the year 1911 and the year 1912 under the provisions of Section 11 of Article XIII of the Constitution of the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, without recommendation, and ask that it be re-referred to Committee on Revenue and Taxation.

BREED, Chairman.

Senate Bill No. 846 ordered re-referred to Committee on Revenue and Taxation.

LEAVE OF ABSENCE.

Senator Birdsall was, on his own motion, granted leave of absence for the remainder of this day.

BILL RECALLED FROM PRINT.

Senator Hewitt moved that Assembly Bill No. 1734 be recalled from print.

Motion carried.

Senator Hewitt moved to amend Assembly Bill No. 1734 as follows:

By striking out on page 2, all of line 9.

Amendment adopted.

Bill read second time, ordered to print and third reading.

LEAVE OF ABSENCE.

Senator Jones was, on his own motion, granted leave of absence from three o'clock p.m., on May 2d, and all of May 3, 1913.

BILL RECALLED FROM PRINT.

Senator Jones moved that Assembly Bill No. 235 be recalled from print.

Motion carried.

Assembly Bill No. 235 ordered on the second-reading file of Assembly bills.

BILL RE-REFERRED.

On motion of Senator Strobridge, Senate Bill No. 1126, with the pending amendments, was re-referred to Committee on Finance.

RECESS.

At six o'clock and thirty minutes p.m., on motion of Senator Kehoe, the President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Senator Thompson, of the Thirty-fifth District, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 483, An Act to amend the Insurance Code of the State of California, and to provide a punishment therefor, have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Assembly Bill No. 483 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 341—An Act providing for the licensing and regulation of employment and philanthropic associations, agencies, corporations and individuals engaged in the use and benefit of moneys, gifts or property from the public.

Also: Assembly Bill No. 1108—An Act to amend Sections 2284, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

Have had the same under consideration, and respectfully report the same back, but recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 303 and 1108 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 441—An Act to prohibit the sale within the State of certain preparations of matter prepared from the spleen of the lobo, coyote, panther and cougar of this State, and to prevent the transporting out of the State of carcasses of such animals.

Also: Senate Bill No. 624—An Act to amend Section 511 of the Civil Code of the State of California.

Also: Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, relating to the exemption of property.

State of California by adding a new section to Article XIII thereof, to be designated Section 3½, in relation to the power of the Railroad Commission to fix the time and manner of the payment of the taxes of any property of any public utility in actions, thereto pending.

Have had the same under consideration, and respectfully return the same back without recommendation.

GATES, Chairman.

Senate Bills Nos. 441 and 624 ordered on file for second reading.

Assembly Constitutional Amendment No. 87 ordered on file.

THIRD READING OF SENATE BILLS.

On motion of Senator Kehoe, the Senate took up the consideration of the third reading file of Senate Bills.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 3 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half orphans, or abandoned children.

In the absence of the author, Senate Constitutional Amendment No. 35 was passed on file.

Senate Bill No. 1019—An Act to amend Sections 2284, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

On motion of Senator Brown, Senate Bill No. 1019 was passed on file.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration; to regulate the

dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State, providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application, and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

On motion of Senator Kehoe, Senate Bill No. 713 was passed on file.

Senate Bill No. 84—An Act to amend Section 26 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to Whittier State School and the Preston State School of Industry, and manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITEE OF ONE.

Senator Campbell moved to refer to Senator Jones, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 28, strike out all of Section 2 after the colon, and on page 3, lines 1 to 18, inclusive, and insert in lieu thereof the following:

(1) Who is found begging, receiving or gathering alms, whether actually begging or under the pretext of selling, or offering anything for sale; or

(2) Who is found in any street, road or public place for the purpose of so begging, gathering or receiving alms; or

(3) Who, being under the age of sixteen years, is found singing or playing any musical instrument, or giving any public entertainment in any street, road, or public place, or who accompanies or is used in aid of any person so doing for the purpose of begging, gathering or receiving alms whether actually begging or under the pretext of selling or offering anything for sale; or

(4) Who is found wandering and not having any home, or any settled place of abode, or any proper guardianship, or any visible means of subsistence; or

(5) Who has no parent or guardian; or who has no parent or guardian willing to exercise, or capable of exercising, proper parental control; or

(6) Who is destitute; or

(7) Whose home by reason of neglect, cruelty or depravity of his parents or either of them, or on the part of his guardian, or on the part of the person in whose custody or care he may be, is an unfit place for such person; or

(8) Whose father is dead or has abandoned his family or is an habitual drunkard, or whose father or mother does not provide for such person, and it appears that such person is destitute of a suitable home or of adequate means of obtaining an honest living, or who is in danger of being brought up to lead an idle and dissolute or immoral life; or where both parents of such person are dead, or the mother or father, if living, is unable to provide proper support and care of such person; or

AMENDMENT No. 2.

On page 3, line 19, strike out all of section 2a

AMENDMENT No. 3.

On page 3, strike out lines 20 to 25, inclusive, and on page 4, lines 1 to 19, inclusive, and insert in lieu thereof the following:

(1) Who is a vagrant; or

(2) Who frequents any property of another knowingly without permission or invitation; or

(3) Who is found living or being in any house of prostitution or assignation; or

(4) Who habitually visits saloons, gambling houses, any billiard room or pool room, or any saloon or place where any intoxicating liquors are sold, bartered or given away; or

(5) Who persistently refuses to obey the reasonable and proper orders or directions of his parents or guardian; or

(6) Who is permitted, [or is] to be found the control and guardianship of his parents, guardian or custodian by reason of the vicious condition or habits of said person; or

(7) Who is an habitual truant within the meaning of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of said Act," approved March 24, 1903, and any Act or Acts amendatory or supplemental thereto, and who is not found to be excused from attendance under the provisions of said Act, or who being over the age of fifteen years, refuses to attend public or private schools, as directed by his parents, and endangers the morals of himself or others; or

(8) Who habitually uses intoxicating liquors to a harmful or habitually visits saloons or who habitually uses opium, cocaine, morphine or other habit forming drug without the direction of a medical physician; or

(9) Who from any cause is in danger of growing up to lead an idle, dissolute, or immoral life.

(10) Who violates any law of this state or ordinance of any town, city, county or city and county of this state, knowing either such violation or such immoral tendency.

AMENDMENT No. 4.

On page 4, line 26, after the period, insert the following:

SEC. 2. For the purpose of [determining] [the] [neglected and] [delinquent] persons from dependent persons, and delinquent persons, it is hereby provided that no person shall be deemed guilty of a misdemeanor [or felony] [provided that] as a dependent person or as a delinquent person, and that no person shall be charged with as a dependent person or as a delinquent person who presently may be charged guilty as a neglected person; but whenever it shall appear to the court that any alleged neglected person should properly be dealt with as an alleged dependent or as an alleged delinquent person, or that an alleged dependent or an alleged delinquent person should be dealt with as an alleged neglected person, then in that case the court shall direct that the proper petition be filed, and upon the filing of such petition shall dismiss the original petition.

AMENDMENT No. 5.

On page 4, line 32, after the word "Juvenile", insert a comma and the words "in the month of January,".

AMENDMENT No. 6.

On page 7, strike out all of line 6 and on the succeeding [or] line 7, and insert in lieu thereof the following: [may make its order granting said applicant custody for such time as the court may deem it, but not beyond the time when such supervised person shall reach the age of twenty-one years, in the case of some responsible person of good moral character or in the case of some benevolent society or corporation willing to receive it, embracing in its purposes the purpose of caring for or obtaining homes for neglected persons, or in the case of the mentally ailment or other person to remain in the home of said neglected person, in such form as may be approved by the court.]

AMENDMENT No. 7.

On page 7, line 9, after the word "home", insert the words "therefrom home".

AMENDMENT No. 8.

On page 7, line 10, strike out the words "such act" and insert in lieu thereof the words "such person will be brought into association with wayward".

AMENDMENT No. 9.

On page 7, line 10, after the period, insert the following: "No person adjudged to be a neglected person shall be eligible for adoption in accordance with Section 224 of the Civil Code of the State of California, unless the judge of the juvenile court

has declared such child to be eligible for adoption, and such parent or parents have been present in court on the day when such declaration of such eligibility for adoption has been made, or have been duly cited and have failed to appear in court, or, in case the party serving such citation, after due and diligent search, has been unable to find such parent or parents and to make service upon them of such citation, then after publication of such citation as is provided for the publication of summons in section four hundred and thirteen of the Code of Civil Procedure and failure of the parties thus cited to appear.

Whenever the judge of the juvenile court shall make an order of placement of a neglected person, or of commitment of a dependent or delinquent person, said judge shall also make a finding as to whether or not such person is an orphan, half-orphan, or abandoned child, said judge shall certify the same to the auditor of the county in which the court making such finding is situated."

AMENDMENT No. 10.

On page 8, line 29, strike out the words "two of whom shall have been mothers," and insert in lieu thereof the words "one of whom shall be a mother."

AMENDMENT No. 11.

On page 10, strike out all of line 37, after the semicolon, and all of line 38, and on page 11, line 1, strike out all the words preceding the second comma, and insert in lieu thereof the following: "but either the judge, or the probation officer, with the consent of the judge, may at any time in his discretion,".

AMENDMENT No. 12.

On page 11, line 38, strike out the word "shown".

AMENDMENT No. 13.

On page 12, line 3, after the word "be", insert the words "approved and".

AMENDMENT No. 14.

On page 12, line 6, strike out the rest of the page, also strike out page 13, page 14 and page 15, through line 17, and insert in lieu thereof the following

"SEC. 14*a*. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as probation officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as bookkeeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

SEC. 14*b*. In counties, or cities and counties, of the second class there shall be one probation officer and ten assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; and nine assistant probation officers, at one hundred and twenty-five dollars per month each.

SEC. 14*c*. In counties of the third class there shall be one probation officer and eight assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; two assistant probation officers, each, one hundred dollars per month; two assistant probation officers, each, seventy-five dollars per month.

SEC. 14*d*. In counties of the fourth class there shall be one probation officer, one assistant probation officer, and one assistant probation officer, who shall act as probation officer's clerk. The salaries of said officers shall be as follows: Probation officer, one hundred and fifty dollars per month; assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month.

SEC. 14*e*. In each of the counties of the fourth, fifth and tenth classes, there shall be one probation officer, whose salary shall be one hundred and fifty dollars per month. In counties of the fourth class, there shall be one assistant probation officer whose salary shall be one hundred dollars per month, and one assistant probation officer to act as probation officer's clerk, whose salary shall be seventy-five dollars per month. In counties of the fifth class there shall be one assistant proba-

tion officer whose salary shall be one hundred and twenty-five dollars per month.

SEC. 14f. In counties of the sixth class there shall be one probation officer and two assistant probation officers. The salaries of such officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred dollars per month; and probation officer's clerk, one hundred dollars per month.

SEC. 14g. In counties of the seventh class there shall be one probation officer and two assistant probation officers. The salaries of such officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and fifty dollars per month; and one assistant probation officer, one hundred dollars per month.

SEC. 14h. In each of the counties of the seventh and fourteenth classes there shall be one probation officer whose salary shall be one hundred and twenty-five dollars per month.

SEC. 14i. In each of the counties of the eighth, twelfth, fifteenth, sixteenth, seventeenth, eighteenth, twenty-second, twenty-third, twenty-sixth, twenty-seventh and thirty-third class there shall be one probation officer whose salary shall be one hundred dollars per month. In counties of the ninth class there shall be two assistant probation officers, whose salaries shall be as follows: One assistant probation officer whose salary shall be seventy-five dollars per month; and one assistant probation officer whose salary shall be fifty dollars per month. In counties of the thirteenth class there shall be one assistant probation officer whose salary shall be twenty-five dollars per month. In counties of the eighteenth class there shall be four assistant probation officers, whose salaries shall be twenty-five dollars per month each. In counties of the twenty-third class there shall be one assistant probation officer whose salary shall be fifty dollars per month. In counties of the twenty-sixth class there shall be one assistant probation officer whose salary shall be forty dollars per month.

SEC. 14j. In each of the counties of the fifteenth and thirty-first class there shall be one probation officer whose salary shall be eighty dollars per month.

SEC. 14k. In each of the counties of the seventeenth, twenty-fourth and thirty-eighth class there shall be one probation officer whose salary shall be seventy-five dollars per month. In counties of the twenty-fourth class there shall be one assistant probation officer, whose salary shall be fifty dollars per month.

SEC. 14l. In each of the counties of the twenty-fifth class there shall be one probation officer whose salary shall be seventy-five dollars per month and two assistant probation officer whose salary shall be fifty dollars per month.

SEC. 14m. In each of the counties of the thirty-first class there shall be one probation officer whose salary shall be sixty dollars per month.

SEC. 14n. In counties of the twenty-fifth class there shall be one probation officer who shall maintain an office in the court house at the county seat. The salary of said probation officer shall be one hundred dollars per month.

SEC. 14o. In each of the counties of the twenty-second, thirty-sixth, thirty-ninth and forty-second class there shall be one probation officer whose salary shall be fifty dollars per month.

SEC. 14p. In each of the counties of the twenty-fourth, twenty-eighth, twenty-ninth, thirty-seventh, fortieth, forty-first, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third and fifty-fourth class there shall be one probation officer whose salary shall be thirty-five dollars per month.

SEC. 14q. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 14r. In each of the counties of the forty-fourth, fifty-first and fifty-fifth class there shall be one probation officer whose salary shall be ten dollars per month.

SEC. 14s. In each of the counties of the fifty-seventh and fifty-eighth class there shall be one probation officer whose salary shall be fifteen per month.

AMENDMENT No. 15.

On page 18, line 13, strike out the word "committee" and insert in lieu thereof the following words "person having supervision or management, as the case may be".

AMENDMENT No. 16.

On page 18, line 13, strike out the words "Section 6 of".

AMENDMENT No. 17.

On page 18, line 15, strike out the words "Section 9 of".

AMENDMENT No. 18.

On page 18, line 18, after the words "of a" insert the words "dependent or".

AMENDMENT No. 19.

On page 18, line 19, after the words "of his" insert the words "dependency or".

AMENDMENT No. 20.

On page 19, line 19, after the words "if said", insert the words "dependent or".

AMENDMENT No. 21.

On page 19, line 22, after the words "against said", insert the words "dependent or".

AMENDMENT No. 22.

On page 21, line 26, after the words "to be", insert the words "neglected, dependent, or".

AMENDMENT No. 23.

On page 21, line 28, after the word "adjudged", insert the words "neglected, dependent, or".

AMENDMENT No. 24.

On page 21, line 33, strike out the words "termination of his", and insert in lieu thereof the words "determination of his neglect, dependency or".

AMENDMENT No. 25.

On page 22, insert, at beginning of line 22, the word "neglected".

AMENDMENT No. 26.

On page 22, line 24, after the word "of", insert the word "neglect".

AMENDMENT No. 27.

On page 24, line 31, after the words "of a", insert the word "neglected".

AMENDMENT No. 28.

On page 26, line 2, after the word "of", insert the word "neglected".

AMENDMENT No. 29.

On page 27, line 1, after the word "misdemeanor", strike out the semicolon, and all the words thereafter, and all of lines 2, 3, 4, 5, 6 and 7, and insert a period.

AMENDMENT No. 30.

On page 27, Section 29, line 17, strike out the comma after the word "otherwise", and insert in lieu thereof a period, and strike out the remainder of line 17, all of line 18 and line 19 to the period.

AMENDMENT No. 31.

On page 27, line 34, after the word "plural", insert the following:

"Each section of this Act shall be construed separately and any decision rendered as to the constitutionality or legality thereof shall not affect any other section of the Act."

AMENDMENT No. 32.

On page 28, line 32, strike out the word "and", and insert in lieu thereof the word "in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 84, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Campbell, the Secretary was directed to issue a rush order for printing Senate Bill No. 84.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated

cities, and cities and counties, and to provide for penalties for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1407 passed by the following vote:

AYES—Senators Anderson, Beamis, Breed, Bryant, Bulla, Chandler, Campbell, Carr, Caminetti, Ellis, Gates, Gerdes, Gerlach, Hewitt, Jones, Juilliard, Kehoe, Leale, Lyon, Mott, Savage, Stanton, Thompson, and Wright—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 677—An Act to amend Section 4750 of the Political Code of the State of California, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 677 was passed on file.

Senate Bill No. 1748—An Act to amend the Political Code of the State of California by adding thereto two sections, to be known and numbered as Section 3496 and Section 3497, relating to labor camps.

On motion of Senator Lyon, Senate Bill No. 1748 was passed on file.

Senate Bill No. 1718—An Act to create a state housing commission, defining its powers and duties, providing revenue therefor and fixing penalties.

On motion of Senator Cogbill, Senate Bill No. 1718 was passed on file.

Senate Bill No. 1727—An Act to amend Sections 953a, 953b and 953c of the Code of Civil Procedure of the State of California, relating to the duty of the clerk upon appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Courts of Appeal.

In the absence of the author, Senate Bill No. 1727 was passed on file.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 359c, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

In the absence of the author, Senate Bill No. 1741 was passed on file.

Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1519 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Bleasdale, Boynton, Bunkley, Campbell, Carr, Cartwright, Chandler, Cogbill, Curtin, Ellis, Gates, Gerdes, Gerlach, Hewitt, Jones, Kehoe, Leale, Lyon, Mott, Rogers, Savage, Shanahan, Thompson, and Wright—23.

NOES—Senator Juilliard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT WALLACE IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1034—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1034 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 907—An Act to amend Section 1668 of the Political Code of the State of California, relating to the care of schoolrooms, health of pupils and to proper exercise of pupils in the public schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 907 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1025 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Brown, Butler, Caminetti, Cartwright, Cogswell, Cohn, Finn, Gates, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Rush, Shanahan, Strobridge, and Wright—22.
NOES—Senator Kehoe—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER

The consideration of Senate Bill No. 735, with the pending report of Senator Grant, as a committee of one to amend, was laid before the Senate.

Report read and adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Hewitt moved to refer Senate Bill No. 735 to Senator Grant, as a special committee of one, to amend as follows:

On page 2, line 39, [illegible] after the period [illegible] the word "county" and the following: "Nothing in this section contained shall be construed to prevent any county, city and county or incorporated city or town from prohibiting the conducting, the holding or conducting of any boxing exhibition or sale [illegible] of any such boxing exhibition, therein."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 735, with instructions to amend, respectfully reports the same back amended as per instructions.

GRANT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

SPECIAL ORDER SET

Senator Thompson moved that the further consideration of Senate Bill No. 735 be made a special order for eight o'clock p.m., on Friday, May 2, 1913.

The question being on the motion,

The roll was called, and the motion carried by the following vote:

AYES: Senators Anderson, Ayer, Boynton, Breed, Finigan, Flaherty, Gaylord, Carr, Cogswell, Finn, Gates, Gerdes, Hewitt, Jones, Leonard, Lukens, Lyon, Metz, Shanahan, Stephens, Thompson, Tyrrell and Wright—24.

NOES: Senators Bolton, Bryant, Cole, Hay, Holohan and Rigdon—6.

SENATOR THOMPSON IN THE CHAIR

At nine o'clock and fifteen minutes p.m. Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof, and by adding a new section thereto to be known as Section 9a thereof relating to the consolidation of other county and municipal offices in

counties organized under a charter framed under the provisions of section seven and one half of Article XI of the Constitution.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 787 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Flint, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Juilliard, the Senate took up the consideration of Assembly Bill No. 477 for second reading, out of order.

Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with name and address of the original manufacturer thereof, providing for the enforcement of and providing for penalties for the violation of the provisions of this Act.

Bill read second time, and ordered on file for third reading.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1008—An Act to regulate the payment of employers' advances, and providing penalties for the violation of its provisions.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1008 passed by the following vote:

AYES—Senators Avey, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Colm, Curtin, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Sanford, and Shanahan—23.

NOES—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 134—An Act to protect the health of persons employed in handling Portland cement in ocean going vessels; providing for the packing of such cement in paper sack containers or other equally dust proof containers; defining the powers and duties of the Labor Commissioner in the enforcement of the provisions of this Act; and imposing penalties for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Bryant moved a call of the Senate.

Motion carried.

Time, ten o'clock and forty-five minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ayer, Beedy, Bunce, Burnett, Busick, Chambers, Cogswell, Cory, Cottrell, Curtin, Dills, Flint, Gates, Gerdes, Grand, Hewitt, Judge Pendleton, Riley, Lennon, Luna, Miss Sanford, Stanton, Strobridge, Thompson, Tyrrell, and Wright—21.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Bryant.

The roll of absentees was called, and Senate Bill No. 134 passed by the following vote:

AYES, Senators Bunce, Burnett, Chambers, Cogswell, Cottrell, Cromwell, Cole, Curtin, Dills, Gates, Gerdes, Grant, Hewitt, Judge Pendleton, Lennon, Luna, Riley, Seaford, and Stanton—21.

NOES, Senators Anderson, Ayer, Beedy, Busick, Flint, Miss Sanford, Strobridge, Thompson, Tyrrell, and Wright—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Gates gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 134 was this day passed.

REPORT OF STANDING COMMITTEE—[OUT OF ORDER.]

The following report of standing committee was received:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

CONSIDERATION OF BILL—[OUT OF ORDER.]

On motion of Senator Curtin, the Senate took up the consideration of Senate Bill No. 1126, out of order.

Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Breed, as a special committee of one, to amend as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. This Act shall be known as the "moving picture censor Act" and it shall apply to the films, reels, motion pictures, exhibitions and exhibitors hereinafter described and to the commission herein referred to.

SEC. 2. (*a*) The term "commission" when used in this Act means the motion picture censor commission of the State of California as hereinafter created and more specifically described.

(*b*) The term "censor" when used in this Act means one of the members of the commission.

(*c*) The term "film" when used in this Act means any transparent or translucent substance or material possessing a surface upon which there are a number or series of regularly spaced photographs, pictures, illustrations or delineations which, being exhibited under suitable conditions, one after another, in a given sequence or a definite or particular order of succession, may simulate or produce the appearance of movement or motion in, or of, the said photographs, pictures, illustrations or delineations, or of the component parts thereof.

(*d*) The term "reel" when used in this Act, means any quantity of film which constitutes in itself a continuous whole, or any portion of film joined together, or any quantity of film commonly or customarily bought, sold, rented, leased, loaned, exchanged, vended or exhibited as a unit.

(*e*) The term "motion picture" when used in this Act, means any photograph, picture or delineation produced or caused through the agency, or by the aid, of any film.

(*f*) The word "exhibit" when used in this Act, means to display, disclose, show, expose, manifest, produce, represent, or bring into view, or to permit or cause to be displayed, disclosed, shown, exposed, manifested, produced, represented or brought into view.

(*g*) The term "person" when used in this Act includes an individual, a firm, a copartnership and a corporation.

(*h*) The term "exhibitor" when used in this Act, means any person who exhibits any film or motion picture.

(*i*) The term "exchange" when used in this Act means any person other than an exhibitor who buys, sells, rents, leases, exchanges or vends films.

(*j*) The expression "new reels" or duplicates thereof is understood to mean reels issued or released any time after ten days prior to the time this Act becomes a law.

SEC. 3. There is hereby created a commission to be known as the "moving picture censor commission" of the State of California. The commission shall consist of three members who shall be appointed by the governor from the state at large and shall serve at the pleasure of the governor. The principal office of the commission shall be in Sacramento. The annual salary of each member of the commission shall be twenty-four hundred dollars payable in equal monthly installments and they shall be paid, in addition, all necessary traveling expenses incurred in the performance of their duties.

SEC. 4. (*a*) The commission shall have the power to employ a secretary, a projecting machine operator and one additional person, if needed to enforce the provisions of this Act, who shall hold office during the pleasure of the respective board. The secretary and all other employees of the commission shall receive such compensation as may be fixed by the commission and the commission may prescribe the duties of any and all of its employees. The salaries of the censors and of all employees of the commission shall be paid from the motion picture censor fund, hereinafter provided, and they shall be paid in the same manner as are the salaries of other state officers. All expenses incurred by the commission pursuant to the provisions of this Act, including the actual and necessary traveling and other expenses and disbursements of the censors and their employees, incurred while on the business of the commission, shall be paid from such moving picture censor fund after being approved by the commission, upon claims therefor to be audited by the board of control.

(*b*) A majority of the censors shall constitute a quorum for the transaction of any business for the performance of any duty or for the exercise of any power of the commission except as otherwise provided in this Act. No vacancy in the commission shall impair the right of the remaining censors to exercise all the powers of the commission as a commission or a board. The act of the majority of the commission shall be deemed to be the act of the commission.

SEC. 5. The censors and the employees of the commission, shall, when in the performance of their official duties, upon demand, have the right of free access to any place, room, building or theater, in the State of California, at which is held or given any public exhibition or entertainment or performance at which motion pictures or films are exhibited; and it shall be unlawful for any person to deny any censor or any employee of the commission free access to such place, room, building or theater, or to interfere with or molest any censor or employee of the commission in the exercise of said right.

SEC. 6. It shall be the duty of the censors to examine and censor all films manufactured or produced in or brought into the State of California for exhibition, and either to approve and pass, or to reject and forbid the exhibition of every such film; *provided*, that the action of the commission in passing and approving or in rejecting and forbidding the exhibition of any film or reel shall apply in the same manner and with equal force to all duplicates, counterparts or copies of any particular film upon which action is had by the commission; *provided, also*, that the commission may approve and pass any film subject to such decisions, amplifications or altera-

tions as they in their discretion may direct and require to be made, and affixed the seal or tag of the commission thereto, provided that he shall keep one part of the duplicate thereof and after the service of such seal or tag, or application or attachment thereof as aforesaid, no person shall remove, tamper with, destroy, injure or interfere with the same, or any part thereof, except by order of the commission, and it shall be unlawful for any person to exhibit any film which has been approved and passed by the commission unless or until a seal or tag as provided in this section, without first having procured from the commission a permit so to do; provided, however, that the commission may in its discretion, in any special case, authorize the exhibition of any such film without the affixing of such seal or tag thereto.

SEC. 7. It shall be unlawful for any person to exhibit any film, reel or moving picture in the State of California unless the same shall have been passed by the commission and the seals or tags attached.

SEC. 8. (a) It shall be the duty of the commission to devise an appropriate seal or tag which may be attached or affixed to films, reels or moving pictures approved by the commission as provided by this Act, and the said seal or tag shall be attached or affixed to such films, reels or moving pictures by the commission or under its direction and supervision, which seal or tag shall be evidence of the fact that the said film, reel or moving picture has been duly approved by the commission and that the same may be exhibited in the State of California, subject to the provisions of this Act.

(b) When any film shall have been approved and passed by the commission, the secretary of the commission shall upon demand, issued on due process, number, register or classify in said film a license or permit to exhibit such film, to be numbered and signed by the commission, each of which shall authorize the exhibition of such film a specified number of times, and shall state the name of the person to whom issued, the number of the film or reel to which it is attached, the name of the film, and such other information as may be required by the commission, and it shall be unlawful for any person to exhibit, employ or use, or permit the use of any film or reel without having procured such license or permit.

(c) Upon any film which shall have been approved and passed by the commission, the secretary of the commission shall upon demand, issued on due process, number, register or classify in said film a license or permit to exhibit such film, to be numbered and signed by the commission, each of which shall authorize the exhibition of such film a specified number of times, and shall state the name of the person to whom issued, the number of the film or reel to which it is attached, the name of the film, and such other information as may be required by the commission, and it shall be unlawful for any person to exhibit, employ or use, or permit the use of any film or reel without having procured such license or permit, and the said certificate or permit when issued for the purposes in such cases herein provided for in this section, in connection with the film or reel referred to in the said certificate or permit, provided said applicant has at that time been issued a license or permit lawfully authorized and issued by the commission, and shall have been duly approved by the commission, and the said film or reel in connection with which said certificate or permit is issued has been duly and lawfully approved by the commission, and has been duly and lawfully passed by the commission, and has been duly and lawfully authorized by the commission, and

SEC. 10. It shall be unlawful for any exchange to sell, lease, rent, give, loan or lend any film or reel to any exhibitor in the State of California, unless and until the said film or reel has first been approved and passed by the commission: *provided*, that the neglect or failure of any exchange to comply with this or any other section of this Act shall not excuse any exhibitor from compliance with all of the terms of this Act.

SEC. 11. It shall be unlawful for any person to exhibit any motion picture of any human figure in such detail as to offend public morality or decency; or of any lewd or lascivious or sensual act; or of any other matter or thing of an obscene, indecent, immoral or suggestive nature, or offensive to the moral sense or against public policy; or of any murder, suicide, robbery, hold up, shooting, stabbing, clubbing, or beating of any human being wherein such acts or any of them are shown in gruesome detail or in a revolting manner, or in any manner objectionable to the moral sense; or of any act of brutality, cruelty or barbarity shown in gruesome detail or in a revolting or disgusting or horrible manner.

SEC. 12. Every person who, either individually or acting as the agent or representative of another, violates any provision of this Act, or fails to observe, obey, or comply with any order, rule, direction, demand, or requirement made by the commission under authority granted in this Act, or any part or portion of such order, rule, direction, demand or requirement, or who procures, aids or abets any person in the violation of this Act or in his failure to obey, observe or comply with such order, rule, direction, demand, or requirement or any part or portion thereof, shall be guilty of a misdemeanor and punishable by a fine not less than fifty dollars for the first offense, two hundred and fifty dollars for the second offense, and by imprisonment not less than one year for any further offense.

SEC. 13. For the purpose of inaugurating the work of the commission the sum of five thousand ($5,000) dollars is hereby appropriated out of the moneys of the state treasury not otherwise appropriated, to be paid into the motion picture censor fund. All fines imposed and collected under the provisions of this Act shall be paid into the motion picture censor fund.

SEC. 16. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1913

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1126, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Jones, the Senate took up the consideration of Senate Bill No. 697, out of order.

Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 697 passed by the following vote:

AYES—Senators Anderson, Beban, Breed, Butler, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

On motion of Senator Cogswell, the consideration of his motion to reconsider the vote whereby Senate Bill No. 1524 was passed, was continued till the next legislative day.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—OUT OF ORDER.

On motion of Senator Campbell, the Senate took up for consideration Senate Constitutional Amendment No. 70, out of order.

Senate Constitutional Amendment No. 70—Proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature, by amending Sections 1, 14, 15 and 16 of said Article IV, and by adding a new section thereto, to be numbered Section 74.

During reading of the constitutional amendment the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, lines 13 and 14, of the printed constitutional amendment, strike out all of lines 13 and 14 and in lieu thereof insert the following: "days after the adjournment of the session of the Legislature which passed such Act, except Acts".

Amendment adopted.

AMENDMENT No. 2.

On page 3, lines 32 to 34, inclusive, strike out all of lines 32 to 34, inclusive.

Amendment adopted.

AMENDMENT No. 3.

On page 8, strike out all of lines 26 and 27, and in lieu thereof insert the following: "Section 15. No law shall be passed except by bill. Any amendments".

Amendment adopted.

AMENDMENT No. 4.

On page 8, lines 27 and 28, strike out all of lines 27 and 28, beginning with the word "except" and ending with the word "amended", and in lieu thereof insert the following: "except Any bill, except as may be otherwise provided in this constitution, may originate in either house but may be amended".

Amendment adopted.

AMENDMENT No. 5.

On page 9, line 1, strike out the word "approves", and in lieu thereof insert the word "approved".

Amendment adopted.

AMENDMENT No. 6.

On page 9, line 24, strike out the word "causes" and in lieu thereof insert the word "reasons".

Amendment adopted.

Constitutional amendment ordered to print and engrossment.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Carr, the Senate took up the consideration of Senate Bill No. 771, out of order.

Senate Bill No. 771—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise

and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Hewitt, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Page 1, of printed bill, strike out line 6, and on page 2, strike out lines 1 to 4, inclusive.

AMENDMENT No. 2.

Page 2, line 17, strike out the words "or any waters or water front,".

AMENDMENT No. 3.

Page 2, line 22, strike out the comma at the end of the line, and in line 23 strike out the words "waters and water front,".

AMENDMENT No. 4.

Page 2, line 25, strike out the comma after the word "streets;" also, strike out the words "waters and water front".

AMENDMENT No. 5.

Page 2, line 32, strike out the words "or any waters or water front,".

AMENDMENT No. 6.

Page 3, strike out lines 3 to 12, inclusive.

AMENDMENT No. 7.

Page 3, line 13, replace the figure "5" by the figure "4".

AMENDMENT No. 8.

Page 3, line 14, replace the word "or" by the word "nor".

AMENDMENT No. 9.

Page 3, line 19, replace the figure "6" by the figure "5".

AMENDMENT No. 10.

Page 3, line 22, after the words "longer term.", at the beginning of the line, insert a new sentence, as follows: "In lieu of hearing and special finding, the railroad commission may by general order approve a longer term for particular classes of franchises."

AMENDMENT No. 11.

Page 3, line 24, replace the figure "7" by the figure "6".

AMENDMENT No. 12.

Page 3, line 33, replace the figure "8" by the figure "7".

AMENDMENT No. 13.

Page 4, line 6, replace the figure "9" by the figure "8".

AMENDMENT No. 14.

Page 4, line 9, insert a period after the word "terms" and strike out the balance of the line.

AMENDMENT No. 15.

Page 4, line 10, strike out the figures "10", and insert in lieu thereof the figure "9".

AMENDMENT No. 16.

Page 4, strike out lines 26 to 36, inclusive; also, on page 5, strike out lines 1 and 2

AMENDMENT No. 17.

Page 5, line 3, replace the figures "13" by the figures "10".

AMENDMENT No. 18

Page 5, strike out lines 17 to 27, inclusive; also on page 6, strike out lines 1 to 20, inclusive.

AMENDMENT No. 19

Page 6, line 21, replace the letter "(f)" by the letter "(e)".

AMENDMENT No. 20

Page 6, line 28, replace the figures "14" by the figures "11".

AMENDMENT No. 21

Page 6, line 33, replace the figures "15" by the figures "12".

AMENDMENT No. 22

Page 7, line 3, strike out the comma after the word "street"; also, strike out the words "waters of water front".

AMENDMENT No. 23

Page 7, line 9, replace the figures "36" by the figures "34".

AMENDMENT No. 24

Page 7, line 12, replace the figures "17" by the figures "14".

AMENDMENT No. 25

Page 7, line 13, strike out the comma at the end of the line; also, in line 14, strike out the words "waters or water front".

AMENDMENT No. 26

Page 7, line 24, strike out the words "waters or water" and in line 25, strike out the word "front".

AMENDMENT No. 27

Page 8, line 1, replace the figures "18" by the figures "15".

AMENDMENT No. 28

Page 8, strike out lines 34 to 37, inclusive; also, on page 9, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SEC. 16. The terms and conditions of annual and yearly franchises other than those specified in Section 2 hereof, subject to franchises for municipal purposes only, except as the governing body thereof may consent by ordinance adopted under Section 8 of Article XI of the constitution."

AMENDMENT No. 29

Page 9, line 12, replace the figures "20" by the figures "17".

AMENDMENT No. 30

Page 9, line 21, replace the figures "21" by the figures "18".

AMENDMENT No. 31

Page 9, line 27, replace the figures "22" by the figures "19".

AMENDMENT No. 32

Page 9, line 30, replace the figures "17" by the figures "14".

AMENDMENT No. 33

Page 10, line 3, replace the figures "23" by the figures "20".

AMENDMENT No. 34

Page 10, line 8, replace the figures "24" by the figures "21".

AMENDMENT No. 35

Page 10, line 16, replace the figures "25" by the figures "22", and strike out the balance of the line; also strike out lines 17 to 22, inclusive, and in line 23, the words "in any waters or water front so situated".

AMENDMENT No. 36

Page 10, line 27, replace the figures "26" by the figures "23".

AMENDMENT No. 37.

Page 11, line 27, strike out the final "s" in the word "Sections"; also, strike out the figures and word "497, 498, 502, 503 and".

AMENDMENT No. 38.

Page 11, strike out lines 28 to 30, inclusive.

AMENDMENT No. 39.

Page 11, line 33, strike out the words "The enumeration of acts and"; also, strike out lines 34 to 36, inclusive, also on page 12, strike out lines 1 and 2.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 771, as amended, with instructions to amend, respectfully reports the same back, amended as per instructions.

HEWITT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Civil Service, to whom was referred Assembly Bill No. 2080, An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

ANDERSON, Chairman.

Assembly Bill No. 2080 ordered re-referred to Committee on Finance.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Jones, the Senate took up for consideration Assembly Bill No. 235, out of order.

Assembly Bill 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i* and 4225*j*, all relating to county boards of health and sanitary inspectors.

The following amendments were offered by Senator Jones:

Strike out all of the printed bill after the words "Section 1", on page 1, line 1, and insert in lieu thereof the following:

A new section is hereby added to the Political Code, to be numbered 4225*a*, and read as follows:

4225*a*. In each county within the State of California there may be a county board of health appointed by the board of supervisors. The county board of health shall consist of five members, at least two of whom shall be duly licensed physicians, and one of whom, if practicable, shall be a civil engineer. The members of said board shall hold office for the term of four years from and after their appointment and until their successors are appointed and qualified; *provided*, that the members of the board at their first meeting shall so classify themselves by lot that three of their number shall go out of office at the expiration of three years and two at the expiration of four years. The board shall elect from their own number a president and a secretary. The secretary shall be a duly licensed physician and shall serve as county health officer. The members of the board shall serve without compensation for their services as such, but shall receive their actual and necessary traveling expenses while engaged in the business of the board. The secretary of the board

shall receive for his services an annual salary, which shall be fixed by the board of supervisors. The deputy officers shall be deemed to be an employee and not an officer.

SEC. 2. A new section is hereby added to said code, to be numbered [illegible] and read as follows:

[illegible]. The county board of health shall hold [illegible] during the second week of each September month and at which the term of each of the members succeeding said board, to be present at such meeting thereof. Special meetings may be held at the call of the chairman or [illegible] by any [illegible] upon such special [illegible] shall be given by the secretary at the direction of the board. Three members of the board shall constitute a quorum.

SEC. 3. A new section is hereby added to said code, to be numbered [illegible] and read as follows:

[illegible]. The county board of health shall hold [illegible] during the second week of each September month and at which the term of each of the members succeeding said board, to be present at such meeting thereof. Special meetings may be held at the call of the chairman or [illegible] by any [illegible] upon such special [illegible] shall be given by the secretary at the direction of the board. Three members of the board shall constitute a quorum.

SEC. 4. A new section is hereby added to said code, to be numbered [illegible] and read as follows:

[illegible]. The county board of health shall hold [illegible] during the second week of each September month and at which the term of each of the members succeeding said board, to be present at such meeting thereof. Special meetings may be held at the call of the chairman or [illegible] by any [illegible] upon such special [illegible] shall be given by the secretary at the direction of the board. Three members of the board shall constitute a quorum.

SEC. 5. A new section is hereby added to said code, to be numbered [illegible] and read as follows:

[illegible]. The county board of health shall hold [illegible] during the second week of each September month and at which the term of each of the members succeeding said board, to be present at such meeting thereof. Special meetings may be held at the call of the chairman or [illegible] by any [illegible] upon such special [illegible] shall be given by the secretary at the direction of the board. Three members of the board shall constitute a quorum.

to be appointed and hold office as a sanitary inspector, and the holder of such license shall be forthwith placed upon an eligible list of persons who may be appointed and hold office as licensed sanitary inspectors. In the event that the license of any sanitary inspector is revoked by the state board of health such sanitary inspector shall *ipso facto* become ineligible to hold any office as sanitary inspector and his office as such sanitary inspector shall forthwith become vacant. Within twenty days after the holding of such examination and the licensing of successful applicants thereunder, the secretary of the state board of health shall certify to the board of supervisors of the county or the legislative body of the municipality for which said examination has been held, a list of those applicants who have passed the examination and who are licensed sanitary inspectors. If no applicants present themselves for examination, or if none of those examined appear to be competent further examinations may be held, or a list of not less than five licensed persons, who have successfully passed a like examination and been licensed in some other county or counties, municipality or municipalities, shall be certified to such board of supervisors or legislative body of such municipality. The board of supervisors or legislative body of such municipality, within thirty days after the receipt of a list of licensed persons certified by the state board of health as herein provided, shall appoint a licensed sanitary inspector. Vacancies in the office of sanitary inspector shall be filled by appointment of the board of supervisors or legislative body of a municipality, for the unexpired term, and from a like list of licensed persons certified by the secretary of the state board of health. Before being permitted to take an examination, each applicant shall file a written application with and pay to the secretary of the state board of health a fee of five dollars. All successful applicants shall pay an additional fee of ten dollars for the license issued to them under this section. All such fees so paid over to such secretary of the state board of health shall at once be paid over to the state treasurer and be placed to the credit of the fund for the traveling and contingent expenses of the state board of health.

Nothing in this section shall be construed to conflict with any state or municipal civil service law or ordinance.

SEC. 6. A new section is hereby added to said code, to be numbered 4225*f*, and read as follows:

4225*f*. Upon the filing of written charges with the board of supervisors or the legislative body of any municipality, and a full public hearing thereon after ten days' notice to the accused, the health officer or the sanitary inspector may be removed from office by the board of supervisors of that county or the legislative body of that municipality, for intemperance, incompetence, malfeasance in office or any other cause which may be deemed by the hearing board or body sufficient for removal. The secretary of the state board of health may upon a resolution to that effect passed by the state board of health, revoke the license of any sanitary inspector, for such cause as in the judgment of said state board of health may be sufficient.

SEC. 7. A new section is hereby added to said code, to be numbered 4225*g*, and read as follows:

4225*g*. It shall be the duty of the sanitary inspector, at least once every ninety days, to make a general inspection of health and sanitary conditions throughout the county or municipality, and a detailed inspection of all school buildings and grounds, all hotels, inns, and so-called summer or health resorts, all dairies, slaughter houses, and all places or establishments where foods or liquors are manufactured, packed or sold, which are situated within the county or municipality; to make such other and special inspections, examinations and reports, when he shall deem the same necessary or when he shall be ordered so to do by the county or municipal health officer or the state board of health; generally to enforce within the county or municipality all laws and ordinances relating to the preservation of the public health; to enforce within the county or municipality all orders, rules and regulations of the state board of health; and on or before the fifth day of each calendar month to make a written detailed report of his work during the calendar month then last past, such report to be in triplicate, one copy to be filed by him with the clerk of the board of supervisors or clerk of the municipality, one with the county or municipal health officer and one with the secretary of the state board of health. The warrant for the salary and expenses of the sanitary inspector for any month shall not be delivered to him unless his license be unrevoked and until he shall make oath that he has made and filed his report for such month as herein required.

SEC. 8. A new section is hereby added to said code, to be numbered 4225*h*, and read as follows:

4225*h*. The sanitary inspector shall be a civil executive officer and for the purpose of making inspections or examinations of sanitary conditions, places, establishments and things as required in Section 4225*a* of this code shall have power at all reasonable times to enter any and all places, enclosures and buildings within the county or municipality; *provided*, that such inspections and examinations of the interior of buildings shall be made during business hours, except in case[illegible] and

that no dwelling house shall be erected by him without the consent of the owner or occupant thereof. When so authorized by the county or municipal board, officer or board of health, or the state board of health, he shall cause proper to take such steps as may be necessary to prevent the introduction or spread of communicable diseases, to enforce and execute all quarantine rules and regulations and all state sanitary measures relating to the public health. He shall also have power to [illegible] for examination or analysis, in the usual way, from any wholesale or retail dealer, any foods, liquors, drugs or food products.

SEC. 9. A new section is hereby added to said code, to be numbered 4225, and read as follows:

4225. Any person, firm or corporation who shall in any way hereafter erect or repair a licensed sanitary receptacle in the compartment of the boat, or who shall refuse or fail to permit him to enter or pass from compartment to the compartment of inspection or examination for sanitary purposes, or shall refuse to sell or deliver to him for examination, any product of any such vessel using as food product, upon tender of the market price therefor, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than twenty hundred dollars or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

SEC. 10. A new section is hereby added to said code, to be numbered 4225a, and read as follows:

4225a. The board of [illegible] may appoint a veterinarian [illegible] for one year and until his successor is appointed and qualified. He shall give a bond in the sum of twenty-five hundred dollars with sureties to be approved by the board of supervisors of the [illegible] county in which he resides. His compensation shall be at least five dollars per day for each day he may be [illegible] and he shall actually be engaged in the performance of the duties as such veterinarian, together with his necessary traveling expenses, actually expended for him in the discharge of his duty. Such compensation and expenses shall be allowed and paid monthly by the board of supervisors of the [illegible] county on the presentation of [illegible] verified claims therefor.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

MESSAGES FROM THE ASSEMBLY—(BILLS OF [illegible])

On motion of Senator Gates, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully returned the [illegible] from the consideration of Senate Bill No. 215, "An Act to amend Section 1 of and to add new Sections 4, 5 and 6 to an Act entitled 'An Act to provide for the [illegible] of unimproved [illegible], approved April 21, 1911, relating to the [illegible] of unimproved [illegible] lands," approved Assemblymen Ryan, Montgomery and Cattle as a committee on conference to meet a like committee from the Senate.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

COMMITTEE ON CONFERENCE APPOINTED

The President pro tem. announced the appointment of Senators Hare, Flint and Curtin as a committee on conference to meet with a similar committee from the Assembly on Assembly amendments to Senate Bill No. 215.

MESSAGES FROM THE ASSEMBLY—(RESUMED)

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1265—An Act to provide for the [illegible] of a [illegible] in the State of California, in the city of New York, in the State of New York, and [illegible] the duties of such local agency and the duties of the [illegible] officers in relation thereto.

Also: Concurred in Senate amendments to Assembly Bill No. 755—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the National Site Commission, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Also: Concurred in Senate amendment to Assembly Bill No. 1297—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Also: Concurred in Senate amendment to Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Also: Concurred in Senate amendment to Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto, to be known as Section 653e, relating to wages of employees.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ADJOURNMENT.

At eleven o'clock and fifty minutes p.m., on motion of Senator Shanahan, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, May 2, 1913.

The Senate met at ten o'clock a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 1, 1913, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Sanford, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. Theodore A. Bell.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to D. W. Carmichael.

On request of Senator Wright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Arthur G. Nason, of San Francisco.

On request of Senator Cohn, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. McCraney, of Reno, Nev.

On request of Senator Cartwright, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to J. S. Daly, Esq., of Sacramento.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 681, An Act creating a state board of [illegible] providing for the appointment and [illegible] of a [illegible] and the certification of his qualifications, prescribing the duties and powers of the state [illegible] and other matters pertaining to the [illegible] of appointees of assistant foremen and [illegible] for the appointment of and promotion of apprentices in [illegible] their duties and rates of compensation, providing for cooperative agreements between the State Board of Forestry and persons, firms, associations, corporations or any combination or groups of such persons, [illegible] and by agreements between the State Board of Forestry and the federal government, declaring certain acts to be public nuisances, and providing [illegible] controlling the funds upon which said agreements exist to effect their [illegible] and the appropriation thereof to the [illegible] purposes for which [illegible] and [illegible] and providing for the [illegible] of such [illegible] and [illegible] of [illegible] and providing for the [illegible] of [illegible] declared by this Act; making the cost of the [illegible] of certain [illegible] upon the land on which said [illegible] are situated; providing for the [illegible] of the satisfying of [illegible] for such [illegible] and the recording of [illegible] and [illegible] and providing for the [illegible] of such fees by the [illegible] and [illegible] and [illegible] of [illegible] and [illegible] of [illegible] and [illegible] of

Assembly Bills Nos. 285 and 594 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1996 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 386 and 99 read first time, and referred to Committee on Finance.

Assembly Bill No. 86 read first time.

BILLS REFERRED FOR COMPARISON.

On motion of Senator Campbell, Assembly Bill No. 86 and Senate Bill No. 67 were re-referred to Committee on Engrossment and Enrollment for comparison.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2070 read first time.

BILLS REFERRED FOR COMPARISON.

On motion of Senator Campbell, Assembly Bill No. 2070 and Senate Bill No. 1736 were ordered to Committee on Engrossment and Enrollment for comparison.

Also.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2094—An Act to amend Sections 2521, 2522 and 2552 of the Political Code of the State of California, relating to the Board of State Harbor Commissioners, and employees and their duties and salaries.

Also: Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego, and making available and reappropriating certain moneys for the purchase of said armory and wharf.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 2094 and 2098 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Also: Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Also: Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Also: Assembly Bill No. 1250—An Act making an appropriation for the construction of a fine arts building for the Los Angeles State Normal School and for drives and walks adjacent thereto.

Also: Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor and providing an appropriation to carry this Act into effect.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 793, 792, 791, 1250 and 540 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1065—An Act appropriating money for the purpose of preservation, protection and improvement of the Mooney tunnel and grounds.

Also: Assembly Bill No. 1078—An Act appropriating money for the erection of insectary the state printing plant.

Also: Assembly Bill No. 1067—An Act to provide for the purchase, construction and partial furnishing of the armory for the National Guard at Los Angeles and making an appropriation therefor.

Also: Assembly Bill No. 1069—An Act to provide for the purchase, construction and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Also: Assembly Bill No. 1048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Also: Assembly Bill No. 794—An Act appropriating money for [illegible] and to the trades building at Preston School of Industry.

J. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNE, Assistant Clerk.

Assembly Bills Nos. 1065, 1078, 1067, 1069, 1048 and 794 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 488—An Act to advance the commercial interests of the State of California, to provide for the appointment of a board of deputy examiners of a state superintendent and of county inspectors of weights and define their respective powers and duties, to fix their compensation, to appropriate money to carry out the provisions of this Act, and to repeal an Act and parts of Acts inconsistent with this Act.

Also: Assembly Bill No. 797—An Act to provide for the construction of a state hospital for the insane and epileptic for tuberculous inmates and tuberculosis thereof, and making an appropriation therefor.

Also: Assembly Bill No. 464—An Act to amend Section 4264 of the Political Code of California, relating to salaries of officers of counties of the [illegible] class.

Also: Assembly Bill No. 1152—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the [illegible] class.

Also: Assembly Bill No. 1111—An Act to amend Section 4264 of the Political Code, relating to the salaries and compensation of officers of counties of the [illegible] sixth class.

J. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNE, Assistant Clerk.

Assembly Bills Nos. 488 and 797 read first time and referred to Committee on Finance.

Assembly Bills Nos. 464, 1152 and 1111 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 918—An Act to amend Section 470 of the Penal Code of the State of California, relating to the punishment of persons.

Also: Assembly Bill No. 1187—An Act to amend Section 472 of the Political Code of the State of California, relating to the duties and salaries of the deputies to the Attorney General, and providing for additional deputies.

Also: Assembly Bill No. 693—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, possession and transportation of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to repeal an Act entitled 'An Act' approved May 1, 1911, by amending Sections 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof, and by adding two new sections to said Act, which sections shall be numbered 12 and 12½, relating to the manufacture, sale, importation and use, branding of insecticides or fungicides or materials used for insecticidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

Also: Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 948 read first, and referred to Committee on Fish and Game.

Assembly Bill No. 1187 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 623 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 766 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Also: Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway, to be located at Mad River and the south fork of Trinity River, along said highway, and making an appropriation therefor.

Also: Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies, to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 389, 1124, 226, 186 and 62 read first time, and referred to Committee on Finance.

Assembly Bill No. 1091 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Also: Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian, the secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

Also: Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Also: Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Also: Assembly Bill No. 302—An Act appropriating money for building, equipping and furnishing a nursery for children at Sonoma State Home.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 20 and 909 read first time, and referred to Committee on County Government.

Assembly Bill No. 703 read first time, and referred to Committee on Agriculture.

Assembly Bills Nos. 60 and 302 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1467—An Act providing for an appropriation for investigations in economic entomology and for the dissemination of information gained thereby, for the sixty-third and sixty-fourth fiscal years.

Also, Assembly Bill No. 1517—An Act to provide for the State Board of Prison Directors to provide for vocations supplied and instruction generally and to secure employment for the same, and making an appropriation for that purpose.

Also, Assembly Bill No. 1141—An Act to amend Section 4126 of the Political Code of the State of California, relating to transportation of officers of counties of the first class, their clerks, deputies and assistants.

Also, Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Frederick Maskew.

Also, Assembly Bill No. 301—An Act providing for the purchase of [illegible] additional cattle barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Also, Assembly Bill No. 296—An Act [illegible] to provide for the disposal of drainage and sewerage from the State Fair grounds in the city of Sacramento.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1461 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1517 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1131 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 1180, 302 and 301 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 388—An Act providing for the leasing of [illegible] horse barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Also, Assembly Bill No. 301—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Also, Assembly Bill No. 496—An Act to amend Section 4261 of the Political Code, relating to salaries of officers and fees and mileage of jurors in counties of the thirty-third class.

Also, Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-seventh class.

Also, Assembly Bill No. 576—An Act to amend Section 4243 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Also, Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the [illegible] class.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 388 and 391 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 496, 318, 576 and 756 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1407—An Act to amend Section 1054 of the Code of Civil Procedure of the State of California, relating to the requisites for notice of hearing in justices' courts.

Also: Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district, to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911.

Also: Senate Bill No. 711—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Also: Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III, of the Code of Civil Procedure.

Also: Senate Bill No. 705—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1467, 1287, 711, 708 and 705 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1339—An Act to add a new section to the Penal Code to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theater or other place of indoor amusement and fixing penalty therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1339 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor.

Also: Senate Bill No. 812—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Also: Senate Bill No. 695—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 166, 812 and 695 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 745—An Act to amend Section 3 of an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California," approved February 3, 1911.

Also: Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Also: Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to a decedent's estate.

Also: Senate Bill No. 956—An Act to amend Section 3215 of the Civil Code of the State of California, relating to the meetings of stockholders, who may vote thereat, and proxies.

Also: Senate Bill No. 952—An Act to amend Section 345 of the Civil Code of the State of California, relating to the extension of time of delinquent sale of stock in corporations.

Also: Senate Bill No. 1031—An Act to add a new Section to the Code of Civil Procedure of the State of California to be numbered 521, relating to claim and delivery of personal property.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 745, 702, 1093, 956, 952 and 1031 ordered to enrollment.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 774, An Act to provide for the appointment of [illegible] weighing and measuring instruments, to provide for a state inspection of weighing and measuring instruments and the deputies and defining the powers and duties of such officers, and defining the duties of county sealers and sealing and inspection to carry this Act into effect, [illegible] has had the same under consideration, and respectfully report the same back and recommend that it be referred to the Committee on Finance.

GATES, Chairman.

Assembly Bill No. 774 ordered re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 907, An Act to amend Sections 1, 4, 6, 7, 8, 8a, and 8b of, and to add a new section to be known as Section 8c to, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as said Act was amended March 19, 1909, and as said Act was amended April 25, 1911—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

JONES, Chairman.

Assembly Bill No. 907 ordered on file for second reading.

CONSIDERATION OF BILL—OUT OF ORDER

On motion of Senator Jones, the Senate took up for consideration Assembly Bill No. 907, out of order.

Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8, 8a, and 8b of, and to add two new sections to be known as Sections 8c and 8d, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

During second reading of the bill, the following amendment was offered by the committee:

By inserting on page 7, line 20, of the printed bill, after the word "Provided," the following: "*provided, further*, that the provisions hereinbefore contained shall not apply to any licensed physician wishing such material in good faith with the personally administers such materials compounded by him, provided, [illegible] prescription therefor,".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

RESOLUTION

The following resolution was introduced:

By Committee on Contingent Expenses.

WHEREAS, It is necessary to [illegible] the Superintendent of Capitol Building and Grounds [illegible] the Legislature on and after April 30, 1913, [illegible] body, and also to do such necessary repairs and general cleaning [illegible] legislative chamber and committee rooms [illegible]; now, therefore, be it

Resolved, That the State Controller be and he is hereby directed and authorized

resolution was received from the Contingent Fund of the Senate in favor of Geo. G. Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of five hundred dollars ($500), out of any moneys in the State Treasury not otherwise appropriated.

GERDES, Chairman.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Boynton, Breed, Bronx, Burnett, Caminetti, Carr, Cartwright, Chan, Flint, Gerdes, Gray, Hewitt, Jones, Juilliard, Main, Owens, Regan, Rush, Shearer, Stanford, Thompson, Tyrrell, and Wright—25.

NOES—None.

COMMUNICATIONS.

The President laid before the Senate telegrams as follows:

Urging amendment of Senate Bill No. 400, from Cotton Mill Women Workers of Fruitvale.

Also, urging the passage of Senate Bill No. 735, from the Los Angeles Federation of Parent Teachers' Association.

Also, appealing for consideration of the result of anti-alien legislation, from the Japanese Association of America.

Also, urging the passage of laws to prohibit aliens ineligible to citizenship from acquiring lands, from San Joaquin County Central Labor Council.

Also, from the Painters' Union of Stockton.

Also, from Pressmen's Union of San Jose; also, from four thousand members of organized labor of Santa Clara County.

Also, from Waiters' Union of Stockton.

Also, from the gas workers of Alameda County.

Also, from carpenters of Fruitvale.

Also, from the organized businessmen of Los Angeles.

Also, from Engineers' Union of Los Angeles.

Also, from Central Labor Council of Los Angeles.

Also, from Carpenters' Union of Pasadena.

Also, from Pasadena Board of Labor.

Also, from Bartenders' Union of Stockton.

Also, from Butchers' Union of Stockton.

Also, from Teamsters' Union of Stockton.

Also, from Elevator Constructors' Union of Los Angeles.

Also, from Clerks' Union of Stockton.

Also, from Mill and Woodmen's Union of Stockton.

Also, from Barbers' Union of Stockton.

Also, from Los Angeles County Building Trades Council.

SPECIAL ORDER RESET.

Senator Flint moved that the further consideration of Senate Bill No. 1000 be made a special order for Saturday, May 3, 1913, at eleven o'clock and thirty minutes a.m.

Motion carried.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Elections to whom was referred Senate Bill No. 1740—An Act to amend Section 1256 of the Political Code, relating to amending

and printing ballots for elections, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HEWITT, Chairman.

Senate Bill No. 1749 ordered on file for second reading.

ON IRRIGATION

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and conserving artesian pressure, and relating to waste and artesian wells," approved March 4, 1907, and all Acts amendatory thereof—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

MOTT, Chairman.

Senate Bill No. 467 ordered on file for second reading.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills respectfully reports the following:

Senate Bill No. 1698—An Act providing for the preparation of a draft, engrossment of such measures introduced in the Legislature and for the publication of a Legislative Bulletin during the biennial session.

Also: Senate Bill No. 780—An Act to amend Sections 49 and 51 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may nominate their candidates at such primary elections for United States Senator," approved April 7, 1911, and to repeal Section 10 of an Act entitled "An Act to amend Sections 1, 2, 3, 7, 10, 12, 13, 22 and 24 of an Act entitled 'An Act to provide for and regulate primary nominations, and providing the method whereby electors of political parties may nominate their choice at such primary election for United States Senator,'" approved December 23, 1911.

Also: Senate Bill No. 1704—An Act to amend an Act entitled "An Act to provide for the formation, organization and government of [illegible] for choosing county seats for the location and improvement of [illegible] and for the [illegible] and the fulfillment of the rights and [illegible] existing between such new counties and other counties," approved March 13, 1907, and to repeal [illegible].

Also: Senate Bill No. 1737—An Act to amend Section [illegible] of the Political Code of the State of California, and to add [illegible] thereto, to be numbered [illegible], relating to the election of Senators in Congress.

Also: Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered [illegible], relating to the furnishing of water for family use.

And report that the same have been correctly engrossed.

GRANT, Chairman.

SENATOR THOMPSON IN THE CHAIR

At ten o'clock and fifty-five minutes a.m. Senator Thompson of the Thirty-fifth District, in the chair.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS

Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 180 passed by the following vote:

AYES—Senators Benson, Birdsall, Boyd, Bower, Bragg, Burnett, Chapman, Curry, Cartwright, Cohn, Finn, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Owens, Regan, Rush, Thompson, Tyrrell, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

14—AS

Senate Bill No. 666—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 666 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Finn, Gerdes, Grant, Hewitt, Jones, Juilliard, Larkins, Mott, Owens, Regan, Rush, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1440—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

In the absence of the author, Senate Bill No. 1440 was passed on file.

Senate Bill No. 1713—An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings, into portions of the State not infected; to control the spread of such diseases after introduction; and authorizing the State Board of Health to make rules and regulations therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1713 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

On motion of Senator Hewitt, Senate Constitutional Amendment No. 35 was passed on file.

Senate Bill No. 1019—An Act to amend Sections 2283, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

On motion of Senator Brown, Senate Bill No. 1019 was passed on file.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State;

providing for the application of the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of the Act and repealing Acts or parts of Acts in conflict herewith.

In the absence of the author, Senate Bill No. 713 was passed on the file.

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated thereafter, numbered and entitled as 1170½, relating to actions for unlawful detainer against tenants in default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

In the absence of the author, Senate Bill No. 885 was passed on the file.

Senate Bill No. 1116—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, and all amendments thereto.

In the absence of the author, Senate Bill No. 1116 was passed on the file.

Senate Bill No. 1748—An Act to amend the Political Code of the State of California by adding thereto two new sections, to be known and numbered as Section 4496 and Section 449c, relating to labor unions.

In the absence of the author, Senate Bill No. 1748 was passed on the file.

Senate Bill No. 1718—An Act to create a state humane commission, defining its powers and duties, providing a revenue therefor and fixing penalties.

On motion of Senator Gerdes, Senate Bill No. 1718 was passed on the file.

Senate Bill No. 1729—An Act to amend Sections 936a, 939b and 941b of the Code of Civil Procedure of the State of California, relating to the duty of the clerk upon appeal and to the granting of records to be used on appeal from judgments, orders or proceedings of the Superior Court to the Supreme Court or the District Courts of Appeal.

On motion of Senator Finn, Senate Bill No. 1729 was ordered to the file of unfinished business.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 309c, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

Read third time.

On motion of Senator Finn, Senate Bill No. 1741 was passed on the file.

Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California, creating a state board of chiropractic examiners, providing for the appointment of the same, defining its powers, duties and emoluments, to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or part of Acts in conflict herewith.

In the absence of the author, Senate Bill No. 430 was passed on the

Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and amending the courses of study.

In the absence of the author, Senate Bill No. 586 was passed on file.

SPECIAL ORDER CONTINUED.

On motion of Senator Birdsall, the consideration of the special order, Senate Bill No. 5, was continued until eleven o'clock and fifteen minutes a.m.

THIRD READING OF BILLS—(RESUMED).

Committee Substitute for Senate Bill No. 1253—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

On motion of Senator Hewitt, Committee Substitute for Senate Bill No. 1253 was passed on file.

Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

On motion of Senator Gerdes, Senate Bill No. 121 was passed on file.

Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city or other legal subdivision thereof.

On motion of Senator Gerdes, Senate Bill No. 122 was passed on file.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

On motion of Senator Caminetti, Senate Bill No. 874 was passed on file, to retain its place.

Senate Bill No. 1488—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

On motion of Senator Caminetti, Senate Bill No. 1488 was passed on file, to retain its place.

Senate Bill No. 1596—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

On motion of Senator Caminetti, Senate Bill No. 1596 was passed on file, to retain its place.

Senate Bill No. 1597—An Act concerning expenses of political parties and providing for payment thereof by municipalities.

On motion of Senator Caminetti, Senate Bill No. 1597 was passed on file, to retain its place.

Senate Bill No. 1606—An Act providing for the payment to the several counties and cities and counties of the State of one-half of expenses incurred by them, respectively, for primary, general and other elections, held under the laws of the State, in years when a general election is held.

On motion of Senator Caminetti, Senate Bill No. 1606 was passed on file, to retain its place.

Senate Bill No. 1643—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

On motion of Senator Caminetti, Senate Bill No. 1643 was passed on file to retain its place.

Senate Bill No. 664—An Act to grant relief to persons erroneously convicted of felony in the State of California.

In the absence of the author, Senate Bill No. 664 was passed on file.

Senate Bill No. 1654—An Act to provide for the establishment, construction and maintenance of state rail highways, for the charge, supervision and control thereof by the Department of Engineering of the State of California and State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting, or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

On motion of Senator Caminetti, Senate Bill No. 1654 was passed on file, to retain its place.

Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 1752 was passed on file.

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 24 of Article I thereof, and relating to a property qualification to vote at elections creating indebtedness.

In the absence of the author, Senate Constitutional Amendment No. 26 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1 of Article II of the Constitution, in relation to the rights of suffrage.

In the absence of the author, Senate Constitutional Amendment No. 27 was passed on file.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 of Article IV thereof, relating to senatorial and assembly districts, and repealing Section 27

of Article IX of said Constitution, relating to congressional districts and the formation thereof.

On motion of Senator Campbell, Senate Constitutional Amendment No. 4 was passed on file.

Senate Bill No. 1621—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto, and making an appropriation therefor; and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

In the absence of the author, Senate Bill No. 1621 was passed on file.

Senate Bill No. 245—An Act to amend Section 1185 of the Civil Code of the State of California, relating to the requisites for the acknowledgment of instruments, and providing for the effect of misnomer in such instrument or acknowledgment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 245 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Finn, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 2, 1913

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 37—Relative to alien land ownership—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

WRIGHT, Chairman.

Senate Joint Resolution No. 37 ordered on file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 285—An Act to amend Section 1365 of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

In the absence of the author, Senate Bill No. 285 was passed on file.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer to Senator Birdsall, as a special committee of one, to amend as follows:

By striking out the period after the word "otherwise" on page 1, line 12, of the printed bill, and inserting in lieu thereof a comma and the words "and may in addition thereto lease lands in this state for agricultural purposes for a term not exceeding three years."

Also: By striking out the period after the word "otherwise" on page 3, line 11, of the printed bill, and inserting in lieu thereof a comma and the words "and may in addition thereto lease lands in this state for agricultural purposes for a term not exceeding three years."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, ALBANY, May 2, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIRDSALL, *Committee.*

The question being on the adoption of the report,

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Boynton moved a call of the Senate.

Motion carried.

Time, twelve o'clock m.

The President directed the Sergeant at Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avery, Boynton, Brand, Burlison, Bruce, Brown, Bryant, Bunce, Butler, Cammeyer, Campbell, Carr, Cartwright, Caswell, Cobb, Cotton, Dow, Finn, Gates, Gerdes, Grant, Jones, Juilliard, Knox, Larkin, Lyon, Mott, Owens, Regan, Rush, Sanford, Sheridan, Stedbridge, Thompson, Tozer, and Wright—36.

The Secretary announced the absentees.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At twelve o'clock and five minutes p. m., Senators Avery and Hewitt were brought to the bar of the Senate, and, on motion of Senator Boynton, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and ten minutes p. m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boynton.

The roll of absentees was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avery, Boynton, Brand, Burlison, Cammeyer, Campbell, Carr, Caswell, Cobb, Cotton, Finn, Gates, Hewitt, Jones, Juilliard, Knox, Larkin, Mott, Owens, Rush, Stedbridge, Thompson, Tozer, and Wright—25.

NOES—Senators Bolton, Bruce, Birdsall, Brown, Bryant, Cartwright, Dow, Gerdes, Grant, Lyon, Regan, Sanford, and Shanahan—13.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Birdsall, the Secretary was directed to issue a rush order for printing Senate Bill No. 5.

SPECIAL ORDER SET.

Senator Thompson moved that the rule fixing the hour of recess be suspended, and that the further consideration of Senate Bill No. 5 be made a special order for one o'clock and fifty minutes p.m., this day.

Motion carried.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having passed, the President declared the Senate at recess until one o'clock and fifty minutes p.m.

RECONVENED.

At one o'clock and fifty minutes p.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith—and report that the same has been correctly re-engrossed.

GRANT, Chairman.

LEAVES OF ABSENCE.

Senator Cassidy was, on motion of Senator Birdsall, granted leave of absence for the remainder of the week.

Senator Breed was, on his own motion, granted leave of absence from five o'clock p.m. this day and all of May 3, 1913.

CONSIDERATION OF SPECIAL BILLS.

The President laid before the Senate, Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this state, and providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

MOTION.

Senator Curtin moved that the consideration of Senate Bill No. 5 be continued until the consideration of Senate Joint Resolution No. 37 be disposed of.

The question being on the motion of Senator Curtin.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock and ten minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SENATOR CARTWRIGHT IN THE CHAIR.

At three o'clock and twenty minutes p.m., Senator Cartwright, of the Twenty-sixth District, in the chair.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At three o'clock and thirty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SENATOR GATES IN THE CHAIR

At three o'clock and thirty-five minutes p.m., Senator Gates, of the Thirty-fourth District, in the chair.

PRESIDENT WALLACE IN THE CHAIR

At four o'clock and thirty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At five o'clock and thirty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED

On request of Senator Grant, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the history class of the Lodi High School:

Misses Hartord, F. Ellis, G. Le Fever, A. Pearson, M. T. Lonsinger, L. Chapdelain, H. Bright, E. Thomas, A. Lange, C. Bauer, N. Franklin, N. Heard; Messrs. Clifford Mason, Ernest Selner, James Hammond, Clarence Dow and Ernest Edenhart.

On request of Senator Benson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. A. F. Murgotten and Mr. A. P. Hill, of San Jose.

CONTINUATION REFUSED.

The question being on the motion of Senator Curtin,

The roll was called, and the motion lost by the following vote:

AYES: Senators Caminetti, Campbell, Cartwright, Cogs, Curtin, Jones, Owens, Sanford, Stanford and Wright—10.

NOES: Senators Anderson, Beban, Benson, Birdsall, Boynton, Bread, Bryant, Butler, Carr, Caswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jennings, Kehoe, Larkins, Lyon, Mott, Regan, Rose, Seawell, Thompson, and Tyrrell—25.

SPECIAL ORDER MADE

Senator Thompson moved that the further consideration of Senate Bill No. 5 be made a special order for seven o'clock and fifty minutes p.m., this day.

Motion carried.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Bryant: Permission to introduce a bill—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Request referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Boynton for permission to introduce a bill entitled "An Act to confer upon the Industrial Accident Commission all the duties, liabilities, powers and privileges conferred and imposed by law upon the Industrial Accident Board, and providing for a transfer of its funds to the credit of the Industrial Accident Commission."

Also: The request of Senator Bryant for permission to introduce a bill entitled "An Act to amend Section 18 of an Act entitled, 'An Act relating to the Panama-Pacific International Exposition Commission of the State of California, and defining its powers and duties'," approved March 4, 1911.

Also: The request of Senator Bryant for permission to introduce a bill entitled "An Act amending Section 602*a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business."

Have had the same under consideration, and respectfully report the same back, and recommend that the requests be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Boynton: Senate Bill No. 1774—An Act to confer upon the Industrial Accident Commission all the duties, liabilities, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Grant: Senate Bill No. 1775—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Bryant: Senate Bill No. 1776—An Act amending Section 602*a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Bill read first time, and referred to Committee on Insurance.

By Senator Finn: Senate Joint Resolution No. 38—Relative to the use of Yerba Buena Island, in San Francisco Bay, as a union railway terminal, requesting and directing the State Board of Harbor Commissioners to promote the undertaking and petitioning Congress to make the necessary cession therefor.

Resolution referred to Committee on Federal Relations.

REPORT OF COMMITTEE ON ENGROSSING

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your committee on engrossing, to which was referred Senate Bill No. 215, An Act to amend Section 1 of and to add Section 4 to and to repeal Section 2 of an Act entitled "An Act to provide for the recording of conveyances of real property," approved April 21, 1911, relating to the recording of conveyances executed in foreign countries, have had the same under consideration, and respectfully report that the said bill was correctly engrossed.

MOTT,
LYON,
CRAIG,
Committee.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE

The President pro tem announced the appointment of Senators Lyon, Jones and Hewitt as a committee on free conference to meet with a similar committee from the Assembly to consider amendments to Senate Bill No. 215.

REPORTS OF STANDING COMMITTEES — OUT OF ORDER

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 32, Amending a certain amendment to the charter of the city of San Bernardino in the county of San Bernardino, State of California, voted for and ratified on the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913, have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

CARE, Chairman.

Assembly Concurrent Resolution No. 32 ordered on file.

ON MILITARY AFFAIRS

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1829, An Act to amend Sections 1807, 1808, 1809, 1810 and 1811 of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties for violation thereof,—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

REBAN, Chairman.

Assembly Bill No. 1829 ordered on file for second reading.

MOTION TO RECONSIDER

Pursuant to his notice on a previous day, Senator Gates moved to reconsider the vote whereby Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture and packing or handling of Portland cement—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 134 was passed reconsidered by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Hewitt, Jones, Juilliard, Mott, Owens, Regan, Sanford, Strobridge, Thompson, Tyrrell, and Wright—26.

NOES—None.

SPECIAL ORDER SET.

Senator Gates moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 134 was passed, be made a special order for Monday, May 5, 1913, at three o'clock and thirty minutes p.m.

Motion carried.

VOTE RECONSIDERED.

On motion of Senator Cogswell, the Senate took up the consideration of his motion to reconsider the vote whereby Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 1524 was passed reconsidered by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Finn, Flint, Gates, Hewitt, Jones, Juilliard, Mott, Regan, Strobridge, Thompson, Tyrrell, and Wright—23.

Senate Bill No. 1524 ordered on file.

LEAVE OF ABSENCE.

Senator Tyrrell was, on his own motion, granted leave of absence for Saturday, May 3, 1913.

SPECIAL ORDER RESET.

Senator Wright moved that the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 418 was passed, be made a special order for Saturday, May 3, 1913, at 3:30 o'clock p.m.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds, and to provide for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BROWN, Chairman.

Senate Bill No. 1283 ordered on file for second reading.

RECESS.

The hour of six o'clock and thirty minutes p.m. having passed, the acting President declared the Senate at recess until seven o'clock and fifty minutes p.m.

RECONVENED

At seven o'clock and fifty minutes p.m. the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

BILL RECALLED FROM COMMITTEE

On motion of Senator Thompson, Assembly Bill No. 1261 was ordered recalled from Committee on Education.

BILLS REFERRED FOR COMPARISON

On motion of Senator Thompson, Assembly Bill No. 1261 and Senate Bill No. 699 were referred to Committee on Engrossment and Enrollment for comparison.

PRESIDENT WALLACE IN THE CHAIR

At eight o'clock and fifteen minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSED AND ENROLLED

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled has examined the following:

Senate Bill No. 878—An Act to amend an Act entitled "An Act [illegible] of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a Board of Medical Examiners to the duties of said appointees," approved March 31, 1907, as amended March 19, 1909, as amended May 5, 1911, by amending Sections 7 and 12 thereof and

Also: Senate Bill No. 1030—An Act [illegible] the State Commissioner's Emergency Fund.

Also: Senate Bill No. 1066—An Act [illegible] the restoration and occupation of the old Camp Shipple and Reading from [illegible] Fort Ross at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and occupation.

Also: Senate Bill No. 1075—An Act to amend Section 628, Section 629, and Section 630 of the Penal Code of the State of California, all relating to the [illegible] and prosecution of [illegible].

Also: Senate Bill No. 846—An Act to reimburse the county of Shasta, in the State of California, for [illegible] sustained in the years 1911 and the years 1912, under the provisions of Section 18 of Article XIII of the Constitution of the State of California, and making an appropriation therefor.

Also: Senate Bill No. 486—An Act to establish a [illegible] School for [illegible] to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Senate Bill No. 1763—An Act to declare unlawful contracts, combinations, arrangements and conspiracies between common carriers and [illegible] for the transportation of crude oil, and [illegible] for the transportation of crude oil, petroleum or the products thereof, so as to prevent [illegible] and unjust practices, contrary to public policy as tending to [illegible], and regulating such [illegible] to other persons, agents and public officials of its provisions thereof, and pay fees, and [illegible] for violations, and authorizing [illegible] proceedings.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled have examined the following:

Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

Also: Senate Bill No. 1762—An Act to amend the Penal Code of California by adding thereto a new section, to be known as Section 293A of the Penal Code

Also: Senate Bill No. 1622—An Act to amend Section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Also: Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 597*b*, providing for the extermination of the ground squirrel.

Also: Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin, and Feather rivers, and other river channels of the State, and improving the navigability of such streams and for acquiring land for necessary rights of way.

Also: Senate Bill No. 1288—An Act to amend Section 6 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907.

Also: Senate Bill No. 337—An Act to amend Section 3676 of the Political Code of the State of California, relating to the subpœna of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Also: Senate Bill No. 113—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts, and for the issuance of water district bonds and the payment thereof.

Also: Senate Bill No. 510—An Act to regulate the practice of medicine, surgery, osteopathy, naturopathy, chiropractic, mechanotherapy and other systems or modes of treating sick or afflicted human beings in the State of California; fixing the standard for the admission to such practice; for the appointment of a board of medical examiners; providing for the duties thereof in the matter of said regulation; appointing medical inspectors thereunder; imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice, medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy, or other systems or modes of treating sick or afflicted human beings in the State of California; providing penalties for a violation of any of the provisions of this Act; to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," which became a law under constitutional provision without Governor's approval February 27, 1901; to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907; to repeal an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of the said regulation'" which became a law March 19, 1909; to repeal an Act entitled "An Act to amend an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, as amended by a certain Act approved March 19, 1909, by amending Section 16 thereof, and by adding a new section to said Act, which Section shall be numbered 13*a*, relating to the practice of medicine and surgery, osteopathy and other systems and modes of treating the sick or afflicted, in the State of California, and imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice, medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and providing penalties for a violation of any of the provisions of said Act, or of any of the provisions of Section 13*a* hereby added thereto," approved May 1, 1911; to repeal an Act entitled "An Act to regulate the practice of osteopathy in the State of California, and to provide for a state board of osteopathic examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act," which became a law under constitutional provision without Governor's approval, March 9, 1901; to repeal an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,'" approved March 19, 1909;

to repeal all Acts, or parts of Acts in any wise conflicting with the provisions of this Act.

And report that the same have been carefully compared.

GRANT, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills has examined the following

Senate Bill No. 772—An Act to make an appropriation of money for the general improvement and extension of the Lake Tahoe wagon road, a state highway.

Also: Senate Bill No. 735—An Act to amend Section 334 of the Penal Code, relating to exercising subscribers and investors and the taking of fees or wagers upon the result thereof.

And report that the same have been carefully compared.

GRANT, Chairman.

COMMUNICATIONS

The following communication was received:

BOARD OF STATE HARBOR COMMISSIONERS
SAN FRANCISCO, CAL., May 1, 1913.

To the Honorable, the Senate of the State of California, Sacramento, Cal.

GENTLEMEN: By direction of the Board of State Harbor Commissioners, I am transmitting to you herewith a certified copy of resolution adopted by the said Board at its meeting held today.

Very respectfully,

LEO V. MERLE, Jr., Secretary.

WHEREAS, The Board of State Harbor Commissioners, after careful investigation and mature deliberation, is convinced that it would be of immediate benefit to the port of San Francisco, to the interests of the whole country, to the commerce of California, and particularly to the residents of the districts surrounding the bay of San Francisco to have Yerba Buena Island, commonly called Goat Island, in the bay of San Francisco, made a great ocean terminal for transcontinental and other railroads, open to all on equal terms and controlled by the State as a public utility for such purposes and for transportation purposes in general; and

WHEREAS, We are assured by competent engineering authority that it is entirely practicable to connect the island with the Alameda shore, either on a solid embankment or by a causeway and bridge, whichever should be deemed best for the interests of all concerned, and within a cost greatly justified by the use and importance of the undertaking; and

WHEREAS, The present use of the island as a naval training station by the national government is an economic injury and, although one of prospective increase in the real value of the island if suitably developed, the larger portion now remains unproductive; and

WHEREAS, A suitable site for the naval training station can easily be found somewhere around the bay of San Francisco; and

WHEREAS, The use of the island as a national terminal would permit the speeding time of the ferry service between San Francisco and Alameda County to be cut down more than two thirds and also greatly reduce the expenses of operation so that wrecked and consequently heavily depressed real property values; and

WHEREAS, Time and consolidated effort will be required to bring about the desired object, and it is therefore advisable for some public agency to be appointed or authorized and directed to take charge of this movement and push it [illegible] to a successful issue; now, therefore, be it

Resolved, That the Governor and the Legislature of the State of California be, and they hereby are, requested to make [illegible] the [illegible] of the island to the State of California, to be used for [illegible] purposes as above outlined.

Resolved, That it is hereby respectfully suggested to the Congress and the Legislature that the United States Senators and Congressmen from California be requested to initiate and prosecute the necessary legislation to that end; and that the Board of State Harbor Commissioners, or some other public agency, be authorized and directed to promote the undertaking by educating and organizing public sentiment on the subject and enlisting public support; and we request [illegible] to carry the movement to a speedy and successful consummation.

I, Leo. V. Merle, Jr., the duly appointed and qualified secretary of the Board of State Harbor Commissioners, do hereby certify that the foregoing is a full, true and correct copy of resolution passed by said Commissioners [illegible] at a regular meeting of said Board of State Harbor Commissioners held on the first day of May, 1913, and unanimously adopted by said Board.

Witness my hand and the official seal of said Board affixed this first day of May, 1913.

[SEAL] LEO V. MERLE, Jr., Secretary.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to G. C. Barnhart, of Oakland.

SPECIAL ORDER RESET.

Senator Brown moved, that the further consideration of Senate Bill No. 735 be made a special order for eight o'clock p.m., on Monday, May 5, 1913.

MOTION TO RECONSIDER.

Pursuant to his notice on a previous day, Senator Bryant moved to reconsider the vote whereby Senate Bill No. 1520—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2004, relating to disputes between employers and employees concerning terms and conditions of employment—was refused passage.

CONSIDERATION CONTINUED.

Senator Bryant moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1520 was refused passage, be continued till the next legislative day.

Motion carried.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 5—An Act relating to the rights, powers, and disabilities of aliens and of certain companies, associations and corporations with respect to property in the State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Wright moved to refer Senate Bill No. 5 to Senator Cannetti, as a special committee of one, with instructions to amend as follows:

AMENDMENT No. 1.

Strike out the word "and", being the last word in the second line of the title, and also the words "of certain companies, associations and corporations", in the third line of the title.

AMENDMENT No. 2.

Strike out lines 1 to 13, inclusive, on page 1; also, lines 1 to 37, inclusive, on page 2, and lines 1 to 22, inclusive, on page 3, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. All aliens may, subject to the provisions of this Act, acquire and hold title in fee simple, or otherwise, to lands, tenements and hereditaments, situate in this state, by deed, devise or descent, and may alienate, sell, assign, encumber, devise and convey lands, tenements and hereditaments whether the same have been heretofore or be hereafter acquired, and the title to such lands of which an alien may die seized or possessed, intestate, shall descend to the heirs at law, and no person shall be deprived of his right to take title to real estate as heir at law by descent from any deceased person, because he may be an alien or be compelled to trace his relationship to such deceased person through one or more aliens; *provided*, that no alien shall acquire land of another alien, or acquire land that within a period of six years has been vested in an alien.

SEC. 2. If any alien shall at the time of acquiring title to lands situate in this state be of the age of twenty-one years or upwards, he may hold title to the same for six years from and after the time of acquiring such title; but if any alien shall at the time of acquiring title to lands situate in this state be under the age of twenty-

one years he may lawfully give to the owner for any years from and after the time when he becomes twenty-one years of age, and if at the end of the time agreed between such lands shall not have been improved in such manner that such owner or such grantee shall not have become a citizen of the United States, it shall then be the duty of the attorney-general of the state to proceed by subscription, in the name of the people of the State of California, in the superior court of the county in which the land is situated, to compel a sale of said lands, and such court shall upon application to it have and exercise such jurisdiction and to order the sale of such lands by the sheriff of the county or a commissioner, and in the case of sale under such decree, convey, as such case and cases and upon such notice as the court may direct, but such sale shall be made subject to all encumbrances that may be subsisting or existing at the time of the commencement of such proceedings. Nothing in this section contained shall be given to the owners and for the time prescribed by the same.

SEC. 3. It shall be a good defense to any such proceeding that prior to the time that the notice was commenced, such alien had become a citizen of the United States, or that such lands had been purchased in good faith by such alien subsequent to purchase, or otherwise obtained such lands at the time of the commencement of such proceedings. Nothing in this section contained shall be given to the owners and for the time prescribed by the same.

SEC. 4. No suit under pretense to any lands escheated by any such proceedings brought under the provisions of this Act shall be valid until confirmed by the court ordering the same. The money and proceeds for the escheated property, if any, of any person who has left the state or gone into any other country, coming of such person by escheat, or under these acts or any violation of the United States.

SEC. 5. No person shall be commenced under or by virtue of the provisions of this Act to enforce any lands, tenements or hereditaments against which this act, unless such action shall be commenced within two years from and after the time when the Act shall become effective, or within two years from and after the time when such right of action first accrued.

SEC. 6. All aliens may inherit and hold personal property in the same manner and to the same extent as native-born citizens of the United States and the personal estate of an alien dying intestate shall be distributed to the same manner as the estates of natural-born citizens, and all persons claiming by such means shall be entitled to proper distributive shares thereof under the laws of this state, whether they are aliens or not.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your special committee of one to whom was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMINETTI, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Campbell, Cartwright, Jones, Sanford and Wright—5.

NOES—Senators Anderson, Avey, Behan, Boynton, Brobeck, Bronzan, Bryant, Caminetti, Chan, Chenoweth, Crane, Dunn, Finn, Gates, Gaudy, Gerdes, Hewitt, Leonard, Kehoe, Lyon, Mott, Regan, Rose, Shumate, Stetson, Thompson, and Tyrrell—29.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Sanford moved to refer to Senator Jelliffe, as a special committee of one, to amend as follows:

On page 2, Section 2, line 2, strike out the words "three years" and insert in lieu thereof the words "one year".

Also: On page 2, Section 3, line 25, strike out the words "three years", and insert in lieu thereof the words "one year".

Motion carried.

146—vso

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Benson, Bryant, Caminetti, Campbell, Cartwright, Curtin, Finn, Grant, Regan, Sanford, and Shanahan—11.

NOES—Senators Anderson, Birdsall, Boynton, Breed, Butler, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Strobridge, Thompson, Tyrrell, and Wright—23.

SENATOR THOMPSON IN THE CHAIR.

At ten o'clock and ten minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 2, strike out the period after the word "years", insert a comma, and add the following: "*provided*, that no alien shall acquire a leasehold interest in land of another alien or acquire a leasehold interest in land which, within a period of six years, has been leased to an alien, except as provided in Section 1 of this Act."

AMENDMENT No. 2.

On page 2, line 15, strike out the period after the word "years", insert a comma, and add the following: "*provided*, that no alien shall acquire a leasehold interest in land of another alien, or acquire a leasehold interest in land which, within a period of six years, has been leased to an alien."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Caminetti, Campbell, Cartwright, Cohn, Curtin, Finn, Owens, Regan, Sanford, and Shanahan—10.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Carr, Cogswell, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Strobridge, Thompson, Tyrrell, and Wright—25.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer Senate Bill No. 5 to Senator Campbell, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On pages 1 and 2, of the printed bill as amended in the Senate May 2, strike out all of lines 1 to 13, and lines 1 and 2, inclusive, on page 2, and in lieu thereof insert the following:

"SECTION 1. No alien, excepting as otherwise hereinafter provided, shall acquire, possess, enjoy, transmit and inherit real property, or any interest therein, in this

state: *provided*, that all aliens resident of this nation (provided by treaty treaties of the United States no longer possess rights, privileges and property, in such nation, and whose the rights and privileges in the state of and to real property as such nation may be affected by the provisions of this Act shall not be put or deprive any rights secured to any alien under the provisions of any existing treaty between the United States and the country of which such alien shall be a citizen or subject.

No alien except as provided in the proviso to this Act shall ever acquire, possess, enjoy, transmit and inherit real property or any interest therein in this state."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON BILL

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your special committee to which was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

SANFORD, Chairman.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Anderson, Avey, Boynton, Burnett, Caminetti, Campbell, Carey, Cartwright, Cogswell, Curtin, Finn, Gates, Gerdes, Gerrit, Hewitt, Inman, Jeffords, Johnson, Leavitt, Lewis, Lukens, Mott, Owens, Rigdon, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe and Wright—36.

NOES—Senators Avey, Black, Bonnheim, Boynton, Burnett, Caminetti, Campbell, Carey, Cartwright, Cogswell, Curtin, Finn, Gates, Gerdes, Gerrit, Hewitt, Inman, Jeffords, Johnson, Leavitt, Lewis, Lukens, Mott, Owens, Rigdon, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe and Wright—36.

PRESIDENT PRO TEM. ASSUMES THE CHAIR

At eleven o'clock and ten minutes p.m. Hon. J. D. Inman, President pro tem. of the Senate, in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Shanahan moved to refer to Senator Sanford, as a special committee of one, to amend Senate Bill No. 5 as follows:

AMENDMENT NO. 1

By striking out of section 2, line 2, page 2, of the printed bill, the period after the word "years" and inserting in lieu thereof a semicolon and the words "but such lease shall not be for more than ten years, provided, however, that in case of minors such lease may be made for a longer period, not to exceed twenty years from date hereof, and after the taking effect of this Act."

AMENDMENT NO. 2

By striking out of section 3, line 13, page 2, of the printed bill, the period after the word "years" and inserting in lieu thereof a semicolon and the words "but such lease shall not in any case be made for a longer period than ten years from date hereof, and after the taking effect of this Act."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON BILL

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your special committee, to which was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

SANFORD, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Avey, Campbell, Caminetti, Cartwright, Curtin, Finn, Gerdes, Sanford, and Shanahan—9.

NOES—Senators Anderson, Avey, Black, Boynton, Burnett, Burnett, Carey, Cogswell, Flint, Gates, Gerrit, Hewitt, Inman, Jeffords, Kehoe, Lukens, Mott, Strobridge, Thompson, Tyrrell, and Wright—23.

SENATOR THOMPSON IN THE CHAIR.

At eleven o'clock and twenty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

BILL PASSED.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cosey, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Leonard, Ketcham, Larkins, Lewis, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—35.

NOES—Senators Cartwright and Wright—2

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 628 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Also: Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries and officers of counties of the forty-second class.

Also: Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers and fees and mileage of jurors in counties of the thirty-third class.

Also: Assembly Bill No. 576—An Act to amend Section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Also: Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Also: Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Also: Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BREED, Chairman.

Assembly Bills Nos. 20, 318, 496, 576, 756, 766 and 1091 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class

Also, Assembly Bill No. 1111, An Act to amend Section 4307 of the Political Code of the State of California, relating to the employment of convicts and prescribing offenses of convicts at the county prison and to the apprehension and return of such convicts and for other

Also, Assembly Bill No. 1111, An Act to amend Section 4307 of the Political Code, relating to the selection and commissioning of officers of convicts at the Folsom

Have had the same under consideration, and respectfully report that same back, and recommend that they do pass.

BREED, Chairman.

Assembly Bills Nos. 561, 980 and 1111 ordered on file for second reading.

Also,

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Public Improvements, to which was referred Assembly Bill No. 1130—An Act to amend Section 1170 of the Political Code of the State of California, relating to the county road engineer and his duties, have had the same under consideration, and respectfully report back, without recommendation,

BREED, Chairman.

Assembly Bill No. 1130 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1313—An Act to amend Section 646 of the Code of Civil Procedure, and to add to said code a new section to be numbered 646a, relating to the enforcement of public easements and by means thereof, have had the same under consideration, and respectfully report back, without recommendation.

HAYES, Chairman.

Assembly Bill No. 1313 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1095—An Act to authorize the Management of a commission and an engineer to go and examine and report upon all the lands and buildings of the Whittier State School, to authorize the sale of the Preston State School to California Penal Colony, to purchase and improve a new site for said school, to provide for the erection and construction upon said new site or purchase of buildings and other structures and improvements for said school, and to provide for the purchase of furniture, fixtures and equipment for said school, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FINN, Chairman.

Assembly Bill No. 1095 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Also, Senate Bill No. 67—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Have had the same under consideration, and respectfully report that Assembly Bill No. 86 is not identical with Senate Bill No. 67.

GRANT, Chairman.

Assembly Bill No. 86 ordered referred to Committee on Finance.

Senate Bill No. 67 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to which was referred Assembly Bill No. 1263—An Act to provide for the payment of assessment

salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

Also: Senate Bill No. 699. An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

Have had the same under consideration, and respectfully report that Assembly Bill No. 1263 is identical with Senate Bill No. 699.

GRANT, Chairman.

Assembly Bill No. 1263 ordered on file for second reading.

Senate Bill No. 699 ordered on file of Unfinished Business.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose, on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 1531 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Bryant, the following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly respectfully requests the return of Senate Bill No. 1339 to this body for the purpose of further consideration—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold tickets in excess to the seating capacity of the theater or other place of indoor amusement, and fixing penalty therefor.

L. B. MALLORY, Chief Clerk of Assembly.

Senate Bill No. 1339 ordered recalled from enrollment and returned to the Assembly.

SECOND READING OF BILLS.

On motion of Senator Jones, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California, relating to the protection to fish and game

On motion of Senator Jones, Assembly Bill No. 1879 was passed on file.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read second time, and ordered re-referred to Committee on Finance.

Assembly Bill No. 524—An Act appropriating money for the purchase of livestock at the state prison at Folsom.

Bill read second time, and ordered re-referred to Committee on Finance.

Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Bill read second time, and ordered re-referred to Committee on Finance.

Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

Bill read second time, and ordered re-referred to Committee on Finance.

Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Bill read second time, and ordered re-referred to Committee on Finance.

Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Bill read second time, and ordered re-referred to Committee on Finance.

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903, amending Sections 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 12 of said Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California, relating to the salaries and fees of the officers of counties of the twenty-first class. (Santa Cruz County.)

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 550—An Act to amend Section 4028 of the Political Code of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

During second reading of the bill, the following amendment was offered by the committee:

Commencing with the word "In", after the period following the figures "4017", on page 1, line 3, of Assembly Bill No. 1295, strike out all of said bill down to and including the period after the word "appointed", on page 2, line 6, of said bill, and insert in lieu thereof the following:

"In counties where the board of supervisors by proper ordinance so elect, except as otherwise provided in this title, the duties of certain of the offices mentioned in section four thousand thirteen are hereby consolidated, as follows: Sheriff and tax collector; auditor and recorder; county clerk, auditor and recorder; county clerk and recorder; county clerk and auditor; treasurer and tax collector; treasurer and recorder; assessor and tax collector; public administrator and coroner; district attorney and coroner; sheriff and public administrator."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 5, line 15, strike out the words "One half of all", and insert in lieu thereof the word "All".

Amendment adopted.

AMENDMENT No. 2.

On page 5, line 16, strike out the word "either".

Amendment adopted.

AMENDMENT No. 3.

In lines 16 and 17, strike out the words "or the fees allowed by law for the making of the military roll".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States and to provide a punishment therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations, and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Bill read second time, and ordered on file for third reading.

SECOND READING OF BILLS.

On motion of Senator Hewitt, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 288—An Act to amend an Act entitled "An Act to add a new section to the Political Code to be known as Section 1665*a*, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitian schools, in which shall be taught the French, Italian and German languages in

connection with the English branches," approved March 18, 1909, relating to cities of the first and first and one half classes.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 6, after the word "and" insert the word "Commerce".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, after the word "Public" insert the word "Utilities".

Amendment adopted.

Bill read second time and ordered to third engrossment and third reading.

Senate Bill No. 373—An Act to amend Section 1411 of the Civil Code of the State of California, relating to the appropriation of water.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 441—An Act to reserve for use within the State electricity generated by water power from the outlets of the lakes, rivers, creeks, and streams of this State, and to prevent the transmission out of the State of electricity so generated.

Bill read second time, ordered engrossed and on file for third reading.

ADJOURNMENT.

At eleven o'clock and fifty minutes p.m., on motion of Senator Hewitt, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, May 3, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Boynton, Burnett, Bledsoe, Bunkerson, Bissell, Brown, Bryant, Butler, Chamberlain, Campbell, Carr, Cartwright, Caminetti, Cobb, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jacobsen, Lawrence, Leale, Mott, Owens, Regan, Rush, Sanford, Shanahan, Stetson, Thompson and Wright—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, May 2, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1498—An Act to appropriate the sum of eight thousand four hundred and forty-one and seventy-nine one hundredths dollars out of the general fund in the state treasury to pay the assessments levied by the city and county of San Francisco, against property belonging to the State of California for local improvements.

Also: Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Also: Assembly Bill No. 717—An Act to add a new section to the Penal Code to be known as Section 402*f*, regulating the packing, preparing and shipping for sale within the State of California of any fruit infected with insect pests or disease injurious to trees, shrubs, plants, or fruits; and providing a penalty for the violation thereof.

Also: Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Also: Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1498, 1279 and 1605 read first time, and referred to Committee on Finance.

Assembly Bill No. 717 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 609 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Also: Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano of the city of Sonoma, California.

Also: Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Also: Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as Kings River canyon road, to authorize changes in the location of said road, and to repeal all Acts and parts of Acts in conflict herewith.

Also: Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November, in the year one thousand nine hundred and ten, which is provided in Section 14 of Article XIII of the Constitution of this State and as provided in an Act of the thirty-ninth session of the Legislature, entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2038 read first time, and referred to Committee on Education.

Assembly Bill No. 111 read first time, and referred to Committee on Finance.

Assembly Bill No. 652 read first time, and referred to Committee on County Government.

Assembly Bill No. 2026 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1008 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed Assembly Bill No. 1644—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Also: Assembly Bill No. 1947—An Act appropriating money for construction of a hospital building on site near the Ferry Building in the city and county of San Francisco, arranging for the erecting by said city and county.

Also: Assembly Bill No. 567—An Act to create a bureau of criminal identification and investigation; providing for the employment of a chief of bureau and agents for said bureau, defining their qualifications, duties and powers; providing for the appointment of a stenographer and assistants; providing for the compensation of said assistants, agents, chief, and stenographer; providing for the control of property, books, and records, and providing for the expense of equipping and maintaining the office of said bureau and making an appropriation therefor.

Also: Assembly Bill No. 1477—An Act to amend Sections 695, 697, 698, and 699 of the Political Code, relating to the State Board of Control and Department of Accounting thereto; providing for the appointment of such boards, defining the powers and duties, prescribing the purposes and fixing the expenses of the boards, and empowering them.

I. E. MALLOEY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 65 and 1947 read first time, and referred to Committee on Finance.

Assembly Bill No. 567 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1477 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Drabbs against the State of California.

Also: Assembly Bill No. 567—An Act to amend Section 4176 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

Also: Assembly Bill No. 1572—An Act to amend Section 4361 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

Also: Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by J. C. Wilson, Wells in the prosecution of criminals in the county of Trinity, State of California.

I. E. MALLOEY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1644 and 1294 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 567 and 1572 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed Assembly Bill No. 1064—An Act to make an appropriation for the location and survey of a proposed highway from Tahoe City, Placer County, along the northern border of Lake Tahoe to the western boundary of the State of Nevada, at Crystal Bay, in Placer County.

Also: Assembly Bill No. 1542—An Act making an appropriation for the [illegible]

and survey of a proposed highway from Boca to the Nevada state line along the Truckee River, in Nevada County.

Also: Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use, and appropriating money therefor.

Also: Assembly Bill No. 789—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

Also: Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the "Alpine State Highway."

Also: Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants and the salaries of the deputy and assistants.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1064, 1542 and 789 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1911 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 13 and 1379 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 459a, relating to the giving of bonds by the deputy state treasurer, cashier, and bond officer of the Treasurer, and providing for the payment of premiums thereon.

Also: Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation.

Also: Assembly Bill No. 646—An Act appropriating money to be used in establishing and maintaining an exhibit of the citrus industry and citrus products of this State at the fourth and fifth national orange shows to be held in the city of San Bernardino during the month of February, in the years 1914 and 1915.

Also: Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City, in Nevada County.

Also: Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1798 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 175, 646 and 1541 read first time, and referred to Committee on Finance.

Assembly Bill No. 346 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 29—Relative to salaries paid by the State to the employees in various institutions.

Also: Assembly Concurrent Resolution No. 34—Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the fourteenth day of April, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 29 ordered referred to Committee on Finance.

Assembly Concurrent Resolution No. 34 ordered referred to Committee on Finance.

Also:

Assembly Chamber, Sacramento, May 2, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible] and has ordered the same engrossed and to third reading as amended by the Senate; amendments concurred in as follows: Page 2, section 3, line 1, the Assembly refuses to concur in Senate amendments to Assembly Bill [illegible] relating to [illegible] Los Angeles County.

Also: Assembly Bill No. [illegible] to [illegible] Public Utilities Act, relating to the [illegible] of [illegible] of the Railroad Code, relating to the [illegible] of [illegible] of the Penal Code, relating to the [illegible] of [illegible] of the Penal Code of the State of California, relating to [illegible] and [illegible] of [illegible] and [illegible] offenses in relation to the [illegible] thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas C. Wozencraft, Assistant Clerk.

Assembly Bill No. 2037 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 1360 and 354 read first time and referred to Committee on County Government.

Also:

Assembly Chamber, Sacramento, May 2, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible], to add [illegible] to the Penal Code, relating to [illegible] of [illegible] to be [illegible] of [illegible] and to [illegible] of [illegible] to be [illegible], and refuses to concur in the amendments of the Senate to Assembly Bill No. [illegible], to amend [illegible] of the Political Code of the State of California, relating to the [illegible] of the Public Utilities Act of the State of California, approved [illegible], 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By [illegible] C. Wozencraft, Assistant Clerk.

Assembly Bill No. 2105 read first time.

SENATE RESOLUTION CONCURRED IN.

On motion of Senator Campbell, Assembly Bill No. 2105 and Committee Substitute for Senate Bill No. 1253 were ordered to Committee on Engrossment and Enrollment for comparison.

MESSAGES FROM ASSEMBLY — CONCURRED IN.

Assembly Chamber, Sacramento, May 2, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. [illegible], to add [illegible] to the Code of Civil Procedure, to be numbered [illegible], relating to [illegible] upon [illegible] by the court, and to [illegible] thereof, and providing for their [illegible] and [illegible] of [illegible] as [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas C. Wozencraft, Assistant Clerk.

Senate Bill No. 915 ordered to enrollment.

Also:

Assembly Chamber, Sacramento, May 2, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended Senate Bill No. [illegible], to amend Section 1245 of the Political Code of the State of California, relating to [illegible] and fees of officers [illegible], and adding to [illegible] of the said code, [illegible].

Also: Senate Bill No. 502—An Act to amend Section [illegible] of the Code of Civil Procedure, relating to [illegible] [illegible].

Also: Senate Bill No. 1270—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the [illegible] of [illegible] and [illegible] of [illegible] of the [illegible].

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By Thomas C. Wozencraft, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 679.

(Adopted April 22, 1913.)

On page 3, line 1, strike out the word "eighty", and insert in lieu thereof the following: "one hundred".

Also: On page 3, line 2, strike out the following: "who shall also act as matron of the county jail when female prisoners are confined therein".

Also: On page 3, line 4, strike out the word "seventy-five", and insert in lieu thereof the word "eighty-five".

Also: On page 7, line 27, strike out the words "one hundred", and insert in lieu thereof the following: "one hundred twenty-five".

Also: On page 8, line 31, after the word "attendance", strike out the words "and the sum of fifteen cents per mile for each mile actually traveled in going to court only", and insert in lieu thereof the following: "and mileage for each day's attendance at the rate of seven cents per mile of the distance actually traveled from the residence of said juror to the county seat, one way only, and which mileage shall be payable out of the funds of the county on the order of the judge of said superior court".

(Adopted April 29, 1913.)

1. On page 4, line 5, after the word "that", insert the following: "in counties of this class there shall be and there is hereby allowed to the treasurer, one clerk, who shall be appointed by the treasurer and who shall receive a salary of seventy-five dollars per month, said salary to be paid in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid: *provided, however*, that".

2. Also: On page 5, line 23, strike out the words "three thousand two hundred and fifty", and insert in lieu thereof the words "five thousand".

3. Also: On page 5, line 35, strike out the period after the word "month", and insert in lieu thereof the following: "; one copyist at a salary of sixty dollars per month."

4. Also: On page 6, line 4, strike out the word "fifteen", and insert in lieu thereof the words "two thousand four".

5. Also: On page 6, line 18, strike out the period after the word "taxes", and insert in lieu thereof the following: "nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes, nor shall the said assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by Section 1901 of the Political Code: *provided, however*, that fifteen per cent of all moneys collected by him for poll taxes and road poll taxes shall be allowed to said counties on their settlement with the state and be and remain the property of such counties".

6. Also: On page 8, line 10, after the period following the word "court", insert the following: "For summoning a coroner's jury the same fees as are now or may be hereafter allowed for summoning a jury in a civil action in the justice's court."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 679?"

The roll was called, and Assembly amendments to Senate Bill No. 679 concurred in by the following vote:

AYES—Senators Anderson, Benson, Boddell, Boynton, Breed, Brown, Bryant, Butler, Cunnett, Campbell, Cohn, Flint, Gates, Gerdes, Gleeson, Juilliard, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—23.

NOES—None.

Senate Bill No. 679 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 563.

(Adopted April 26, 1913.)

On page 1, lines 3 and 4, strike out the words "owner or reputed".

(Adopted May 1, 1913.)

On page 1, line 9, strike out the period, and insert in lieu thereof the following: "; *provided*, that in cases where the improvement made or work done is subject to acceptance by any municipal board or officer, the time for filing claims of lien shall not commence to run until after such acceptance shall have been made".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 563?"

The roll was called, and Assembly amendments to Senate Bill No. 963 concurred in by the following vote:

AYES—Senators Anderson, Benson, Boyd, Brown, Burnett, Butler, Chamberlain, Campbell, Carpenter, Cates, Curtin, Curtis, Dillon, Flint, Gates, Hans, Shannon, Stanford, Thompson, and Wright—21.

NOES—None.

Senate Bill No. 963 ordered to engrossment.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1360—An Act to amend Section 669 of the Political Code, relating to the State Board of Control and Department of Accounts thereto, and to the expenditure of such funds, thereof for general and deficiency purposes, and fixing the compensation of the members and employees thereof, and such duties as have been recently assigned.

GRANT, Chairman.

Also

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 1010—An Act to amend Section 3000 of the Political Code of the State of California, relating to bonds, to officers of counties, thereof, relating to conditions and sureties.

Also, Senate Bill No. 1156—An Act to amend Section 3000 of the Political Code of the State of California, relating to bonds of county officers thereof, relating to sureties and sureties.

Have read the same carefully examined, and respectfully report that Assembly Bill No. 1010 is identical with Senate Bill No. 1144 and recommend that Senate Bill No. 1156 be postponed.

GRANT, Chairman.

Assembly Bill No. 1010 ordered on the list second reading.

Senate Bill No. 1144 ordered on the list of unfinished business.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1170—An Act to regulate persons, corporations, individuals or associations of individuals in pursuing business or carrying on or conducting or engaging in any business, trade, profession, vocation or occupation, or in rendering any service, or in operating any machine, apparatus or appliance, or in using any process or method in connection therewith, which may be carried on or operated or used in such manner as to endanger the life, limb, health, person or property of employees engaged in such business, trade, profession, vocation or occupation, or of persons using, operating or coming in contact with any machine, apparatus or appliance, which may be operated or used in connection therewith, or of persons using any public highway or public place which may be affected by the manner in which or the purpose for which any business, trade, profession, vocation or occupation is carried on, or any machine, apparatus or appliance is operated or used, or any process or method is pursued in connection therewith, or which may be affected by the emission, discharge or escape of any fluid, gas, vapor, dust, fume, chemical or substance, and which may cause the contamination, pollution or infection thereof, or which may be affected in any manner whatsoever by the carrying on of such business, trade, profession, vocation or occupation, or by the operation or use of such machine, apparatus or appliance, or by the pursuing of such process or method in connection therewith, and providing for the creation of a fund for the purposes of this act, and providing how it is to be paid for and under what conditions and regulations, how it is to be expended, and providing penalties for violations of this Act, and authorizing certain proceedings for and before the industrial commission in connection therewith, and prescribing certain court proceedings in connection therewith.

Also, Senate Bill No. 1178—An Act relating to "industrial loaning funds" and amending certain sections thereof.

And recommend that the same have been carefully engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 911—An Act to amend Section 4360 of the Political Code, relating to fees, to report back:

Also, Assembly Bill No. 912—An Act to amend Section 4342 of the Political

Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 911 and 912 ordered on file for second reading.

BILL RE-REFERRED.

On motion of Senator Caminetti, Senate Bill No. 752 was ordered re-referred to Committee on Mines and Mining.

REPORTS OF STANDING COMMITTEES—RESUMED.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 970—An Act to establish a legislative counsel bureau and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Finance.

GATES, Chairman.

Assembly Bill No. 970 ordered re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 752—An Act to make an appropriation of money for general improvement of the Lake Tahoe wagon road, a state highway.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 752 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Gates, Gerdes, Grant, Juilliard, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 46—An Act to establish a state training school for girls, to provide for the maintenance and management of the same and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cartwright, Cohn, Flint, Gates, Gerdes, Grant, Juilliard, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1458—An Act creating an "industrial accident fund," and appropriating moneys therein.

On motion of Senator Boynton, Senate Bill No. 1458 was re-referred to Committee on Finance.

Senate Bill No. 1459—An Act appropriating moneys to the use of the workman's compensation insurance fund.

On motion of Senator Boynton, Senate Bill No. 1459 was re-referred to Committee on Finance.

Senate Bill No. 266—An Act appropriating twenty-five hundred dollars for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 266 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Brandt, Bryant, Burnett, Campbell, Cary, Cobb, Flint, Gates, Gerdes, Gibson, Hatfield, Hoff, Owens, Rogers, Rush, Shumway, Stephens, Strobridge, Thompson, and Wiggins—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers and other river channels of the State and improving the navigability of such streams and for acquiring land for necessary rights of way.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1289 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Brandt, Bryant, Burnett, Campbell, Cary, Cobb, Flint, Gates, Gerdes, Gibson, Hatfield, Hoff, Owens, Rogers, Rush, Shumway, Stephens, Strobridge, and Wiggins—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1772 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Brandt, Bryant, Burnett, Campbell, Cary, Cobb, Flint, Gates, Gerdes, Gibson, Hatfield, Hoff, Owens, Rogers, Rush, Shumway, Stephens, Strobridge, and Wiggins—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 113—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 113 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Carr, Cohn, Finn, Flint, Gates, Grant, Juilliard, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1440—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

In the absence of the author, Senate Bill No. 1440 was passed on file.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

In the absence of the author, Senate Constitutional Amendment No. 35 was passed on file.

Senate Bill No. 1019—An Act to amend Sections 2283, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

On motion of Senator Brown, Senate Bill No. 1019 was ordered to the file of unfinished business.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

In the absence of the author, Senate Bill No. 713 was passed on file.

Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, the said section to be designated eleven hundred and seventy-a (1170a), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 855 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boyd, Burke, Campbell, Chan Cross, Finn, Flynn, Gerdes, Griffin, Gualp, Hubbard, Mott, Osborn, Rush, Strobridge, Sweigert, Thompson and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—OUT OF ORDER.

Senator Finn asked, and was granted, unanimous consent to take up for consideration Assembly Bill No. 1604 out of order.

Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds, to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds, and defining the duties of state officers in relation thereto, and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Regan, as a special committee of one, to amend as follows:

By striking out of Section 1, line 26, page 2, of the printed bill, the [illegible] words of the line "and one half."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your [illegible] committee of one, to whom was referred Assembly Bill No. 1604, with instructions to [illegible] respectfully reports the same back amended as per instructions.

REGAN, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—[illegible].

Senate Bill No. 1748—An Act to amend the Political Code of the State of California by adding thereto two new sections, to be known and numbered as Section 3[illegible] and Section 3[illegible], relating to labor unions.

In the absence of the author, Senate Bill No. 1748 was passed on the

Senate Bill No. 1718—An Act to create a state [illegible] commission, defining its powers and duties, providing [illegible] and fixing penalties.

On motion of Senator Gerdes, Senate Bill No. 1718 was passed on the

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section [illegible], relating to

the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

On motion of Senator Anderson, Senate Bill No. 1741 was passed on file.

Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California, creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

On motion of Senator Gates, Senate Bill No. 430 was passed on file, to retain its place.

Senate Bill No. 510—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners, and a board of registration of religious practitioners.

On motion of Senator Gates, Senate Bill 510 was passed on file.

Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation and amending the courses of study.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 586 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Caminetti, Campbell, Carr, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

On motion of Senator Gerdes, Senate Bill No. 121 was passed on file.

Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city or other legal subdivision thereof.

On motion of Senator Gerdes, Senate Bill No. 122 was passed on file.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

On motion of Senator Caminetti, Senate Bill No. 874 was passed on file, to retain its place.

Senate Bill No. 969—An Act to amend Sections 10 and 17 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator," approved April 7, 1911, and also to amend Section 10 of an Act entitled "An Act to amend Sections 1, 2, 3, 7, 10, 12, 13, 22 and 24 of an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,'" approved December 24, 1911.

On motion of Senator Caminetti, Senate Bill No. 969 was passed on file to retain its place.

Senate Bill No. 1188—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

On motion of Senator Chamberlain, Senate Bill No. 1188 was passed on file to retain its place.

Senate Bill No. 1206—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

On motion of Senator Caminetti, Senate Bill No. 1206 was passed on file, to retain its place.

Senate Bill No. 1207—An Act concerning expenses of political parties and providing for payment thereof by municipalities.

On motion of Senator Chamberlain, Senate Bill No. 1207 was passed on file, to retain its place.

Senate Bill No. 1208—An Act providing for the payment to the several counties and cities and counties of the State of one half of all expenses incurred by them respectively for primary, general and other elections, and under the laws of the State in force when a general election is held.

On motion of Senator Caminetti, Senate Bill No. 1208 was passed on file to retain its place.

Senate Bill No. 1443—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

On motion of Senator Campbell, Senate Bill No. 1443 was passed on file to retain its place.

Senate Bill No. 904—An Act to provide indemnity to persons erroneously convicted of felonies in the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 904 passed by the following vote:

Ayes—Senators Ashburn, Bunkell, Burnett, Black, Boltz, Caminetti, Campbell, Carr, Caminetti, Cobb, Finn, Flint, Gates, Grant, Hewitt, Hatfield, Owens, Rains, Rush, Simpson, Thompson, and Wyllie—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways; for the charge, supervision and control thereof by the Department of Engineering of the State of California, and State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting, or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1694 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Mott, Owens, Regan, Rush, Shanahan, and Thompson—21.

NOES—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

In the absence of the author, Senate Bill No. 1752 was passed on file.

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 24 of Article I thereof and relating to a property qualification to vote at elections creating indebtedness.

In the absence of the author, Senate Constitutional Amendment No. 26 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1 of Article II of the Constitution, in relation to the rights of suffrage.

In the absence of the author, Senate Constitutional Amendment No. 27 was passed on file.

SPECIAL ORDER SET.

Senator Campbell moved that the further consideration of Senate Constitutional Amendment No. 4 be made a special order for May 5, 1913, immediately after the special order already set for three o'clock and thirty minutes p.m. on that day.

Motion carried.

Senate Bill No. 1469—An Act to amend Section 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1469 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Mott, Owens, Regan, Rush, Shanahan, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 285—An Act to amend Section 1300 of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 285 received passage by the following vote:

Ayes—Senators Anderson, Caminetti, Carr, Cogswell, Cosgrove, Hewitt, Jennings, Larkins, Rush, and Wright—10.

Noes—Senators Beban, Birdsall, Bolivar, Boyd, Brown, Campbell, Curtin, Flint, Gates, Gerdes, Rigdon, and Stanford—13.

NOTICE OF MOTION TO RECONSIDER.

Senator Gates gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 285 was this day refused passage.

THIRD READING OF BILLS—CONCURRENCE.

Senate Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX a new section, to be numbered 17½, relating to the conditions of labor and duties of employees.

On motion of Senator Brown, Senate Constitutional Amendment No. 72 was passed on file.

PRESIDENT PRO TEM. ASSUMES THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—CONCURRENCE.

Senate Bill No. 1188—An Act for the relief of purchasers of State lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1188 passed by the following vote:

Ayes—Senators Anderson, Beban, Birdsall, Bolivar, Boyd, Caminetti, Campbell, Carr, Cogswell, Curtin, Flint, Gates, Gerdes, Hewitt, Jennings, Larkins, Regan, Rush, Stanford, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1702—An Act amending the Civil Code so as to prohibit one corporation from buying, taking, acquiring or holding the shares of stock of other corporations.

On motion of Senator Caminetti, Senate Bill No. 1702 was passed on file.

Senate Bill No. 1703—An Act amending Section 286 of the Civil Code so as to limit the formation of corporations to one purpose.

On motion of Senator Caminetti, Senate Bill No. 1703 was passed on file.

Senate Bill No. 1704—An Act amending the Civil Code so as to prohibit the issuance by a corporation of more that one kind of shares of capital stock.

On motion of Senator Caminetti, Senate Bill No. 1704 was passed on file.

Senate Bill No. 1003—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April, 1872.

In the absence of the author, Senate Bill No. 1003 was passed on file.

Senate Bill No. 1291—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections, to be known as Section 10 to 13, inclusive.

Read third time.

On motion of Senator Thompson, Senate Bill No. 1291 was passed on file.

SENATOR HEWITT IN THE CHAIR.

At twelve o'clock m., Senator Hewitt, of the Thirty-eighth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1292—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto six new sections, to be known as Sections 57 to 62, inclusive.

On motion of Senator Thompson, Senate Bill No. 1292 was passed on file.

Senate Bill No. 1293—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections, to be known as Sections 84 to 89, inclusive.

On motion of Senator Thompson, Senate Bill No. 1293 was passed on file.

Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

Read third time on a previous day.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Benn, Boynton, Bradley, Burnett, Brown, Bryant, Chamberlain, Campbell, Carey, Cogswell, Cowan, Flint, Gates, Gerdes, Gray, Hewitt, Juilliard, Larkins, Owens, Rogers, Roseberry, Stetson, and Wright—27.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1138 passed by the following vote:

Ayes—Senators Anderson, Benn, Bradley, Boynton, Brown, Bryant, Burnett, Chamberlain, Campbell, Carey, Cogswell, Cowan, Flint, Gates, Gerdes, Gray, Hewitt, Juilliard, Larkins, Owens, Rogers, Roseberry, Stetson, Thompson, and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET.

Senator Flint moved that the further consideration of Senate Bill No. 1139 be made a special order for Monday, May 5, 1913, at four o'clock p.m.

Motion agreed to.

Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1075 passed by the following vote:

Ayes—Senators Baker, Bell, Benn, Bond, Bunn, Cogswell, Campbell, Carey, Cobb, Flint, Gates, Gerdes, Gray, Hewitt, Juilliard, Larkins, Owens, Rush, Stetson, Sanford, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 25—Relative to approving the course of Senator John D. Works in Congress and recommending the passage of Senate joint resolution extending the presidential term to six years and limiting the President to one single term.

On motion of Senator Sanford, Senate Joint Resolution No. 25 was passed on file.

Senate Joint Resolution No. 17—Relative to appointment of a committee to draft bills abolishing all offices not now held by Roll Measures and providing for a commission of five to perform the duties formerly performed by one person.

On motion of Senator Sanford, Senate Joint Resolution No. 17 was passed on file.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

On motion of Senator Cohn, Senate Bill No. 1411 was passed on file.

Senate Bill No. 530—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpœnas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the Superior Court or a judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 530 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Brown, Caminetti, Carr, Cobb, Curtis, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jarrard, Larkins, Owens, Rush, Shanahan, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1699—An Act providing for the construction by counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1699 was passed on file, to retain its place.

Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 2½, relating to sessions of the Legislature.

On motion of Senator Caminetti, Senate Constitutional Amendment No. 60 was passed on file, to retain its place.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

On motion of Senator Sanford, Senate Constitutional Amendment No. 67 was passed on file, to retain its place.

Senate Bill No. 499—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

On motion of Senator Rush, Senate Bill No. 499 was passed on file, to retain its place.

Senate Bill No. 1471—An Act to amend Section 635½ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the sixth district.

On motion of Senator Anderson, Senate Bill No. 1471 was passed on file.

Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, the State of California, and providing a penalty therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1119 passed by the following vote:

[illegible]

Noes—None

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

At twelve o'clock and twenty minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

[illegible]

Senate Bill No. 604—An Act to amend Sections 4[illegible] and 648, and to repeal Section 6[illegible], of the Penal Code of the State of California, all relating to the protection and preservation of fish.

On motion of Senator Chamberlain, Senate Bill No. 604 was passed to file.

Senate Bill No. 1747—An Act to provide for the planting, protection and care, and the removal and change of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1747 passed by the following vote:

[illegible]

Noes—None

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

The following report of standing committee was received and read:

[illegible]

Ms. President: Your Committee on [illegible] to which was referred Assembly Bill No. [illegible]—An Act [illegible] or associations of individuals organized [illegible] to the transportation of [illegible] to the [illegible] thereof, and [illegible] to the [illegible] thereof, and [illegible] to the [illegible] thereof, and

Have had the same under consideration, and respectfully report that Assembly Bill No. 2105 is identical with Senate Bill No. 1253, and recommend that Senate Bill No. 1253 be withdrawn.

GRANT, Chairman.

Assembly Bill No. 2105 ordered on file for second reading.

Committee Substitute for Senate Bill No. 1253 ordered to the file of unfinished business.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1753 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Hewitt, Juilliard, Owens, Regan, Rush, Shanahan, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1756—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Read third time.

On motion of Senator Hewitt, Senate Bill No. 1756 was passed on file.

Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of said city, situate in the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Read third time.

On motion of Senator Grant, Senate Bill No. 1535 was passed on file.

REPORT OF COMMITTEE ON CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your committee on conference concerning Senate Bill No. 364—An Act to amend Section 4236 of the Political Code—report that we have met a like committee of the Assembly, consisting of Assemblymen Wyllie, Judson and Bradford—and we report that the conference committee are unable to agree, and recommend that a committee on free conference be appointed.

GERDES,
HANS,
CARTWRIGHT,
Senate Committee on Conference.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The acting President announced the appointment of Senators Wright, Breed and Juilliard as a committee on free conference, to

meet a similar committee from the Assembly to consider amendments to Senate Bill No. 264.

REPORT OF STANDING COMMITTEE—CITY OF ORDER.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1216—An Act to amend Section 4200 of the Political Code of the State of California, relating to officers and salaries, fees and compensation, and in counties of the third class, fixed and the same prescribed, and respectfully report the same back, with amendments and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 1216 ordered on file for second reading.

LEAVE OF ABSENCE.

Senator Birdsall was, on his own motion, granted leave of absence for this day.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having arrived the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Senator Thompson, of the Thirty-fifth District, in the chair.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading file of Assembly bills.

Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

On motion of Senator Boynton, Assembly Bill No. 1879 was passed on file.

Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901 and 1902 of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 3, strike out the word "or", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 1, after the word "voter", strike out all of said line and all of line 2 to and including the word "voter" in said line.

Amendment adopted.

AMENDMENT No. 3

On page 2, line 3, after the word "assessment" strike out the words [illegible] and insert in lieu thereof the words "and all persons eligible for military duty."

Amendment adopted.

AMENDMENT No. 4

On page 2, line 30, before the word "assessor" insert the word "said".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 31, before the word "assessor", insert the word "said".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 35, strike out the words "substituted by" and insert in lieu thereof the words "from the office of".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 16, after the period, strike out all of said line, and all of lines 17, 18, 19, 20, 21, and 22 to and including the period in said line 22.

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 36, after the figures and period "1901.", strike out all of said line, and all of line 37 on said page 3.

Amendment adopted.

AMENDMENT No. 9.

On page 4, line 1, strike out all of said line to and including the word "the" in said line, and insert in lieu thereof the word "The".

Amendment adopted.

AMENDMENT No. 10.

On page 4, line 4, strike out the word "three", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 11.

On page 4, line 6, after the word "county", insert the words "so made by him".

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 6, strike out the word "a".

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 6, strike out the word "duties", and insert in lieu thereof the word "charges".

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 429—An Act to amend Section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 576—An Act to amend Section 4240 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

During second reading of the bill, the following amendments were offered by Senator Shanahan:

AMENDMENT No. 1.

On page 2, line 4, of the printed bill, strike out the words "two thousand", and insert in lieu thereof the words "two thousand four hundred".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 5, after the word "day", strike out the words "except as hereinafter provided", and also all of lines 6 and 7, and insert in lieu thereof the following: "except as hereinafter provided, in lieu of which amount such assistant shall receive per annum, and salary is to be paid by said county in the manner provided by law for the payment of the salaries of other county officers, and out of the same fund as the salaries of county officers are paid".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 766—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1091—An Act to amend Section 4240 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 809—An Act to amend Section 4285 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1111—An Act to amend Section 4285 of the Political Code, relating to the salaries and compensation of officials in counties of the fifty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section, to be designated as 731*a*, relating to the abatement of public nuisance; by whom actions may be instituted for such purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1263—An Act to provide for the payment of pensions to public school teachers of this State, creating a public school teachers' pension fund, and providing for the administration of such fund.

Bill read second time, and ordered on file for third reading.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 6, of the printed bill, beginning with the words "SEC. 3" strike out all of Section 3 down to and including the word "year", on page 2, line 9, and insert in lieu thereof the following:

SEC. 3. Waste is defined for the purposes of this Act, to be the causing, suffering or permitting of any water to flow from an artesian well, unless the said water is thereafter used for the beneficial purposes of irrigation of land or domestic use or for the propagation of fish, or the maintenance of game preserves; *provided*, that when such water is used for the propagation of fish, or the maintenance of game preserves, the flow of such well shall not exceed one half of one miner's inch of water, perpetual flow; *and provided, further*, that not more than one artesian well shall be permitted to flow into any pond, reservoir or lake used for said purpose of propagating fish, or the maintenance of game preserves.

Whenever five per cent or more of the water flowing from an artesian well for any of the beneficial purposes herein mentioned is permitted to escape without having been used for such beneficial purpose, or when five per cent or more of the water flowing from an artesian well for the purpose of irrigation is permitted to flow away from the land intended to be irrigated, then and in that case the said five per cent or more of said water shall be deemed and considered a waste within the meaning of this Act.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 11, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1749—An Act to amend Section 1196 of the Political Code, relating to providing and printing ballots for elections.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1284—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroads, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith in the city and county of San Francisco, to create a sinking fund for the payment of said bonds, to define the duties of state officers in relation thereto; to make an appropriation of $5,000 for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

On motion of Senator Flint, Senate Bill No. 1284 was passed to Senate Bill No. 1251—An Act to create a board of harbor commissioners for the port of San Jose on the southern arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of employees and to appropriate money to carry this Act into effect.

During second reading of the bill the following amendment was offered by the committee:

On page 3, Section 10, line 20, strike out the words "ten thousand", and insert in lieu thereof the words "two thousand five hundred".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSIDERATION OF BILL—(Cycle for Leave).

On motion of Senator Flint, the Senate took up the consideration of Senate Bill No. 943, out of order.

Senate Bill No. 943—An Act to amend Section 4472 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the [illegible] class. [San Benito County.]

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1, line 7, of the amended bill, strike out the words "ten thousand", and insert in lieu thereof the following: "two thousand five hundred and twenty".

AMENDMENT No. 2.

On page 2, line 16, strike out the words "six hundred and fifty", and insert in lieu thereof the following: "two hundred and sixty".

AMENDMENT No. 3.

On page 3, line 23, strike out the word "seventy", and insert in lieu thereof the word "ninety".

AMENDMENT No. 4.

On page 3, line 25, strike out the word "twenty", and insert in lieu thereof the word "thirty".

AMENDMENT No. 5.

On page 3, line 27, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

AMENDMENT No. 6.

On page 3, line 28, strike out the word "ten", and insert in lieu thereof the word "fifteen".

AMENDMENT No. 7.

On page 3, strike out all of Section 13, after the period in line 28, and insert in lieu thereof the following:

"The compensation herein fixed for justices of the peace shall be in full for all services rendered, and all fees collected by them shall be paid into the county treasury as provided by law: *provided*, that justices of the peace now holding office shall, during their present term, be entitled to retain for their own use all civil fees."

AMENDMENT No. 8.

On page 1, line 5, of the title, strike out the words "San Benito County".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 943, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

WITHDRAWAL OF BILLS.

Senator Campbell asked and was granted unanimous consent to withdraw Senate Bills Nos. 68 and 69.

Senate Bills Nos. 68 and 69 withdrawn, and ordered stricken from the file.

BILL RE-REFERRED.

Senator Gates moved that Senate Bill No. 1621 be re-referred to Committee on Finance, to retain its place on file.

Motion carried.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

On motion of Senator Cohn, Assembly Bill No. 282 was passed on file.

Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the state or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

On motion of Senator Boynton, Assembly Bill No. 777 was passed on file.

Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

On motion of Senator Boynton, Assembly Bill No. 778 was passed on file.

Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

On motion of Senator Boynton, Assembly Bill No. 779 was passed on file.

Assembly Bill No. 780—An Act appropriating money to pay the claim of John Evart against the State of California.

On motion of Senator Boynton, Assembly Bill No. 780 was passed on file.

Assembly Bill No. 781—An Act to appropriate money to pay the claim of the Coalinga Water and Electric Company against the State of California.

On motion of Senator Boynton, Assembly Bill No. 781 was passed on file.

Assembly Bill No. 2027—An Act appropriating money to pay the claim of Vincent Bess against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2027 passed by the following vote:

Ayes—Senators Anderson, Ayer, Burpee, Bates, Benet, Campbell, Campbell, Carr, Carpenter, Cluke, Esa, Flint, Gerdes, Gerdes, Hewitt, Lane, Main, Rush, Stafford, Stephens, Thompson, and Wyllie—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

On motion of Senator Boynton, Assembly Bill No. 784 was passed on file.

Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

On motion of Senator Boynton, Assembly Bill No. 786 was passed on file.

Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the state for the sixty-second fiscal year.

On motion of Senator Boynton, Assembly Bill No. 787 was passed on file.

Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 462, Statutes of 1907, for searching for beneficial insects.

On motion of Senator Boynton, Assembly Bill No. 788 was passed on file.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

On motion of Senator Boynton, Assembly Bill No. 536 was passed on file.

LEAVE OF ABSENCE.

Senator Rush was, on his own motion, granted leave of absence for the remainder of the day.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving, and dredging the channel of San Rafael Creek.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 8 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Mott, Sanford, Shanahan, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1318—An Act to amend an Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1318 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Lyon, Mott, Sanford, Shanahan, and Thompson—21.
NOES—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

On motion of Senator Shanahan, Assembly Bill No. 311 was passed on file.

Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 200 passed by the following vote:

AYES—Senators Anderson, Boynton, Caminetti, Campbell, Carr, Cartwright, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—22.
NOES—None.

Senator Flint moved to amend the bill as follows:

By striking out of line 5 the words "Santa Cruz County" and the brackets.

Title, as amended, read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1364—An Act to amend Section 4351 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1364 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 84—Relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 11 of Article IV, relating to irrigation districts.

On motion of Senator Field, Assembly Constitutional Amendment No. 84 was passed on file.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 324a, relating to the selling of [illegible].

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 513 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

On motion of Senator Boynton, Senate Bill No. 597 was passed on file.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

On motion of Senator Boynton, Assembly Bill No. 747 was passed on file.

Assembly Bill No. 1289—An Act to amend Section 626½ of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

On motion of Senator Lyon, Assembly Bill No. 1289 was passed on file.

Assembly Bill No. 963—An Act to amend Sections 13 and 18 of an Act entitled "An Act to allow incorporated towns and villages to establish, equip and maintain systems of street lights or public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such

districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property upon dissolution of district.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 963 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 103 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Brown, Butler, Campbell, Cartwright, Cohn, Curtin, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts, and other labor troubles.

On motion of Senator Boynton, Assembly Bill No. 249 was passed on file.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Brown, Butler, Caminetti, Campbell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purpose and to provide for the installment of sanitary water systems.

On motion of Senator Boynton, Assembly Bill No. 236 was passed on file.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities and cities and counties; to

promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within any city and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein; and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk to any such city or city and county.

On motion of Senator Boynton, Assembly Bill No. [illegible] was passed on file.

Assembly Bill No. 578.—An Act to amend an Act entitled "An Act to protect domestic livestock from contagious and infectious diseases, to provide for the appointment and duties of the officers to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1893, and as amended March 20, 1905, and March 23, 1907, and as further amended March [illegible], 1909, by amending Sections 2, 3, 4, 5, 6 and 14 thereof, by adding a new section thereto, to be known and numbered as Section 6½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries and prescribing penalties for violations of this Act.

On motion of Senator Boynton, Assembly Bill No. 672 was passed on file.

Assembly Bill No. 1298.—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in the creameries of the State.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1298 passed by the following vote:

AYES—Senators Anderson, Benson, Boynton, Brown, Campbell, Chandler, Cogswell, Cole, Curtin, Finn, Flint, Gates, Gerdes, Gerry, Hewitt, Holland, Lyon, Rogers, Sanford, Shoemaker, Strobridge and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILLS OUT OF ORDER.

On motion of Senator Hewitt, the Senate took up the consideration of Senate Bills Nos. 1666 and 440, out of order.

Senate Bill No. 1666.—An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the extending government and municipal control of such annexed territory.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1666 passed by the following vote:

AYES—Senators Anderson, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval on the 5th day of March, 1901, and all Acts amendatory of said Act or supplemental thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 440 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Brown, Butler, Campbell, Carr, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Shanahan, Strobridge, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

On motion of Senator Lyon, Assembly Bill No. 1110 was passed on file.

Assembly Bill No. 1548—An Act to amend sections two and three of an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of or acquisition and also for the payment of such bonds," approved April 14, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1548 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Brown, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Owens, Regan, Sanford, Shanahan, Strobridge, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 731—An Act to amend Section 761 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 731 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bulkley, Campbell, Chandler, Chan Chemers, Crow, Curtin, Dam, Flint, Gerdes, Gerdes, Hewitt, Holland, Lang, Miller, Owens, Rigdon, Saylor, Stanford, Strobridge, Thompson, and Wolfsen—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1450—An Act to amend Sections 3, 8, 9, 15, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and for assessment of property thereon to pay the expense of acquiring such land," approved April 22, 1909, and to add a new section to be numbered 8a relating to reassessment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1450 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bulkley, Campbell, Chandler, Chan Cogswell, Curtin, Cutten, Dam, Flint, Gerdes, Gerdes, Hewitt, Holland, Lang, Miller, Owens, Rigdon, Saylor, Stanford, Strobridge, Thompson and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 34.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 18 of Article IV thereof, relating to legislative districts.

The Legislature of the State of California, at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California, to wit: Section 18 of Article IV of said constitution shall read as follows:

Sec. 18. The legislature shall have the power to pass no law, nor to authorize the giving or lending of the credit of the state, or of any county, city and county, city, township, or other political corporation or subdivision of the state now existing or that may be hereafter established, by the gift of, or the loan, pledging, or extension of the credit thereof, in aid of, or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof in any manner whatever, for the payment of the liabilities of any individual, association, municipality or other corporation whatever; nor shall it have power to make any gift, or authorize the making of any gift, of any public money or thing of value to any individual, municipality or other corporation whatever; provided, that nothing in this section shall prevent the legislature granting aid pursuant to section twenty-two of this article, nor to prevent the state from lending its credit or issuing its bonds as provided by law pursuant to authorization by the people at a general election, nor to prevent the legislature granting aid pursuant to section twenty-two of this article, nor to prevent the state from lending its credit or issuing its bonds as provided by law pursuant to authorization by the people at a general election, nor to prevent the legislature granting aid pursuant to section twenty-two of this article, and to that end may appropriate money for the purpose of acquiring the control of any entire railroad, canal or other transportation system, or any part thereof, for the use and purpose of the state, or of which to control in the United States and a part thereof be a foreign

country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country.

The question being on the adoption of the resolution.

The roll was called, and Assembly Constitutional Amendment No. 84 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Brown, Butler, Caminetti, Campbell, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1024 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving first street in the city of Chico, fronting the property belonging to the state normal school in that city.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1225 passed by the following vote:

Ayes—Senators Anderson, Ayer, Boyle, Brandon, Brown, Butler, Chamberlain, Campbell, Carr, Chandler, Cogswell, Curtis, Flint, Gates, Gerdes, Gerrigues, Hewitt, Jones, Juilliard, Leale, Miller, Owens, Rogers, Sanford, Saunders, Thompson, Wallace, Wolfe, Wyllie—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET

Senator Juilliard moved that the consideration of Assembly Bill No. 477 and Senate Bill No. 1288 be made a special order for four o'clock and ten minutes p.m. on Monday, May 5, 1913.

Motion carried.

Assembly Bill No. 1625.—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and reclamation of the channels of unnavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1893.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1625 passed by the following vote:

Ayes—Senators Anderson, Ayer, Boyle, Brandon, Brown, Butler, Chamberlain, Campbell, Carr, Cogswell, Curtis, Flint, Gates, Gerdes, Gerrigues, Hewitt, Juilliard, Leale, Rogers, Sanford, Saunders, Thompson, Wallace, Wolfe, Wyllie—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1498.—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation, and to do business as a corporation under the laws of this State.

On motion of Senator Carter, Assembly Bill No. 1498 was passed on file.

RECESS.

At three o'clock and twenty minutes p.m., on motion of Senator Boynton, the acting President declared the Senate at recess until three o'clock and forty-five minutes p.m.

RECONVENED.

At three o'clock and forty-five minutes p.m., the Senate reconvened. Senator Thompson, of the Thirty-fifth District, in the chair.

SPECIAL ORDER RESET.

Senator Wright moved that the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 418 was passed, be made a special order for Monday, May 5, 1913, at three o'clock and forty-five minutes p.m.

BILL RECALLED FROM COMMITTEE.

On motion of Senator Gates, Senate Bill No. 1621 was ordered recalled from the Committee on Finance, and ordered on file.

THIRD READING OF SENATE BILLS.

Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners." Approved March 23, 1893.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 139 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Juilliard, Larkins, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR GATES IN THE CHAIR.

At four o'clock and five minutes p.m., Senator Gates, of the Thirty-fourth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

In the absence of the author, Senate Bill No. 182 was passed on file.

Senate Bill No. 1120—An Act to amend Section 4253 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

On motion of Senator Campbell, Senate Bill No. 1120 was passed on file.

Senate Bill No. 804—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California, without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

On motion of Senator Sanford, Senate Bill No. 804 was ordered to the file of unfinished business.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was passed on file.

Senate Bill No. 1009—An Act to grant to boards of health or health officers in cities and cities and counties the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

On motion of Senator Finn, Senate Bill No. 1009 was passed on file.

Senate Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

During the reading of the constitutional amendment the following amendment was offered by the committee:

On page 1, strike out all after line 1 and insert in lieu thereof the following:

"Sec. 13. Where any provision thereof by this constitution, a majority of the votes given at any primary or other election shall constitute a choice, according to which the said electors or other persons may be entitled to nominate, elected or appointed under the authority of this constitution for any office, position or duty, and qualified by the legislature for other elections and nominations. Provision may be made by such statutes, and by the legislature in the case of other elections and nominations, for voting on local questions, for and relating to, after a primary election of all or any portion of the candidates voted for at such primary election, and for a preferential system of voting at any such primary election, and for a preferential system of voting at any primary election. The legislature may also provide for a preferential system of voting at any other primary election."

Amendment adopted.

Senate Constitutional Amendment No. 43 ordered to print and engrossment.

Senate Bill No. 1103—An Act requiring all persons, corporations, receivers or trustees operating lines of railway in the State of California to provide toilets on certain classes of cars used on such railways, for the convenience of passengers, and providing a penalty and damages to be paid by such person, corporations, receivers or trustees to the State of California, for failure to provide such toilets.

On motion of Senator Anderson, Senate Bill No. 1103 was passed on file.

Senate Bill No. 380—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 380 passed by the following vote:

AYES—Senators Anderson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Sanford, Shanahan, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1735 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Sanford, Strobridge, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1909.

In the absence of the author, Senate Bill No. 459 was passed on file.

Senate Bill No. 966—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

In the absence of the author, Senate Bill No. 966 was passed on file.

Senate Bill No. 968—An Act fixing the compensation to be paid to county clerks and registrar of voters, in the several counties, or cities and counties of the State of California, for services performed by them for the State, in primary, general and other elections held under the laws thereof.

In the absence of the author, Senate Bill No. 968 was passed on file.

Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 145 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At 5:40 o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(CONTINUED)

Senate Concurrent Resolution No. 29—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

On motion of Senator Gates, Senate Concurrent Resolution No. 29 was passed on 9/6.

Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1416 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Boynton, Burnett, Caminetti, Campbell, Carr, Cartwright, Chamberlain, Cogswell, Cutten, Flint, Gates, Gerdes, Hewitt, Inman, Lane, Leavitt, Owen, Regan, Sanford, Saunders, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR REGAN IN THE CHAIR.

At four o'clock and twenty-five minutes p.m., Senator Regan, of the Eighteenth District, in the chair.

THIRD READING OF BILLS—(CONTINUED)

Committee Substitute for Senate Bill No. 1082—An Act making an appropriation to continue investigations under the provisions of an Act entitled "An Act to provide for the investigation of the practicability of the construction of canals and the canalization of rivers, their tributaries and other water ways in California in aid of commerce; to define the duties of the Department of Engineering and of the Governor in relation thereto, and to make an appropriation to defray the cost of such investigation," approved May 1, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 1082 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Boynton, Burnett, Caminetti, Campbell, Carr, Cogswell, Cutten, Flint, Gates, Gerdes, Hewitt, Inman, Lane, Leavitt, Owen, Regan, Sanford, Saunders, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 257—An Act to amend Section 758 of the Political

Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 257 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Hewitt, Juilliard, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 256—An Act to amend Section 751½ of the Political Code of the State of California, relating to the salary of the stenographer of the Supreme Court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 256 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hewitt, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1365—An Act to amend Sections 655, 678 and 683 of the Political Code, relating to the State Board of Control and Department of Accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1365 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Gerdes, Hewitt, Juilliard, Larkins, Lyon, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places pertaining to food cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 579 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Bryant, Butler, Caminetti,

Carr, Cartwright, Cobb, Curtis, Finn, Flint, Gerdes, Hewitt, Jackson, Lanagan, Lyon, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson and Wyman—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 270—An Act to amend Section 2067 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 270 passed by the following vote:

Ayes—Senators Anderson, Ayer, Benson, Benson, Burke, Caminetti, Carr, Cartwright, Cogswell, Curtis, Finn, Flint, Gerdes, Gerdes, Hewitt, Jackson, Lanagan, Lyon, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson and Wyman—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 455—An Act to amend Section 1662 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 455 passed by the following vote:

Ayes—Senators Anderson, Ayer, Benson, Benson, Burke, Burnett, Carr, Cartwright, Caminetti, Curtis, Finn, Flint, Gerdes, Gerdes, Hewitt, Jackson, Lanagan, Lyon, Owens, Regan, Sanford, Shanahan, Thompson and Wyman—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 458—An Act to amend Section 1858 of the Political Code, relating to the apportioning of school moneys by the County Superintendent of Schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 458 passed by the following vote:

Ayes—Senators Anderson, Ayer, Baker, Benson, Burnett, Burke, Carr, Cartwright, Caminetti, Curtis, Finn, Flint, Gerdes, Gerdes, Hewitt, Jackson, Lyon, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson and Wyman—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1737—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California and to add four new sections thereto, to be numbered 1334, 1335, 1336 and 1337, relating to the election of Senators in Congress.

Read third time.

On motion of Senator Shanahan, Senate Bill No. 1737 was passed on file.

Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Hewitt, Juilliard, Larkins, Lyon, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1715—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1715 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hewitt, Lyon, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1324—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

On motion of Senator Thompson, Senate Bill No. 1324 was passed on file.

Committee Substitute for Senate Bill No. 1486—An Act relating to combinations, defining certain unlawful practices, and providing penalties for violations thereof, and repealing conflicting Acts.

Read third time.

On motion of Senator Caminetti, Senate Bill No. 1486 was passed on file.

Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void.

Read third time.

On motion of Senator Butler, Senate Bill No. 278 was passed on file, to retain its place.

Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the minimum rate of interest, and sale of school bonds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1203 passed by the following vote:

Ayes—Senators Anderson, Avey, Belshe, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Chandler, Cogswell, Cutten, Curtin, Flint, Gerdes, Hewitt, Hilliard, Holl, Owens, Rigdon, Stanford, Strobridge, Thompson and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 815—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 17, 1909, as amended by certain Act approved May 1, 1911, by repealing Section 3 of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered 14b, relating to the practice of medicine and surgery in the State of California by members of the medical staff of the department of the United States army or navy, regular or volunteers.

On motion of Senator Avey, Senate Bill No. 815 was passed to file.

Senate Bill No. 962—An Act to add a new section to the Penal Code of the State of California to be known and numbered as Section 615, relating to the taking of trout by using salmon or other trout roe or eggs.

On motion of Senator Shanahan, Senate Bill No. 962 was ordered to the file of unfinished business.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

On motion of Senator Hewitt, Senate Bill No. 1724 was passed on file to retain its place.

Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185, of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

On motion of Senator Strobridge, Committee Substitute for Senate Bill No. 629 was passed on file to retain its place.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At four o'clock and fifty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SENATOR THOMPSON IN THE CHAIR.

At five o'clock and five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

RECESS.

At five o'clock p.m., on motion of Senator Strobridge, the acting President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Senator Thompson, of the Thirty-fifth District, in the chair.

REPORTS OF STANDING COMMITTEES— OUT OF ORDER.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1037—An Act to amend Section 5 of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody, and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911, said amendment relating to the commitment of dependent persons.

Also, Senate Bill No. 1212—An Act to amend Section 245 of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

Also: Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers and employees of the Legislature.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 1037, 1212 and 1213 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1773—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1063½, relating to what persons are eligible to the office of justice of the peace—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Senate Bill No. 1773 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1774—An Act to confer upon the Industrial Accident Commission all of the duties, liabilities, authority, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYON, Chairman.

Senate Bill No. 1774 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1695—An Act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School; to change the name of the Whittier State School to "Cali-

fornia Trades School" to purchase and improve a new and suitable site for said school, to provide for the altering and construction upon the site so purchased of buildings and other structures and improvements pertinent to said school, and to provide for the purchase of furniture, fixtures and equipment for said school.

Also, Assembly Bill No. 1064. An Act to amend the Political Code of the State of California by adding thereto a new section to be known as and numbered [illegible] relating to and providing for the grade of materials only to be purchased, delivered or used by or on the county roads of the respective counties of said state, providing for the care, cleaning and maintenance of such roads, providing for public notice and contract, and providing for punishment of persons or corporations violating such provisions for the protection thereof.

Also, Assembly Bill No. 1067. An Act to provide for the acquisition of [illegible] monuments on the battlefield of San Pasqual, San Diego County, appointing a commission thereto and prescribing its compensation, and making an appropriation therefor and declaring an emergency.

Also, Assembly Bill No. 1068. An Act to provide for the purchase by the State of California of the armory building and lot located on the bay of San Diego and making available and appropriating certain moneys for the purchase of said armory and school.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1035, 1051, 1060 and 1068 ordered on file for second reading.

Also,

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

Mr. President: Your Committee on Finance, to which was referred Assembly Bill No. 1056—An Act appropriating money for building a [illegible] a [illegible] bridge and other local [illegible] in the Coalinga Irrigation District.

Also, Assembly Bill No. 218. An Act to appropriate the proceeds of the issue of "Pacific Union Club" against the State of California and making an appropriation therefor.

Also, Assembly Bill No. 266. An Act appropriating money for the construction of [illegible] and for the purpose of playground purposes for the Los Angeles State Normal School.

Also, Assembly Bill No. 589. An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Also, Assembly Bill No. 1257. An Act to amend Sections 32 and 33 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home tract, the improvements and furnishings thereon, to name the institution a state home for the Pacific Coast soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1907.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 86, 218, 266, 589 and 1257 ordered on file for second reading.

Also,

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

Mr. President: Your Committee on Finance, to which was referred Assembly Bill No. 1376—An Act to make an appropriation for superintendent of the Alpine state highway.

Also, Assembly Bill No. 1629. An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg, appropriating a [illegible] to [illegible] [illegible] and making an appropriation therefor.

Also, Assembly Bill No. 1677. An Act to appropriate the sum of [illegible] hundred and fifty-seven and [illegible] dollars to pay the claims of the State Board of Health.

Also, Assembly Bill No. 2027. An Act appropriating money to pay the claim of Associated Contracting Company, a corporation against the State of California.

Also, Assembly Bill No. 1180. An Act making an appropriation for the payment of the claim of Mr. Pendleton Miller.

Also, Assembly Bill No. 1324. An Act making the appropriation for the purpose of providing new [illegible] in the Senate Chamber building.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1376, 1629, 1677, 2027, 1180 and 1324 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Also: Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Also: Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewerage from the State Fair grounds in the city of Sacramento.

Also: Senate Bill No. 1458—An Act creating an "industrial accident fund" and appropriating moneys therein.

Also: Senate Bill No. 1459—An Act appropriating moneys to the use of the state compensation insurance fund.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 389, 391, 392 and 393 ordered on file for second reading.

Senate Bills Nos. 1458 and 1459 ordered on file for third reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Also: Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Also: Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Also: Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Also: Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Also: Assembly Bill No. 386—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 791, 792, 793, 794, 386 and 388 ordered on file for second reading.

Assembly Bill No. 790 ordered on file for third reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Campbell, the Senate took up the consideration of Senate bills ordered on file this day for second reading as follows: Nos. 1037, 1212, 1213, 1773 and 1774.

Senate Bill No. 1037—An Act to amend Section 5 of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody, and maintenance until twenty-one years of age; providing for the commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing

for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses; and repealing inconsistent Acts," approved March 8, 1909, as approved April 5, 1911, said amendment relating to the commitment of dependent persons.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out the title and insert in lieu thereof the following:

"An Act to amend sections five and twenty-two of an Act entitled 'An Act regulating industrial and delinquent school children, providing for their care, custody and maintenance, and prescribing terms of such schooling, and their relationship to the Wisconsin State School and the Industrial Home, defining the powers and duties of said institutions and various functions, establishing a probation commission and providing salaries to be paid with such powers and duties, and the duties of executive officers, providing for detention homes for such children, prescribing for the commitment of persons responsible for or contributing to the dependency or delinquency of children, and giving to the superior court jurisdiction of such offenses and repealing inconsistent Acts,' approved March 8, 1909, and as amended by an Act entitled 'An Act to amend section 5 of an Act entitled "An Act regulating industrial and delinquent schools, providing for the maintenance of dependent or delinquent persons, and to provide funds for the same," approved April 5, 1911, said amendment relating to the commitment of dependent persons, and to provide funds for the same."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 24, strike out the words "of an"

On page 2, line 25, strike out the words "court having power to hear"

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 26, strike out the words "of public schools power of"

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 31, after the period, strike out the balance of line 31 and all of lines 32, 33 and 34, and insert in lieu thereof the following: "it shall be constituted from the superintendent thereof, together with a competent person, who shall be appointed by the governor, and who shall be a practicing physician or surgeon."

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 4, after the period in line 3 strike out the balance of the line and all of lines 5, 6, 7 and 8, and insert in lieu thereof the following:

"Accompanying the commitment papers the court shall submit to the superintendent of such institution a report of all the facts in the possession of the court concerning the history of the person committed, including a statement of the physical and physical condition."

Strike out all after the word "institution" in line 9, page 3, and insert in lieu thereof the following: "Any such person committed to the Wisconsin State School for Defectives shall be received by the superintendent of said institution, and shall be subject to the provisions of the laws relating to the admission, detention, discharge and parole of inmates of said institution."

Amendment adopted.

AMENDMENT No. 6.

On page 3, after line 19, add a new section to read as follows:

SEC. 2. Section 22 of said Act is hereby amended so as to read as follows:

Section 22. Any verified petition in the name of a superintendent of industrial school may be filed in the circuit court of any county in the State where such person may be found, setting forth the facts in the case, and praying that such person may be committed to the Wisconsin State School for Defectives, or to the Industrial Home for Delinquent Persons, as the case may be, and the court shall thereupon have jurisdiction to hear the case and make such commitment as the law or the rule of the board of trustees of the Wisconsin State School for Defectives, School or Industrial Home, for the speedy and discharge of dependent and delinquent persons committed to the said schools or to any similar state institution

hereafter created, or with the internal management of the said schools, save that the court committing a person to either of said schools may thereafter change, modify or set aside said order of commitment upon ten days' notice of the hearing of the application, notice being served by United States mail upon the superintendent of the said school to which said person had previously been committed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1212.—An Act to amend Section 245 of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, lines 10 to 16, strike out all of lines 10 to 16, inclusive, and in lieu thereof insert the following: "stenographers (who shall be typewriters, each of whom shall be appointed by and assigned to a member of the senate, with the consent of the senate, and while a member of the senate is chairman of a committee, said member's stenographer shall *ipso facto* be clerk of such committee; and when a member of the senate is not chairman of a committee, said member's stenographer shall be under the supervision of the secretary, subject to being assigned by the secretary for a limited portion of his time for the purpose of assisting the secretary in the performance of his duties), four porters, one rear porter, three watchmen, two press mailing clerks, and only such other officers or employees, except as otherwise provided by law, as the senate by a three-fifths vote of".

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 17 to 19, strike out all of lines 17 to 19, inclusive, and in lieu thereof insert the following: "all the members such shall deem necessary. Any officer or employee of the senate appointed or elected under the provisions of this or any other section of this code, may at any time be removed by the senate."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1213.—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 7, after the word "the" and before the word "assistant", insert the word "other".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, strike out the word "assistant", and in lieu thereof insert the words "assistants to the".

Amendment adopted.

AMENDMENT No. 3.

On page 1, lines 15 and 16, strike out all of lines 15 and 16, and in lieu thereof insert the following: "per day, excepting that the stenographers who are clerks of the finance and judiciary committees shall each receive six dollars per day, to the".

Amendment adopted.

AMENDMENT No. 4.

On page 2, lines 4 to 24, strike out all of lines 4 to 24, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1773—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1063, relating to what persons are eligible to the office of justice of the peace.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1774—An Act to confer upon the Industrial Accident Commission all of the duties, liabilities, authority, powers and privileges conferred and imposed by law upon the Industrial Accident Board; abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission.

Bill read second time, ordered engrossed and on file for third reading.

ASSEMBLY BILLS ON FILE FOR SECOND READING.

On motion of Senator Campbell, the Senate took up for consideration of Assembly bills ordered on file this day for second reading as follows: Nos. 1035, 1051, 540, 2095, 50, 215, 756, 837, 1351, 1376, 1429, 1477, 2027, 2180, 1424, 580, 971, 972, 994, 1191, 722, 651, 114, 456 and 388.

Assembly Bill No. 1424—An Act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School, to change the name of the Whittier State School to "California Trades School," to purchase and improve a site and suitable site for said school, to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school, and to provide for the purchase of furniture, fixtures and apparatus for said school.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section to be known as and numbered 2167*b*, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court of the Superior Court sitting as a lunacy court in each county, providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers fixing their salaries and providing for the payment thereof.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 540—An Act to provide for the erection of the memorial monuments on the battlefield of San Pasqual, San Diego County, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 2095—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and appropriating certain moneys for the purchase of said armory and wharf.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 50—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine State Highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg; appointing a commission in connection therewith; and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1677—An Act to appropriate the sum of $358.50 to pay the claims of the State Board of Health.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2027—An Act to appropriate money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Mr. Frederick Maskew.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol Building

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 293—An Act appropriating money to provide for the disposal of drainage and sewage from the State Fair grounds to the city of Sacramento.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 701—An Act appropriating money for the construction and equipment of a hospital at Preston School of Industry.

Assembly Bill No. 702—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 704—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

During second reading of the bill the following amendment was offered by the committee:

On page 1, after line 6, add the following: "Sec. 2. This Act shall not be construed as providing for the payment of any claim or demand against the state under the provisions of Section 1, of Article IV, of the Constitution, save upon itemization."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 794—An Act appropriating money for building a wing to the Grades building at Preston School of Industry.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act providing for the extension of agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 868—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES [illegible] OF BILLS

The following reports of standing committees were received and read:

[illegible] AND [illegible].

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your committee on [illegible], to which was referred Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to business and providing for a license tax upon corporations organized or incorporated for the purpose of carrying out the objects of any Act approved May 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide when conditions have existed or may exist whereby the provisions of any of the Acts hereby repealed may [illegible] and to restore to its former conditions, terms and validity, and each of all the provisions of any corresponding section or sections so repealed, as fully and to the same extent as if the Act or Acts hereby repealed had not been passed, and to provide for saving the validity of any corporation which by reason of failure to pay the tax imposed by any of said Acts has forfeited its charter or right to do business in this State, have had the same under consideration, and respectfully report back the same back, and recommend that it do pass.

THOMPSON, Chairman.

Assembly Bill No. 1682 ordered on file for second reading.

BY FINANCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2005—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds [illegible]

Also: Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

Also: Senate Bill No. 678—An Act appropriating money to pay the claim of Johan Alfred Matson, against the State of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STROBRIDGE, Chairman.

Assembly Bills Nos. 2063 and 774 ordered on file for second reading.

Assembly Bill No. 678 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 35—An Act relative to acquisition of title under homestead laws—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WRIGHT, Chairman.

Senate Joint Resolution No. 35 ordered on file.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1152 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

Also: Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Also: Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code, relating to the office of the State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks and assistants, and their compensation.

Also: Senate Bill No. 162—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 530, 488 and 593 ordered on file for second reading.

Senate Bill No. 162 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or

ing of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any reward or payment as value consideration for the purchase of salvage or parts for motor vehicles or for work or repair done thereon, to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereby, to provide for the inspection of repairshops and persons from them and dealers and limited licensees, to provide for supervising and the powers of this Act and to create an appropriation and to create a revolving fund therefor, and to repeal all Acts or parts of Acts inconsistent or in conflict with this Act, have had the same under consideration, and respectfully report the same back and recommend that the amendments as proposed by the Committee on Printing and Engrossing, together with the amendments as proposed by the Committee on Finance be adopted, and that the bill do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 2005 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 705—An Act to amend Section 849 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," relative to the same under consideration, and respectfully report the same back and recommend that the amendments as proposed by the Committee on Printing and Engrossing, together with the amendments as proposed by the Committee on Finance be adopted, and that the bill do pass as amended.

CARR, Chairman.

Senate Bill No. 708 ordered on file for second reading.

SECOND READING OF SENATE BILLS.

On motion of Senator Campbell, the Senate took up for consideration the second reading of Senate Bills that were ordered on file for the day as follows: Nos. 678, 102 and 708.

Senate Bill No. 678—An Act appropriating money to pay the claim of Johan Alfred Matsson against the State of California.

During second reading of the bill the following amendments were offered by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. The sum of five thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated to pay the claim of Johan Alfred Matsson against the State of California.

Sec. 2. The state controller is hereby directed to draw his warrant on the state treasury for said amount and the state treasurer is directed to pay the same.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 102—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 708—An Act to amend Section 849 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1 of the printed bill, line 7, strike out the word "and" at the end of the line; also, in line 8, strike out the words "court rendering."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the words "same to", line, "to" at the end of the line; also, in line 10 at the beginning of the line strike out the words "said court".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 10, strike out the words "one week", and insert in lieu thereof the word "once".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 12, strike out the word "or" at the end of the line; also, in line 13, strike out the word "resolution".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up for consideration the Assembly bills that were ordered on file for second reading this day, as follows: Nos. 1682, 2063, 774, 1152, 530, 488 and 593.

Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, section 1, line 1, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 8, of the printed bill, strike out the period and insert a comma and add the following: "to be paid at the same time and in the same manner as other state officers".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 8, of the printed bill, after the period add the following: "The inspector shall also appoint a clerk who shall receive a salary of fifteen hundred dol-

fees per centum to be paid to the county assessor and to the county clerk for the services of other state officers."

Amendment adopted.

AMENDMENT NO. 3.

On page 3 line 34 of the printed bill, strike out the comma and the words and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NO. 4.

On page 3 of the printed bill, at the end of line 34 after the word "shall" insert the following: "such knowledge of such advantage."

Amendment adopted.

AMENDMENT NO. 5.

On page 4 line 11 of the printed bill, strike out the comma and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NO. 6.

On page 4 line 37 of the printed bill, strike out the word "as" and substitute, therefor the word "of."

Amendment adopted.

AMENDMENT NO. 7.

On page 5 line 17 of the printed bill, strike out the word "may", and substitute, therefor the word "shall".

Amendment adopted.

AMENDMENT NO. 8.

On page 5 lines 20 and 21 of the printed bill strike out the words "if possession is taken".

Amendment adopted.

AMENDMENT NO. 9.

On page 5 line 23 of the printed bill, strike out the word "necessary", and insert in lieu thereof the word "competent".

Amendment adopted.

AMENDMENT NO. 10.

On page 5 line 24 of the printed bill after the word "possessing", insert the words "possession of".

Amendment adopted.

AMENDMENT NO. 11.

Add a new section to be known as Section 22 to read as follows:

SEC. 22. If any section, subsection, subdivision clause or phrase of this Act is for any reason held to be unconstitutional, such provision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

AMENDMENT NO. 12.

In the title after the words "An Act", insert the following: "To provide for the inspection, possession and confiscation of prohibited, unwholesome, adulterated articles and commodities"

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1152. An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 7, of the printed bill, strike out all of paragraph 1, and insert in lieu thereof the following:

1. The county clerk, two thousand eight hundred dollars per annum, and there shall be and there is hereby allowed to the county clerk in addition, one deputy, who shall be paid the sum of fifteen hundred dollars per annum, and one deputy, who shall be paid the sum of thirteen hundred dollars per annum, and one deputy at one thousand dollars per annum; the said salaries to be paid by such county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid; *and provided, further*, that in each year in which a new and complete registration of voters is required by law, said county clerk shall appoint an additional deputy or deputies, who shall receive the sum of seven and one half cents per name for taking the affidavits of registration outside of the city of Riverside and the claims for their services at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed; *and provided, further*, that all fees and commissions received by this office shall be turned over to the county and become the property of the county. The provisions of this paragraph shall take effect on the first Monday after the first day of January, 1915.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 17, of the printed bill, strike out the words "three thousand three hundred", and insert in lieu thereof the words "two thousand eight hundred".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 21, of the printed bill, after the word "sheriff", at the end of the line, insert the following: "who shall be chief deputy and".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 23, of the printed bill, after the word "annum", insert the following: "one under sheriff whose salary is hereby fixed at the sum of one thousand dollars per annum".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 25, of the printed bill, change the semicolon to a period, and strike out the balance of line 25, and also strike out all of lines 26, 27, 28, and down to and including the word "day", on line 29.

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 33, of the printed bill, strike out the words "take effect immediately", and insert in lieu thereof the words "apply to the present incumbent".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 35, of the printed bill, strike out all of Section 3, and insert in lieu thereof the following:

"3. The recorder, twenty-eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the recorder five deputies who shall be appointed by the recorder, and shall be paid the following salaries, to wit: One chief deputy at a salary of fifteen hundred dollars per annum; two deputies at a salary of one thousand each per annum, and two deputies at a salary of eight hundred dollars each per annum. The salaries of said deputies shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of county officers are paid. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions of this paragraph are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 14, of the printed bill, strike out the words "three thousand" and insert in lieu thereof the words "two thousand eight hundred."

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 17, of the printed bill, strike out the word "four", and insert in lieu thereof the word "five."

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 19, of the printed bill, strike out the word "four", and insert in lieu thereof the word "eight."

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 20, of the printed bill, strike out the words "take effect immediately", and insert in lieu thereof the words "apply to the present biennium."

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 2, of the printed bill, strike out the words "take effect immediately", and insert in lieu thereof the words "apply to the present biennium."

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 11, of the printed bill, strike out the words "one thousand" and insert in lieu thereof the words "two thousand two hundred."

Amendment adopted.

AMENDMENT No. 14.

On page 4, line 13, of the printed bill, strike out the words "take effect immediately", and insert in lieu thereof the words "apply to the present biennium."

Amendment adopted.

AMENDMENT No. 15.

On page 4, line 21, of the printed bill, strike out the word "seven", and insert in lieu thereof the word "six."

Amendment adopted.

AMENDMENT No. 16.

On page 4, line 22, of the printed bill, strike out the word "commissioner", and insert in lieu thereof the words "office deputy."

Amendment adopted.

AMENDMENT No. 17.

On page 4, line 32, of the printed bill, strike out the word "eighty", and insert in lieu thereof the word "seventy."

Amendment adopted.

AMENDMENT No. 18.

On page 4, line 33, of the printed bill, strike out the word "commissioner", and insert in lieu thereof the words "office deputy."

Amendment adopted.

AMENDMENT No. 19.

On page 5, line 7, of the printed bill, strike out the words "and to take effect on the approval of this Act", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 20.

On page 6, line 27, of the printed bill, commencing with the word "The", strike out all of paragraph 13, and insert in lieu thereof the following:

13. The owner of the power to compel to having one or more cities or postings

thereof, and having a population of twelve thousand or more, fifteen hundred dollars, which shall be in full for all services rendered by him in both civil and criminal cases tried before him. He shall each month pay to the county treasurer all fines and commissions collected by him as such justice of the peace, including fees for celebrating marriages and returning certificates thereof to the county recorder; *provided*, that in townships of this class there shall be and there is hereby allowed to the justice of the peace one clerk, which office is hereby created, at a salary of fifty dollars per month, and who shall be appointed by said justice of the peace. In townships having a population of six thousand and less than twelve thousand the justice of the peace therein shall receive fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month; in townships having a population of two thousand and less than four thousand, fifteen dollars per month; in townships having a population of one thousand and less than two thousand, ten dollars per month; in townships having a population of less than one thousand, five dollars per month; *provided, however*, that in all townships having an area equal to or exceeding one thousand square miles, such salary shall not be less than fifty dollars per month. Each justice of the peace must pay into the county treasury once a month all fines collected by him in criminal cases, and the auditor shall withhold the warrant for salary until a sworn statement has been filed with him of all criminal cases tried, and fines collected and paid into the county treasury. In addition to the monthly salary allowed herein, each justice of the peace, except the justice first above mentioned in this paragraph, may receive for his own use in civil cases the fees allowed by law. For all services appertaining to the coroner's office, which the coroner is unable to attend to, the justice of the peace shall receive the same fees as are allowed the coroner in similar cases. There shall be no more than one justice of the peace elected in any township in counties of this class.

Amendment adopted.

AMENDMENT No. 21.

On page 5, line 28, of the printed bill, strike out the words "take effect immediately", and insert in lieu thereof the words "apply to the present incumbent".

Amendment adopted.

AMENDMENT No. 22.

On page 7, line 30, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 23.

On page 8, line 28, of the printed bill, after the word "day" change the period to a comma and insert the following: "not to exceed six hundred dollars in any one year. The provisions of this paragraph shall apply to the present incumbents."

Amendment adopted.

AMENDMENT No. 24.

On page 8, add a new paragraph to the bill, to be numbered "17", and to read as follows:

17. If any paragraph, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The legislature hereby declares that it would have passed this section and each paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more paragraphs, sentences, clauses or phrases is declared unconstitutional.

Amendment adopted.

AMENDMENT No. 25.

On page 5, lines 28 and 29, of the printed bill, strike out the words "take effect immediately", and insert in lieu thereof the words "take effect upon the approval of this Act".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics and

providing for the appointment of an inspector of factories and workshops and making an appropriation for the expense thereof.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 488.—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 392.—An Act to amend Sections 3456, 3457, 3458 and 3459 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2005 (Committee Substitute for Assembly Bills Nos. 212, 463, 1162).—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any rebate or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

On page 10, line 20, of the printed bill, after the word "owner", and before the word "but", insert the word "duly".

During second reading of the bill, the following amendments were submitted by the Committee on Finance:

AMENDMENT No. 1.

On page 1, line 1, of title, strike out the word "motor".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, of title, strike out the word "motor".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 23, strike out the figures "20" and insert in lieu thereof a blank line "_____".

Amendment adopted.

AMENDMENT No. 4.

On page 8, line 10, after the word "aforesaid", insert the following . who shall apply therefor".

Amendment adopted.

AMENDMENT No. 5.

Strike out all of Section 35, and insert in lieu thereof the following:

"SEC. 35. All fees or other moneys paid to or collected by the state treasurer, under the provisions of this Act, shall be placed in a fund which shall be known as the "motor vehicle fund," which fund is hereby created; *provided*, that one half of the net receipts under this Act shall be returned to the counties from which received, as determined by the places of residence of the persons to whom the licenses are issued, and all such amounts returned shall be paid into the road funds of the several counties receiving the same. In the event that any county has not established a road fund, its proportion of the receipts shall be retained by the State until provision for such road fund has been made, and it shall then be paid over. For the purposes of this section the city and county of San Francisco shall be considered a county. Net receipts in the meaning of this section shall be the balance of receipts remaining after payment of all expenses in the administration and the enforcement of this Act. In the months of January and July of each year the engineering department shall make to the controller a report setting forth the gross and net receipts for the preceding six months, and thereafter the controller shall draw his warrant upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which such county is entitled. Any unexpended balance of money heretofore appropriated for the purpose of carrying out the objects of an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," and all Acts or parts of Acts amendatory thereof, shall be placed under the control of the state department of engineering and the state controller shall transfer said money to said "motor vehicle fund," and all records now filed in the office of the secretary of state by reason and by virtue of said last named Act, shall upon the taking effect of this Act be turned over by the secretary of state to the state treasurer, and such portion thereof as may be deemed necessary by the state treasurer shall be retained by him and the remainder delivered to the department of engineering for its use.

Amendment adopted.

AMENDMENT No. 6.

Strike out all of Section 39 and insert in lieu thereof the following:

"SEC. 39. Of the moneys in said motor vehicle fund the department of engineering shall be authorized to expend ten thousand dollars, or as much thereof as may be needed, in payment of such expenses as are necessary to carry out the provisions of this Act, and a sum not to exceed one thousand five hundred dollars of said ten thousand dollars may, when such action has been authorized by the board of control, be drawn without at the time furnishing vouchers and itemized statements the sum so drawn shall be used as a revolving fund where cash advances are necessary, and at the close of each fiscal year, or at any other time, upon demand by the board of control, must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the board of control and the controller; the engineering department shall have the power to appoint such assistance and help as it may, in its judgment, deem necessary, and shall fix their salaries and compensation and prescribe their duties. Also the state treasurer shall be authorized to expend $5,000.00 annually, or so much thereof as may be needed, in the employment of the necessary clerical and other help, the purchase of stationery, books and postage, and such other expense as he may deem necessary in the collection of the said tax, the said amount to be transferred from the motor vehicle fund into a revolving fund; the remainder in such revolving fund, if any at the end of each fiscal year, to revert to the said motor vehicle fund. The remaining moneys in the motor vehicle fund shall be expended, under the sole direction of the department of engineering, for the maintenance of state highways without specific appropriation by the legislature, in addition to all sums already or hereafter appropriated by the legislature for the same purpose. Moneys shall be drawn from said motor vehicle fund for the purposes of this Act upon warrants duly drawn by the controller of the state, upon demands made by the departments and audited by the state board of control.

Amendment adopted.

AMENDMENT No 7.

On page 25, line 18, after the word "section", strike out the figures "39", and insert in lieu thereof the figures "38".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

REPORTS OF STANDING COMMITTEES—(*cont'd on calendar*)

The following reports of standing committees were received and read:

IN SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2080, An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and in the behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith, insofar as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor, and Senate Bill No. 158, An Act to provide for the payment of a reasonable percentage to Abraham Lincoln, supervising a commission charged with providing an appropriate memorial to Lincoln, and providing an appropriation to carry this Act into effect, and Assembly Bill No. 1[illegible], An Act to make an appropriation for the [illegible] entertaining and [illegible] of the "Atlantic Deep Waterway," have [illegible] the same under consideration, and respectfully report the bills back with [illegible] and recommend that they do pass as amended.

[illegible], Chairman.

Assembly Bills Nos. 2080 and 14 ordered on the list second reading. Senate Bill No. 158 ordered on the list second reading.

IN ASSEMBLY

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 700, An Act amending [illegible] relative to the State Universities, the Regents of the State Board of Health and the State Commissioner of Horticulture, and repealing all inconsistent provisions [illegible] Code, and repealing all inconsistent provisions [illegible] Code, and repealing all inconsistent provisions [illegible] Code, have had the same under consideration, and respectfully report the same back and recommend that it do pass, and that it be referred to Committee on Finance.

[illegible], Chairman.

Assembly Bill No. 700 ordered to be referred to Committee on Finance.

SECOND READING OF BILLS

On motion of Senator Campbell, the Senate took up for consideration of the second reading of bills ordered on the list, as follows:

Assembly Bill No. 2080 and Senate Bill No. 158

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and in the behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith, insofar as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

Page 1, line 1, strike out the words "Definitions of terms used in this Act."

Amendment adopted.

AMENDMENT NO. 2.

Page 2, lines 16 and 17, strike out the words "Creation of state civil service commission, appointment, salaries and expenses."

Amendment adopted.

AMENDMENT No. 3.

Page 3, lines 1 and 2, strike out the words "Employees of the commission and their duties, salaries and expenses."

Amendment adopted.

AMENDMENT No. 4.

Page 3, line 21, strike out the words "Rooms, accommodations and supplies."

Amendment adopted.

AMENDMENT No. 5.

Page 3, line 29, strike out the words "The general powers and duties of the commission."

Amendment adopted.

AMENDMENT No. 6.

Page 8, line 17, strike out the words "General duties of state officers and employees."

Amendment adopted.

AMENDMENT No. 7.

Page 9, line 3, strike out the words "Duties of the appointing power."

Amendment adopted.

AMENDMENT No. 8.

Page 11, line 1, strike out the words "Rules for classifying positions"

Amendment adopted.

AMENDMENT No. 9.

Page 11, line 10, strike out the word "Appointments."

Amendment adopted.

AMENDMENT No. 10.

Page 12, line 7, strike out the word "Examinations".

Amendment adopted.

AMENDMENT No. 11.

Page 13, line 17, strike out the words "Temporary appointees."

Amendment adopted.

AMENDMENT No. 12.

Page 13, line 28, strike out the words "Emergency appointments."

Amendment adopted.

AMENDMENT No. 13.

Page 13, line 34, strike out the words "Promotion, transfer, reinstatement."

Amendment adopted.

AMENDMENT No. 14.

Page 14, line 21, strike out the words "Removals and suspensions."

Amendment adopted.

AMENDMENT No. 15.

Page 15, line 27, strike out the word "Laborers."

Amendment adopted.

AMENDMENT No. 16.

Page 16, lines 1 and 2, strike out the words "Official roster. Reports of appointing officers. Present incumbents of positions."

Amendment adopted.

AMENDMENT No. 17.

Page 17, line 8, strike out the words "Unlicensed offense"

Amendment adopted.

AMENDMENT No. 18.

Page 17, lines 20 and 21, strike out the words "Misdemeanors in violation (qual-of-ordinances)" [illegible] [illegible] in prohibition

Amendment adopted.

AMENDMENT No. 19.

Page 18, line 13, strike out the words "Advertisement, how published."

Amendment adopted.

AMENDMENT No. 20.

Page 18, line 20, strike out the words "Political primaries and conventions governed."

Amendment adopted.

AMENDMENT No. 21.

Page 19, line 15, strike out the words "Illegal practicing prohibited."

Amendment adopted.

AMENDMENT No. 22.

Page 19, lines 19 and 23, strike out the words "Recovery of compensation a case of illegal appointment."

Amendment adopted.

AMENDMENT No. 23.

Page 20, line 7, strike out the words "Political and religious qualifications affirmations."

Amendment adopted.

AMENDMENT No. 24.

Page 20, line 14, strike out the words "Application of ordinances, how."

Amendment adopted.

AMENDMENT No. 25.

Page 7, lines 12 and 13, strike out all of line 12 after the word "necessary" and all of line 13, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 26.

Page 9, line 20, strike out the word "and" between the words "necessary" and "convenient," and insert in lieu thereof the word "or"

Amendment adopted.

AMENDMENT No. 27.

Page 16, line 32, after the comma and immediately before the word "and," insert the words "and thereupon shall be deemed appointed under the provisions of this Act,".

Amendment adopted.

AMENDMENT No. 28.

Page 17, lines 10 and 14, strike out the words "shall have supervisory, consultative, [illegible] [illegible] transferred, reduced or reclassified," and substitute therefor the words "are hereby [illegible] positions"

Amendment adopted.

Bill read second time and ordered to print and third reading.

Senate Bill No. 158. An Act to provide for the erection of a memorial monument to Abraham Lincoln, appropriating a commission therefor and providing an appropriation to carry this Act into effect.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The governor of this state is hereby empowered to appoint three citizens of the State of California, to act with a like committee to be appointed by the Lincoln Grammar School Association of San Francisco, who shall choose a site and erect a memorial monument to Abraham Lincoln in the civic center of San Francisco.

SEC. 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of ten thousand dollars to carry into effect the purpose of this Act.

SEC. 3. None of the moneys hereby appropriated shall be available until the said Lincoln Grammar School Association shall have appropriated and deposited with the state treasurer the sum of ten thousand dollars to be used for the purposes of and in the manner mentioned in this Act, which moneys the state treasurer is authorized to receive and place to the credit of the fund for the moneys hereby appropriated and all of the said moneys will then be available for the purposes mentioned in this Act.

SEC. 4. The state controller is hereby directed to draw his warrant on the state treasurer from time to time on the total of the moneys mentioned in this Act and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XI thereof a new section to be numbered Section 19a, relating to the extension of any public utility within one or more counties, and defining the powers, rights and duties of the county or counties requiring any such extension, and the powers, rights and duties of the person or corporation operating such utility—have had the same under consideration, and respectfully report the same back, with amendments, without recommendation.

GATES, Chairman.

Senate Constitutional Amendment No. 65 ordered on file.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano of the city of Sonoma, California.

Also: Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Also: Assembly Bill No. 1498—An Act to appropriate the sum of eight thousand eight hundred forty-one and seventy-nine one hundredths dollars out of the general fund of the state treasury to pay the assessments levied, by the city and county of San Francisco, against property belonging to the State of California for local improvements.

Also: Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City in Nevada County.

Also: Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 111, 1605, 1498, 1541, and 1279 ordered on file for second reading.

Also,

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. [illegible]—An Act to amend Section [illegible] of the Political Code, relating to the office of the Treasurer of State, his deputy and [illegible] and the [illegible] of the deputy and [illegible].

Also, Assembly Bill No. [illegible]—An Act [illegible] an appropriation [illegible] the State of California [illegible] of California.

Also, Assembly Bill No. [illegible]—An Act appropriating money to pay the claim of [illegible] against the State of California.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. [illegible], 1294 and 1644 ordered on file for second reading.

Also,

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1487—An Act to amend Section [illegible] of the Political Code of the State of California, [illegible] and respectfully report the same back and recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1487 ordered on file for third reading.

Also,

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. [illegible]—An Act [illegible] and providing for other [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act to provide for [illegible] the State Board of Health [illegible] and making an appropriation for the purposes of this act.

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] under the direction of the State Board of Health [illegible] and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back with [illegible] and recommend [illegible].

STROBRIDGE, Chairman.

Senate Bills Nos. [illegible], 1367, 973 and 948 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 777—An Act to amend Section [illegible] of the Penal Code of California.

Also, Senate Bill No. 441—An Act [illegible] of the State [illegible].

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. [illegible]—An Act [illegible] for the [illegible] and for the [illegible] and [illegible] of the same by the

State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 944 ordered on file for second reading

SECOND READING OF BILLS, ETC.

On motion of Senator Campbell, the Senate took up the consideration of the constitutional amendment and of the second reading of Senate bills ordered on file this day as follows: Nos. 1094, 1367, 974, 980.

Senate Constitutional Amendment No. 65—Proposed amendment to Article XI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XI thereof a new section, to be numbered Section 19*a*, relating to the extension of any public utility within one or more counties, and defining the powers, rights and duties of the county or counties requiring any such extension, and the powers, rights and duties of the person or corporation operating such utility.

During the reading of the constitutional amendment, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out of the title all after the word "public", on line 5 thereof, and insert in lieu thereof the following: "utilities and the making of connections between existing railroad and other means of transportation and communication".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, strike out all after the expression "Section 19*a*.", and insert in lieu thereof the following:

"Provision may be made by general laws for ordering and requiring persons, firms and corporations owning or operating public utilities that are subject to the jurisdiction of the railroad commission to make extensions of the service and facilities thereof, and for ordering and requiring connections to be made between existing railroad and other means of transportation and communication. General laws may also provide for the issuance of bonds subject to the provisions of Section 18 of Article XI of this Constitution, by counties, cities and counties, incorporated cities and towns and for the loaning of the proceeds thereof for such purposes, and for the repayment of moneys so loaned on such terms as such laws may authorize.

"The railroad commission shall have and exercise jurisdiction under such laws concerning the making of such extensions and of such connections.

"Nothing herein contained shall be construed to interfere with, or limit, in any way, any of the powers conferred upon the railroad commission over the duties of public utilities under the public utilities Act."

Amendment adopted.

Constitutional amendment ordered to print and engrossment.

Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

During second reading of the bill, the following amendment was offered by the committee:

On page 4, section 11, line 25, of the printed bill, strike out the remainder of the section following the words "the sum of", and insert in lieu thereof the following:

"(b) Chemical tubes in large experiments. In addition to the agents and such steps as may be required from time to time, maintenance and operation will be prudently and adequately provided."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 7, of the printed bill, strike out all of Section 16.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the numeral "14" and insert in lieu thereof the numeral "13".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 974—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a *[illegible]* therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

During second reading of the bill, the following amendment was offered by the committee:

On page 2, section 4, line 30 of the printed bill, strike out the words "fifteen thousand", and insert in lieu thereof the words "two thousand".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 19 of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 23, strike out the period following the words "land active", and insert the following: ", provided, that no member who shall fail, [illegible] be designated as acting with the provisions of this section".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 32, strike out the word "president", and insert in lieu thereof the word "chairman".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 35, strike out the word "bi-monthly", and insert in lieu thereof the word "annually".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 3, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 6.

On page 3, strike out all of Section 4, and insert in lieu thereof the following: "SEC. 4. The sum of $6,000 is hereby appropriated out of any moneys in the state treasury not otherwise appropriated to be expended by the state board of health in carrying out the provisions of this Act. All claims against this appropriation shall be audited by the state board of control. The controller is hereby directed to draw his warrants for sums aggregating this amount and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading of a bill ordered on file this day, to wit: Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, in line 4, after the words "District No. 1", strike out the words "counties of San Francisco, Napa, Solano", and all of lines 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Also: On page 2, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, and insert in lieu thereof the following:

"Counties of Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, Marin and San Francisco.

District No. 2 Counties of Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Glenn, Butte, Sierra, Colusa, Sutter, Yuba, Nevada, Yolo, Solano, Placer and El Dorado.

District No. 3 Counties of Amador, Stanislaus, Sacramento, San Joaquin, Calaveras and Tuolumne.

District No. 4 Counties of Alameda, Alpine, Contra Costa, Santa Clara and San Mateo.

District No. 5 Counties of Santa Cruz, San Benito, Monterey, San Luis Obispo, Santa Barbara and Ventura.

District No. 6, County of Los Angeles (no appropriation requested).

District No. 7, Counties of Merced, Mariposa, Madera, Fresno, Kings, Tulare and Kern.

District No. 8, Counties of Mono, Inyo, San Bernardino, Orange, Riverside, San Diego and Imperial."

Amendment adopted.

AMENDMENT No. 2.

On page 2, of the printed bill, line 30, strike out the period (.) and insert in lieu thereof a semicolon (;) and add the following: "*provided, however*, in all cases where district fairs are held by or under the auspices of corporations organized under the laws of this state, nothing in this section shall be so construed to prohibit the stockholders or members of such corporation from electing the directors thereof."

Amendment adopted.

Amendment No. 2

On page 2, of the printed Bill, line 32, strike out the words "the law of the name of the state."

Amendment adopted.

Amendment No. 3

On page 6, of the printed bill, strike out all of lines 4 to 17, inclusive, and insert in lieu thereof the following:

For aid to appellate district number two, five thousand (5,000) dollars.
For aid to appellate district number three, five thousand (5,000) dollars.
For aid to appellate district number four, five thousand (5,000) dollars.
For aid to appellate district number five, five thousand (5,000) dollars.
For aid to appellate district number six, five thousand (5,000) dollars.
For aid to appellate district number one, five thousand (5,000) dollars.
For aid to supreme court, five thousand (5,000) dollars.

Amendment adopted.

Amendment No. 4

Strike out all of section 11, on page 8.

Amendment adopted.

Amendment No. 5

Renumber Sections 12, 13, 14, and 15 to 11, 12, 13, and 14.

Amendment adopted.

Bill read second time, and ordered to be ordered for third reading.

[illegible]

On motion of Senator Flint, Assembly Bill No. 1224 was ordered from print.

CONSIDERATION OF BILL—(Continued)

On motion of Senator Flint, the Senate took up the consideration of Assembly Bill No. 1074, out of order.

Assembly Bill No. 1074—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 2717, relating to the construction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE ON [illegible]

Senator Flint moved to refer to Senator Chipman, as a special committee of one, the protest as follows:

On page 1, section 1, line 11, after the word "appeal," insert a comma and the words "or application for writ of review or certiorari", and a comma.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

Senate Chamber, Sacramento, May 3, 1913.

Mr. President: Your special committee of one to whom was referred Assembly Bill No. 1074, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHIPMAN, Chairman.

Report read and adopted.

Bill ordered to print.

CONSIDERATION OF BILL—(Continued)

On motion of Senator Carr, the Senate took up the consideration of Senate Bill No. 771, out of order.

Senate Bill No. 771—An Act relating to franchises and licenses and

to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Flint, as a special committee of one, to amend as follows:

By striking out of Section 22, line 8, page 8, the figures "7" and "9", and inserting in lieu thereof the figures "6" and "8".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 771, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

ON PRISONS AND REFORMATORIES

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1518—An Act to add a new section to the Penal Code to be known as Section 1202*a*, relating to indeterminate sentences, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

FINN, Chairman.

Assembly Bill No. 1518 ordered on file for second reading.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up for consideration the second reading of Assembly Bill No. 1518.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as Section 1202*a*, relating to "indeterminate sentences."

During second reading of the bill, the following amendments were offered by the committee:

On page 1, Section 1, line 4, strike out the word "hereafter", and on page 1, line 5, after the letters "victed", strike out the words "for the first time".

Also: On page 1, Section 1, line 7, after the comma following the word "months", strike out the words "except murder, arson, rape or robbery,".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Messages from the Assembly (cont'd from last issue)

On motion of Senator Campbell, the following messages from the Assembly were taken up and read:

Assembly Chamber, Sacramento, May 1, 1913

Mr. President: I am directed to inform your honorable body that the Assembly has this day adopted Assembly Constitutional Amendment No. 18 entitled:

An act to add section 1 to article XX of the Constitution of the State of California, relating to the Constitution of the State of California.

Also, Assembly Constitutional Amendment No. 19 entitled:

An act to amend section 11 of article XX of the Constitution of the State of California, relating to the Constitution of the State of California.

Also, Assembly Constitutional Amendment No. 20 entitled:

An act to amend section 1 of article XIII of the Constitution of the State of California, relating to taxation.

Also, Assembly Constitutional Amendment No. 21 entitled:

An act to amend section 1 of article XX of the Constitution of the State of California, relating to the Constitution of the State of California.

Also, Assembly Constitutional Amendment No. 22 entitled:

An act to amend section 1 of article XX of the Constitution of the State of California, relating to the Constitution of the State of California.

Also, Assembly Constitutional Amendment No. 23 entitled:

An act to amend section 1 of article XX of the Constitution of the State of California, relating to the Constitution of the State of California.

Also, Assembly Constitutional Amendment No. 24 entitled:

An act to amend section 1 of article XX of the Constitution of the State of California, relating to the Constitution of the State of California.

Also, Assembly Constitutional Amendment No. 25 entitled:

An act to amend section 1 of article XX of the Constitution of the State of California, relating to the Constitution of the State of California.

I. B. MALLORY, Chief Clerk of Assembly.
By Thomas C. Watson, Assistant Clerk.

Assembly Constitutional Amendment No. 18 referred to Committee on Elections.

Assembly Constitutional Amendment No. 19 referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 20 referred to Committee on Revenue and Taxation.

Also:

Assembly Chamber, Sacramento, May 2, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1333, entitled:

An act providing for the appointment of Notaries Public in counties and authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of notary public applicants, and fixing the fees to be charged by notaries public, and providing for the payment of fees collected by notaries public into the State Treasury, and providing for the payment of all moneys now in the hands of notaries public, and providing for the payment of all moneys which may hereafter be received by notaries public, and providing for the payment of moneys now in the hands of State Board of Prison Directors to any duly appointed notary public, and providing for the payment of moneys hereafter received by the State Board of Prison Directors from notaries public, and providing for the payment of all moneys now and hereafter due and owing to any notary public on account of such notary public, and making an appropriation for the payment of moneys now in the hands of the State Board of Prison Directors

members of said commission fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the purposes for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 642 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 459. An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also providing for the Secretary of State determining the order of placing all questions, propositions, proposed laws and constitutional amendments on the ballot and providing for the preparation of the designation or ballot title by the Attorney General and by a board of title commissioners, created by this Act, if objections be made to the ballot title prepared by the Attorney General, by which all such questions, propositions, proposed laws and constitutional amendments shall be designated on the ballot and providing the procedure therefor.

Also: Assembly Bill No. 1183. An Act to amend Sections 1160 and 1161 of the Political Code, relating to time of opening and closing the polls.

Also: Assembly Bill No. 2091. An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 459, 1183 and 2091 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Joint Resolution No. 19—Relative to establishing game refuges in the national forest reserve in the State of California.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Caminetti, the Senate took up the consideration of Senate Constitutional Amendment No. 24, out of order.

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article IV thereof, in relation to a "state budget."

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Caminetti moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

On page 1, strike out all after the word "Act" on line 10, to and including the word "Legislature" on line 12, and insert in lieu thereof the following: "to submit and sanction the above amendment and to provide appropriations for the usual current expenses of the state and for the salaries of said members, and for such purposes."

After the line 16, page one, strike out the word "amended", and before it the word "prior".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Constitutional Amendment No. 24, with instructions to amend, respectfully reports the same back amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Constitutional amendment ordered to print and engrossment.

CONSIDERATION OF BILLS (Unfinished Business)

On motion of Senator Hewitt, the Senate took up the consideration of Senate Bill No. 1726, out of order.

Senate Bill No. 1726—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Hewitt moved to refer to Senator Anderson, as a special committee of one, to amend as follows:

Amend the title of the proposed bill by striking out all of lines 1, 2 and 3 of the title, and inserting in lieu thereof the following:

To authorize cities, cities and counties and other municipal corporations constituting water works to make water rates and charges for water supplied by such works, and for the enforcement of such charges, to provide for the collection of such charges, and to provide for the enforcement of such lien.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1726, with instructions to amend, respectfully reports the same back amended as per instructions.

ANDERSON, Committee.

Report read and adopted.

Bill ordered to print and engrossment.

ADJOURNMENT

At eleven o'clock and fifty minutes p.m., on motion of Senator Campbell, the acting President declared the Senate adjourned until Monday, May 5, 1913.

[illegible]

IN SENATE.

SENATE CHAMBER,
Monday, May 5, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Judlia d, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, May 3, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires, approved May 1, 1911—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 935.

(Adopted April 23, 1913.)

On page 3, line 1, strike out the word "that", and insert in lieu thereof the word "the".

(Adopted May 2, 1913.)

In line 2 of the title, strike out the following: "approved May 1, 1911."

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 935?"

The roll was called, and Assembly amendments to Senate Bill No. 935 concurred in by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Jones, Kehoe, Lyon, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Wright—21.

NOES—None.

Senate Bill No. 935 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure thereon, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 5 ordered to enrollment.

Also:

Assembly Chamber, Sacramento, May 2, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed the following bills, to which the concurrence of the Senate is respectfully requested:

Assembly Bill No. 1077, An act to amend section 1207 of the Penal Code, relating to the custody and disposition of [illegible] and other articles and respectfully ask that the concurrence be recognized by

J. P. MALOONY, Chief Clerk of Assembly.
By Thomas G. Watkins, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 72

(Adopted April 28, 1913.)

On page 2, line 20, strike out the word "[illegible]", and insert in lieu thereof the words "a misdemeanor".

(Adopted May 2, 1913.)

In line 2 of the title strike out the words "[illegible] police", and insert in lieu thereof the words "[illegible] police".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 72?"

The roll was called and Assembly amendments to Senate Bill No. 72 concurred in by the following vote:

AYES—Senators Anderson, Boynton, Breed, Burnett, Caminetti, Campbell, Chandler, Curtin, Elliott, Gerdes, Gualala, Jones, Kehoe, Leale, Mahe, Owens, Rigdon, Rush, Sanford, Savage, Thompson and Wright—21.

NOES—None.

Senate Bill No. 72 ordered to enrollment.

RESOLUTION—[illegible] re assembly.

The following resolution was introduced:

By Senator Boynton:

Resolved, That there be set aside before the Senate chair as [illegible] to the Senate, [illegible] Senator, that the portion of a [illegible] be restored, and that the [illegible] to [illegible] bill [illegible] [illegible] and [illegible], further, that this rule may be suspended temporarily, at any time, by unanimous consent, [illegible] motion, or upon motion of a majority vote.

Resolution read and adopted.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your committee on [illegible], to which was referred Assembly Bill No. [illegible], An Act to amend [illegible] of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing, has had the same under consideration, and respectfully report the same back and recommend that the same do pass.

GATES, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your committee on [illegible], to which was referred Assembly Bill No. [illegible], An Act to amend section [illegible] of the Political Code of the State of California, relating to [illegible] and employees of the Assembly and Senate, have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1458—An Act creating an "industrial accident fund," and appropriating moneys therein.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1458 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Brown, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Jones, Kehoe, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1459—An Act appropriating moneys to the use of the state compensation insurance fund.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1459 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Brown, Cannetti, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Jones, Kehoe, Lyon, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

Read third time.

On motion of Senator Kehoe, Senate Bill No. 713 was passed on file.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 309*a*, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

In the absence of the author, Senate Bill No. 1741 was passed on file.

PRESIDENT PRO TEM ASSUMES THE CHAIR

At ten o'clock and thirty-five minutes a.m., Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

THIRD READING OF BILLS—(CONTINUED)

Senate Bill No. 433—An Act authorizing and regulating the practice of chiropractic in the State of California, creating a state board of chiropractic examiners, providing for the appointment of the members thereof, their qualifications, to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

On motion of Senator Gates, Senate Bill No. 433 was passed to the Senate.

Senate Bill No. 440—An Act to regulate the practice of osteopathy, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners, and a board of registration of religious practitioners.

On motion of Senator Gates, Senate Bill No. 440 was passed to the Senate.

Senate Bill No. 121—An Act to prevent the public service corporations, companies, and agencies doing business within the State of California from charging more than a reasonable rate of insurance to fix or charge; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

On motion of Senator Gates, Senate Bill No. 121 was passed to the Senate.

Senate Bill No. 333—An Act to promote free competition among those engaged in the business of insurance in this State by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city or other legal subdivision thereof.

On motion of Senator Gates, Senate Bill No. 333 was passed to the Senate.

Senate Bill No. 1252—An Act granting it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquors.

In the absence of the author, Senate Bill No. 1252 was passed to the Senate.

BILL RE-REFERRED.

On motion of Senator Kehoe, Assembly Bill No. 647 was ordered recalled from the Committee on Drainage, Swamp and Overflowed Lands and re-referred to the Committee on Irrigation.

THIRD READING OF BILLS—(CONTINUED)

Senate Bill No. 1021—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto and making an appropriation therefor, and to

repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

On motion of Senator Gates, Senate Bill No. 1621 was passed on file.

Senate Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX a new section, to be numbered 17½, relating to the conditions of labor and welfare of employees.

On motion of Senator Brown, Senate Constitutional Amendment No. 72 was passed on file.

Senate Bill No. 1003—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April, 1872.

On motion of Senator Strobridge, Senate Bill No. 1003 was ordered to the file of unfinished business.

Senate Bill No. 1291—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections, to be known as Sections 10 to 13, inclusive.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1291 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1292—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto six new sections, to be numbered Sections 57 to 62, inclusive.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1292 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1293—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof

and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections, to be numbered Sections 84 to 89, inclusive.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1205 passed by the following vote:

Ayes—Senators Anderson, Boynton, Cannon, Chamberlain, Curtis, Campbell, Carr, Caminetti, Colton, Cutten, Elliott, Finlayson, Gerdine, Hewitt, Jones, Judson, Leale, Mott, Owens, Rogers, Sanford, Shortridge, Stetson, Thompson, and Wright—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 33—Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate joint resolution extending the presidential term, to six years, and limiting the President to one single term.

On motion of Senator Sanford, Senate Joint Resolution No. 33 was passed on file.

Senate Joint Resolution No. 47—Relative to appointment of a committee to draft bills abolishing all offices not now held by Hall Measure and providing for a commission of five to perform the duties formerly performed by one person.

On motion of Senator Sanford, Senate Joint Resolution No. 47 was passed on file.

Senate Bill No. 1209—An Act providing for the construction in counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1209 was passed on file.

Senate Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 24, relating to sessions of the Legislature.

On motion of Senator Caminetti, Senate Constitutional Amendment No. 60 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by repealing Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

On motion of Senator Sanford, Senate Constitutional Amendment No. 67 was passed on file.

Senate Bill No. 499—An Act to amend Section 3 of an Act entitled "An Act to regulate the taking of fishing, and to provide for the revenues for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 14, 1909.

On motion of Senator Sanford, Senate Bill No. 499 was passed on file.

Senate Bill No. 1471—An Act to amend Section 653f of the Penal Code of the State of California, relating to the fishing for sturgeon or bait with seines in the sixth district.

On motion of Senator Anderson, Senate Bill No. 1471 was passed on file.

Senate Bill No. 604—An Act to amend Sections 628a and 634, and

to repeal Section 6364, of the Penal Code of the State of California, all relating to the protection and preservation of fish.

On motion of Senator Caminetti, Senate Bill No. 604 was passed on file.

Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1535 passed by the following vote:

AYES—Senators Anderson, Birdsall, Brown, Butler, Carr, Cogswell, Cole, Finn, Flint, Gates, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1120—An Act to amend Section 4253 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

On motion of Senator Anderson, Senate Bill No. 1120 was passed on file.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

In the absence of the author, Senate Constitutional Amendment No. 38 was passed on file.

Senate Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

On motion of Senator Carr, Senate Constitutional Amendment No. 43 was ordered to the foot of the file.

Senate Bill No. 1103—An Act requiring all persons, corporations, receivers or trustees operating lines of railway in the State of California, to provide toilets on certain classes of cars used on such railways, for the convenience of passengers, and providing a penalty and damages to be paid by such persons, corporations, receivers or trustees to the State of California, for failure to provide such toilets.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1103 refused passage by the following vote:

AYES—Senators Anderson, Birdsall, Brown, Butler, Gerdes, Grant, Kehoe, Larkins, and Rush—9.

NOES—Senators Benson, Cogswell, Finn, Gates, Juilliard, Mott, Owens, Regan, Sanford, Strobridge, Thompson, Tyrrell, and Wright—13.

Title read and approved.

Bill ordered transmitted to the Senate.

[illegible]

At ten o'clock and fifty-five minutes a.m., Senator Swing, President of the Thirteenth District, in the chair.

[illegible]

Senate Bill No. 439.—An Act to amend Section 171 of an Act entitled "An Act to provide for the taxation, government, operation and dissolution of banking districts in any part of the State, for the construction of sewers and other municipal purposes, the acquisition of property therefor; the calling and conducting of elections in such districts, the assessment, levy, collection, expenditure and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of such proceeds," approved March 31, 1891, presented March 3, 1909.

In the absence of the author, Senate Bill No. 439 was passed to file.

Senate Bill No. 508.—An Act to add two additional counties and other additional territory to the Thirteenth Senatorial District.

On motion of Senator Chadwick, Senate Bill No. 508 was passed to file.

Senate Bill No. 668.—An Act to add one additional county and other additional territory to the Thirteenth Senatorial District.

On motion of Senator Chadwick, Senate Bill No. 668 was passed to file.

Senate Constitutional Amendment No. 28.

Relative to the appointment of a commission having jurisdiction over [illegible] engaging and operating with intercommunicating trade instruments for transmitting and receiving [illegible] between [illegible] and [illegible] and [illegible] and

The roll was called, and Senate Concurrent Resolution No. 29 adopted by the following vote:

AYES—Senators Boynton, Breed, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—Senator Birdsall—1.

Resolution ordered engrossed, and transmitted to the Assembly.

Senate Bill No. 1324—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

On motion of Senator Regan, Senate Bill No. 1324 was passed on file.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1411 passed by the following vote:

AYES—Senators Birdsall, Boynton, Breed, Brown, Butler, Cogswell, Cohn, Finn, Flint, Gates, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.
NOES—Senators Anderson, Caminetti, Campbell, Carr, Curtin, Gerdes, Grant, Jones, and Owens—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Read third time.

On motion of Senator Birdsall, Senate Bill No. 182 was temporarily passed on file.

Committee Substitute for Senate Bill No. 1486—An Act relating to combination, defining certain unlawful practices, and providing penalties for violation thereof, and repealing conflicting Acts.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Cohn, as a special committee of one, to amend as follows:

On page 2, line 15, of the committee substitute, strike out the period after the word "person", and insert in lieu thereof a comma (,) and add the following: "or as prohibiting the supplying or offering to supply any article to the federal or state government, or to any municipality or other political subdivision of the state upon terms more favorable than are accorded other customers, and nothing contained in this Act shall prohibit any person from violating the provisions of subdivision (b) or (c) of this section where it is done in good faith to meet the competition of another person not subject to the provisions hereof."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON [illegible]

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1456, with instructions to amend, respectfully reports the same back amended as per instructions.

[illegible], Committee.

Report read and adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator CAMPBELL moved to refer to Senator Campbell as a special committee of one, to amend as follows:

In section 2 line eighteen following Section 6 of the general appropriation act, to be numbered Section 7, to read as follows:

SEC. 7. Nothing contained in this Act shall be so construed as to [illegible] arrangements, agreements or contributions [illegible] between the [illegible] made with a view of lessening the expense of labor or [illegible] of their wages.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1456, with instructions to amend, respectfully reports the same back amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

BILL ORDER TO PRINTED.

On motion of Senator CARR, the Secretary was directed to issue a rush order for printing Senate Bill No. 1456.

THIRD READING OF BILLS—[illegible]

Senate Bill No. 1757—An Act to amend Section 1154 and Section 1333 of the Political Code of the State of California and to add four new sections thereto, to be numbered 1154½, 1333, 1336 and 1337, relating to the election of Senators to Congress and to repeal an Act entitled "An Act providing for placing the names of candidates for United States Senator in Congress upon the official ballot at general elections for counting, canvassing and making returns of the votes therefor, providing the method of notifying the Legislature of the result of such election, and defining the duties of certain officers in relation thereto," approved April 2, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1757 passed by the following vote:

AYES—Senators Anderson, Ayer, Boynton, Breed, Burnett, Campbell, Cartwright, Chandler, Cogswell, Cosgrove, Curtin, Finn, Flint, Gerdes, Gesford, Hans, Hewitt, Johnson, Kehoe, Leavitt, Lee, Lewis, Lyon, Mott, Owens, Payne, Rose, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 713—An Act to protect the soil within the State of California and to prevent its destruction or deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

On motion of Senator Kehoe, Senate Bill No. 713 was passed on file.

Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

On page 1, line 1, of the printed bill, after the figure "1" and before the word "section", insert the words "section one".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 182, with instructions to amend, respectfully reports the same back, amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 278 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Carr, Curtin, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, and Tyrrell—27.

NOES—Senators Benson, Campbell, Cartwright, Cogswell, and Wright—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having arrived, the President declared the Senate at recess until two o'clock p.m.

AFTERNOON SESSION.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

ORDER RESCINDED.

Senator Thompson moved that the Senate recall Assembly Bill No. 14 from print and third reading and Assembly Bills Nos. 111, 1405, 1406, 1541, 1579, 1599, 1594 and 1644 from third reading, that the action of the Senate in giving said bills a second reading on May 3, 1913, be rescinded, and that the Journal of that date be corrected by striking out reference to second reading of the several Assembly bills named, and that they be taken up at this time for second reading.

Motion carried.

Assembly Bill No. 15—An Act to make an appropriation for the further construction and improvement of the "Alpine West Highway."

During second reading of the bill, the following amendment was offered by the committee:

Add a new section to be numbered Section 4, and to read as follows:

Sec. 4. This Act constitutes an appropriation for the usual contingent expenses of the state, and shall take the provisions of Section 1 of Article IV of the constitution (no other) appropriation.

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 111—An Act appropriating $2,000 for the completion of the restoration and rebuilding of the Mission San Francisco Solano of the city of Sonoma, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1405—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco, and for the improvement of the grounds thereof, for the use and occupancy of the offices and departments of the state government of the State of California, located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1406—An Act appropriating the sum of $6,814.79 out of the general fund in the state treasury to pay the assessments levied by the city and county of San Francisco against property belonging to the State of California, for local improvements.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City, in Nevada County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salary paid for such employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants and the salaries of the deputy and assistants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White, in the prosecution of criminals in the county of Trinity, State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1644—An Act appropriating money to pay the claim of James B. Graham against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

On motion of Senator Jones, Assembly Bill No. 1879 was passed on file.

Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2105—An Act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the Public Utilities Act of the State of California, approved December 23, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 911—An Act to amend Section 4300*c* of the Political Code, relating to the fees of recorders.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 912—An Act to amend Section 4142*a* of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Bill read second time, and ordered on file for third reading.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds, to define the duties of state officers in relation thereto; to make an appropriation of $5,000 for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

On motion of Senator Finn, Senate Bill No. 1283 was passed on file.

Senate Bill No. 1216—An Act to amend Section 1272 of the Political Code of the State of California, relating to officers and salaries, fees and compensation thereof, in counties of the sixth class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, lines 7, 8 and 9, strike out the words "before the county clerk, and on and after the first Monday in January, 1913, one sole county clerk in two thousand".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 1, strike out the word "seven", and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 2, strike out the word "twenty", and after the word "deputies" insert the words "and expert".

Amendment adopted.

AMENDMENT NO. 4.

On page 2, strike out lines 3, 4, 5, 6 and 7, and the hyphen at the end of line 4.

Amendment adopted.

AMENDMENT NO. 5.

On page 2, line 11, strike out the word "three", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NO. 6.

On page 2, line 22, strike out the word "commission" and insert in lieu thereof the word "constructive".

Amendment adopted.

AMENDMENT NO. 7.

On page 2, line 25, after the words "appointed", insert the following: "one chief deputy at a salary of one thousand five hundred dollars per annum, and".

Amendment adopted.

AMENDMENT NO. 8.

On page 3, line 26, after the words "and control", insert the words "such", and a comma.

Amendment adopted.

AMENDMENT NO. 9.

On page 3, in lines 26 and 27, strike out the following words: "and four persons at a salary of one hundred dollars each per annum".

Amendment adopted.

AMENDMENT NO. 10.

On page 3, lines 28, 29 and 30, strike out the following words: "provided, that said supervisors being eligible may be appointed deputies at said salaries without further compensation".

Amendment adopted.

AMENDMENT NO. 11.

On page 4, line 31, after the word "such", insert the words "expert".

Amendment adopted.

AMENDMENT No. 12.

On page 2, lines 31 and 32, strike out the words "additional help, not to exceed two,".

Amendment adopted.

AMENDMENT No. 13.

On page 2, line 33, after the word "record", insert the words "in his office".

Amendment adopted.

AMENDMENT No. 14.

On page 2, lines 33, 34 and 35, strike out the words "within a reasonable time after the same are filed, and which the other copyists herein provided are unable to copy within such time".

Amendment adopted.

AMENDMENT No. 15.

On page 2, line 36, strike out the word "additional", and also the word "for", occurring after the word "paid".

Amendment adopted.

AMENDMENT No. 16.

On page 3, line 1, after the word "folio", and the comma, insert the words "including comparing".

Amendment adopted.

AMENDMENT No. 17.

On page 3, line 3, after the word "allowed", insert the word "monthly".

Amendment adopted.

AMENDMENT No. 18.

On page 3, strike out the words "after the", in line 3, and also strike out lines 4, 5, 6, 7, 8 and 9.

Amendment adopted.

AMENDMENT No. 18½.

On page 3, line 33, strike out the word "two", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 19.

On page 3, beginning with the second word "one", in line 33, strike out down to and including the word "month", in line 36, and in lieu thereof substitute the following: "and three deputies to be paid only between August first to December 31st, inclusive, of each year (five months), at a salary of seventy-five dollars per month; also one deputy to be paid only for October and November of each year (two months), at a salary of seventy-five dollars per month; and also one deputy to be paid only for the months of April and May of each year (two months), at a salary of seventy-five dollars per month."

Amendment adopted.

AMENDMENT No. 20.

On page 3, line 37, strike out the words "The above sum of".

Amendment adopted.

AMENDMENT No. 21.

On page 4, strike out lines 1, 2, 3, 4 and 5.

Amendment adopted.

AMENDMENT No. 22.

On page 4, strike out paragraph 7, commencing with line 6, and down to and including line 24, and insert in lieu thereof the following: "The assessor three thousand dollars per annum; *provided*, that he shall appoint one deputy, who shall be the revenue and taxation clerk, at a salary of fifteen hundred dollars per annum; one chief deputy at a salary of fifteen hundred dollars per annum; one deputy who shall be a draftsman, at a salary of twelve hundred dollars per annum; one deputy

Amendment adopted.

Amendment No. 45

On page 3, line 26, strike out the words "twelve", and insert in lieu thereof the word "four", also on page 4, line 1, strike out the words "twenty".

Amendment adopted.

Amendment No. 46

On page 4, line 10, after "and" insert "provided", and strike out lines 11 to 25, inclusive.

Amendment adopted.

Amendment No. 47

On page 5, line 8, strike out the word "sixty", and insert in lieu thereof the word "five".

Amendment adopted.

Amendment No. 48

On page 5, line 21, strike out the word "twenty-five", and insert in lieu thereof the words "one hundred".

Amendment adopted.

Amendment No. 49

On page 5, line 23, strike out the word "fifty", and insert in lieu thereof the word "seventy-five".

Amendment adopted.

Amendment No. 50

On page 5, line 24, strike out the word "fifteen", and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Amendment No. 51

On page 5, line 25, strike out the word "twenty-five", and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT No. 30.

On page 5, line 26, strike out the words "one thousand", and insert in lieu thereof the words "twenty five hundred and not"; also, strike out in the same line the word "fifteen", and insert in lieu thereof the word "sixteen".

Amendment adopted.

AMENDMENT No. 31.

On page 5, line 27, strike out the word "twenty", and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT No. 32.

On page 5, line 27, after the word "month", insert the following words: "in townships having a population of sixteen hundred and not less than one thousand, thirty dollars per month;".

Amendment adopted.

AMENDMENT No. 33.

On page 5, line 28, strike out the word "ten", and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT No. 34.

On page 5, strike out lines 29, 30, 31, and 32, with the exception of the word "each" in the last line.

Amendment adopted.

AMENDMENT No. 35.

On page 5, line 34, after the word "all", insert the words "fees and".

Amendment adopted.

AMENDMENT No. 36.

On page 6, line 9, strike out the words "fifteen dollars a month", and insert in lieu thereof the words "said fees as are allowed constables by Section 4300*d* of the Political Code;".

Amendment adopted.

AMENDMENT No. 37.

On page 6, line 10, after the word "constable", insert the words "who is paid on a salary basis as herein provided".

Amendment adopted.

AMENDMENT No. 38.

On page 6, line 36, before the word "as", insert the word "dollars".

Amendment adopted.

AMENDMENT No. 39.

On page 7, strike out lines 7, 8, and 9.

Amendment adopted.

AMENDMENT No. 40.

On page 7, line 10, renumber the last section by striking out the figures "18" and inserting in lieu thereof the figures "17".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

REFUSAL TO RECEDE.

On motion of Senator Thompson, the Senate took up the consideration of the request from the Assembly that it recede from Senate amendments to Assembly Bill No. 26.

SENATE AMENDMENT TO ASSEMBLY BILL NO. 20.

Strike out all after "Sec. 2" and insert in lieu thereof the following: "The moneys hereby appropriated shall not be available until there shall have been paid to the State of California at the authorized rates and conditions in the original bonding as proposed for the improvements of such portions of such highway over the Colorado River Indian Reservation and public lands as the moneys appropriated hereby shall be applied to the construction of such highway in accordance with the terms of the same agreement as for the construction of such portions.

The question being: "Shall the Senate accept Senate amendment to Assembly Bill No. 20?"

The roll was called, and the Senate refused to accept Senate amendment to Assembly Bill No. 20 by the following vote:

AYES—None.

NOES—Senators Anderson, Bennett, Bonelli, Boyle, Burns, Carpenter, Finn, Fitzgerald, Gerdts, Gerlach, Gibson, Hewitt, Hurlbut, Kehoe, Lyon, Metz, Owens, Regan, Sharkey, Swanson, Thompson, and Wright—20.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Thompson, the Senate took up the consideration of Assembly amendments to Senate bills out of order.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 204.

On page 2, line 17, strike out the words "or white land", and all of line 18. After the word "land" in line 19, strike out the words "and lands now known as the bottom of Salton Sea" and insert in lieu thereof the words "and lands now included in the bed of Salton Sea".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 204?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 204 by the following vote:

AYES—None.

NOES—Senators Carr, Garnett, Gibson, Hewitt, Hurlbut, Metz, Swanson, Carpenter, Finn, Gerdts, Gerlach, Kehoe, Lyon, Regan, Sharkey, Anderson, Bennett, Bonelli, Boyle, Burns, Owens, Regan, Sharkey, Swanson, Thompson, and Wright—20.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1.

Amendment No. 1.

On page 2, line 7, of the printed bill, strike out the period and insert in lieu thereof the following: ", and twelve and one half cents for each electric railroad."

Amendment No. 2.

On page 2, line 7, of the printed bill, strike out all after the word "shall" down to and including all of line 13 on same page and insert in lieu thereof a period.

Amendment No. 3.

On page 2, line 13, after the word "shall", insert the following: "not be applicable to the operation of any electric railroad which is included in the provisions of this Act for the purpose of the payment of the taxes provided for in this Act, but shall".

Amendment No. 4.

On page 2 of the printed bill, strike out line 20 and down to and including line 7, on page 3, of the printed bill, and insert in lieu thereof the following: "3. For

recorder, four thousand dollars per annum, and said recorder may appoint one deputy recorder who shall receive a salary of twelve hundred dollars per annum. Said recorder may also appoint four copyists at a salary of one hundred and eighty dollars each per annum: *provided*, that said copyists being salaried, may be appointed county recorders without further compensation. The county recorder may also employ such additional copyists, not to exceed two, as may be required to copy instruments filed for record within a reasonable time after the same are filed for record, and which the other copyists herein provided for shall be unable to copy within such time. The copying done by such additional copyists shall be paid for out of the general fund of said county at the rate of five cents per folio for the work actually and necessarily done in recording such instruments, and proper claims therefor shall be presented to and allowed by the board of supervisors. The salaries and compensation of the deputies and copyists herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid: *provided*, that such recorder may be allowed the actual necessary expenses incurred by him in the performance of his official duties, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived."

AMENDMENT No. 5.

On page 3, of the printed bill, strike out line 8, down to and including line 15, and insert in lieu thereof the following: "4. The auditor, four thousand dollars per annum; and said auditor may appoint one deputy auditor, who is also a deputy auditor is hereby created, who shall receive a salary of twelve hundred dollars per annum. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same fund as the auditor is paid: *provided*, that such auditor shall pay into the county treasury all fees received by him in his official capacity."

AMENDMENT No. 6.

On page 3 of the printed bill, strike out line 27 and down to and including line 35 on same page, and insert in lieu thereof the following: "6. The tax and license collector, four thousand dollars per annum. In counties of this class the tax and license collector may appoint one deputy tax and license collector, which office of deputy tax and license collector is hereby created, at a salary of twelve hundred dollars per annum: *provided, further*, they appoint five clerks to serve as such only for a period of four months each year, and who shall receive a salary of sixty dollars each per month. The deputies hereby provided for shall be paid at the same time and in the same manner and out of the same fund as the tax and license collector is paid. Said salaries shall be in full for all services rendered, and all fees and commissions shall be paid into the county treasury."

AMENDMENT No. 7.

On page 3, strike out lines 36 and 37, and down to and including line 18 on page 4, of the printed bill, and insert in lieu thereof the following: "7. The assessor, five thousand dollars per annum. In counties of this class there shall be and there is hereby allowed to the assessor the following deputies and employees, who shall be appointed by the assessor and who shall be paid salaries as follows: One deputy assessor, who shall receive a salary of fifteen hundred dollars per annum; one deputy assessor, who shall receive a salary of twelve hundred dollars per annum; two deputies for a period not to exceed four months each year, whose per diem shall be six dollars each when actually employed; two deputies for a period not to exceed four months each year, whose per diem shall be five dollars when actually employed; fourteen deputies for a period not to exceed four months each year, whose per diem shall be four dollars when actually employed; two copyists for a period not to exceed four months each year, whose per diem shall be two and one half dollars when actually employed, and one stenographer for a period not exceeding four months in each year, at a salary of eighty dollars per month: *provided*, that the above salaries and compensations shall be in full for all services rendered by him as such assessor and that no commission for the collection of state taxes or infirmary poll taxes or road taxes or personal property taxes shall be retained by him, nor shall the assessor receive any commission for making out the military roll of persons returned to him as subject to military duty as provided by section nine hundred and one of the Political Code of the State of California, but that all fees and commissions shall be paid into the county treasury. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the county assessor: *provided*, that the assessor shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties."

AMENDMENT No. 8.

On page 4 of the printed bill, strike out line 19 and down to and including line 23, on page 5, and insert in lieu thereof the following: "8. The district attorney, four thousand dollars per annum. In counties of this class the district attorney

hundred and forty-five, justices of the peace shall receive a monthly salary of twenty dollars per month, and constables a monthly salary of twenty dollars per month:

In townships having a population of one hundred and fifty-five, or more, and less than two hundred, justices of the peace shall receive a monthly salary of fifteen dollars a month, and constables a monthly salary of twenty dollars per month.

The above salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases; *provided*, that each constable shall be allowed and paid out of the county treasury for transporting prisoners to the county jail, the actual expenses of such transportation; *and provided, further*, that the board of supervisors shall allow to each constable his necessary expenses for traveling, when in pursuit of criminals, or transacting any criminal business; said justices of the peace and constables may retain for their own use the fees allowed by law in civil cases; *and provided, further*, that for the purpose of this section, the population of the several townships shall be ascertained by multiplying the number of registered voters at the presidential election held in the year 1908, A. D., by five. The salaries of township officers as herein provided for, shall be paid in the same manner and at the same time and out of the same fund that county officers are paid.

14. The fees of grand jurors and of trial jurors in the superior court, in criminal cases, shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of twenty-five cents per mile for each mile necessarily traveled in attending said court, in going only.

SEC. 2. The legislature hereby declares that Subdivisions 3, 5, 6, 7, 8, and 13, do not increase the incumbents' compensation and shall apply to said incumbents when the law takes effect."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1259?"

The roll was called, and Assembly amendments to Senate Bill No. 1259 concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Senate Bill No. 1259 ordered to enrollment.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1204.

On page 1, line 12, strike out all after the comma following the word "country," and insert in lieu thereof the following: "except that when any fresh salmon, crabs or trout are shipped into this state from any other state, territory or foreign country, during the closed season in this state for such salmon, crabs or trout, the same shall be accompanied by an invoice in duplicate showing the name and address of the consignor and consignee, together with the specific number and pounds in weight of such salmon, crabs or trout caught or taken without the waters of this state and bearing after inspection such evidence of having been so caught or taken as shall be hereafter prescribed by the fish and game commission; *provided, further*, that the expense of such inspection shall be borne by the person or persons importing such salmon, crabs or trout. Upon receiving any such consignment of such fish or shellfish the consignee shall forthwith transmit to the fish and game commission the invoice as herein provided, and no wholesale or retail dealer in such fish and shellfish, or other person, shall have any such imported fish or shellfish in their possession without the invoice or a copy thereof, as herein provided; *and provided, further*, that the fish and game commissioners or their deputies shall at all times have the right to examine or inspect the contents of any box, package or container, whether sealed or otherwise, containing fish or shellfish; *provided, further*, it shall be unlawful for any person to have in possession, sell or offer for sale any fish or shellfish that are not the lawful size of such fish or shellfish as are allowed to be taken, caught, possessed, sold or offered for sale in the open season in this state; *provided, further*, the violation of any provision of this Act is hereby declared a misdemeanor, and every person violating any of its provisions shall, upon conviction thereof, be fined in a sum not less than one hundred nor more than five hundred dollars, or by imprisonment in the county jail of the county in which the conviction shall be had for a term of not less than one hundred nor more than five hundred days, or by both such fine and imprisonment; and all fines or forfeitures collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1204?"

The roll was called, and Assembly amendment to Senate Bill No. 1204 concurred in by the following vote:

AYES—Senators Anderson, Ayer, Dilweg, Brickell, Dingman, Dowd, Erwin, Gaffney, Gibson, Hyde, Jones, Gordon Garrison, Hewitt, Jones, Kuchel, Lafferty, Metzger, Owens, Regan, Evan Shoemaker, Shoemaker, and Wadsworth—20.

NOES—None.

Senate Bill No. 1204 ordered to enrollment.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 154

On page 2, line 9, strike out the period and insert in lieu thereof a semicolon and add the following: "or to appropriations of moneys hereafter for the purpose of dealing with the effects of enforcement and inadequate defense and necessary to meet the emergency of duties for those members in camp quarters."

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 154?"

The roll was called and Assembly amendment to Senate Bill No. 154 concurred in by the following vote:

AYES—Senators Anderson, Ayer, Dilweg, Brickell, Dingman, Dowd, Erwin, Gaffney, Gibson, Hyde, Jones, Gordon Garrison, Hewitt, Jones, Kuchel, Lafferty, Metzger, Owens, Regan, Evan Shoemaker, Shoemaker, and Wadsworth—20.

NOES—None.

Senate Bill No. 154 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 955

Amend, to address a new section as follows:

"SEC. 3. This Act, inasmuch as it provides but an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 955?"

The roll was called, and Assembly amendment to Senate Bill No. 955 concurred in by the following vote:

AYES—Senators Anderson, Ayer, Dilweg, Brickell, Dingman, Dowd, Erwin, Gaffney, Gibson, Hyde, Jones, Gordon Garrison, Hewitt, Jones, Kuchel, Lafferty, Metzger, Owens, Regan, Evan Shoemaker, Shoemaker, and Wadsworth—21.

NOES—None.

Section 3, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Ayer, Brickell, Dingman, Dowd, Erwin, Gaffney, Gibson, Hyde, Jones, Gordon Garrison, Hewitt, Jones, Kuchel, Lafferty, Metzger, Owens, Regan, Evan Shoemaker, Shoemaker, and Wadsworth—21.

NOES—None.

Senate Bill No. 955 ordered to enrollment.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 956

Add a new section as follows:

"SEC. 3. This Act, inasmuch as it provides but an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 956?"

The roll was called, and Assembly amendment to Senate Bill No. 953 concurred in by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Campbell, Carr, Cogswell, Cronin, Finn, Flint, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sharkey, Stetson, Thompson, and Wright—28.

NOES—None.

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sharkey, Stetson, Thompson, and Wright—30.

NOES—None.

Senate Bill No. 953 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Thompson, the following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Also: Concurred in Senate Amendment to Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Also: Concurred in Senate Amendment to Assembly Bill No. 963—An Act to amend Section 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Also: Concurred in Senate Amendment to Assembly Bill No. 103—An Act to amend Section 405 of the Civil Code of the State of California, relating to powers of railroad corporations.

Also: Concurred in Senate Amendment to Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of unnavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Also: Concurred in Senate Amendment to Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

Also: Concurred in Senate Amendment to Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engi-

[illegible]

Also—Concurred in Senate Amendments to Assembly Bill No. 1135—An Act to amend the Penal Code by adding Section 4 and relating to the sentence [illegible] to the setting of statutes.

L. H. HALLETT, Chief Clerk of Assembly.
By Thomas G. Wilson, Assistant Clerk.

Also—

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. [illegible] entitled as follows: A resolution to propose to the people of the State of California an amendment to Section 22 of Article IV of the Constitution of the State, relating to the compensation of members of the Legislature.

L. H. HALLETT, Chief Clerk of Assembly.
By Thomas G. Wilson, Assistant Clerk.

Assembly Constitutional Amendment No. 22 referred to Committee on Judiciary.

[illegible]

Senator Strobridge moved that Assembly Bill No. 1442 be recalled from the Committee on Roads and Highways and transferred to the Committee on Finance.

Motion carried.

[illegible]

Assembly Bill No. 333—An Act to amend Section 4294 of the Political Code of the State of California, relating to salaries of officers in counties of the fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 333 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1278—An Act to amend Section 4230 of the Penal Code of the State of California, relating to the sale of wild game in the close [illegible] thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1278 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 248—An Act to regulate advertisements and solicitations for employment during strikes, lockouts, and other labor troubles.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 249 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—Senator Hewitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purpose and to provide for the installment of sanitary water systems.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 236 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

On motion of Senator Thompson, Assembly Bill No. 1110 was passed on file.

SENATOR MOTT IN THE CHAIR.

At three p.m., Senator Mott, of the Twenty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1108 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Bleasdale, Boynton, Breed, Bryant, Butler, Caminetti, Carr, Cartwright, Chan, Allen, Flint, Gerdes, Gerdes, Hewitt, Leon Jacobsen, Lewis, Lukens, Owen, Mott, Stanford, Stetson, Talbitzer and Thompson—30.

NOES—Senators Curtis and Wright—2.

ADJOURNED MEETING TO BE HELD.

At three o'clock and thirty-five minutes p.m., Lieutenant-Governor Albert J. Wallace, President of the Senate, in the Chair.

SPECIAL ORDER POSTPONED.

On motion of Senator Wright, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations and providing penalties for the violations thereof—was passed, was made a special order at 3 o'clock p.m. this day.

SPECIAL ORDER MADE.

Senator Shanahan moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 134 was passed, be made a special order for Tuesday, May 6, 1913, at three o'clock and thirty minutes p.m.

THIRD READING OF BILLS, ETC.—[SEE MISC.]

SENATE CONSTITUTIONAL AMENDMENT No. 4.

A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section one of article two thereof, relating to assembly and judicial districts and fixing the number, area of article four of said constitution, relating to legislative districts and the formation thereof.

The legislature of the State of California, by its regular session, commencing on the sixth day of January, 1913, two thirds of all the members elected to each of the houses voting in favor thereof, hereby proposes an amendment to the constitution of the State of California, to amending section one of article two thereof, and repealing section two thereof, to article four thereof.

Section 1. Section one of article two is hereby amended to read as follows:

Section 6. At the general election to be held next after the United States shall have made an enumeration or census of the population of the State of California, there shall be elected in each congressional district in said state by the qualified electors thereof, a member of a party known which board shall be known as "the state reapportionment commission." Whenever the number of congressional districts shall be fixed the governor shall on or before the following day of December in each year appoint by additional members of such board. When the commission of the members above referred to shall be appointed commissioners by mutual consent to choose the data and information showing the population of said state as a whole, and by personal examination from which a determination of assembly and senate districts as hereinafter provided can be made, the governor of the state shall issue a call signed by the governor, countersigned by the secretary of the state of a term specified in such call and not more than thirty days from the date of such call, for the purpose of performing the duties of said board as prescribed in this section. The board must meet at the state capitol on the day named in said call of the governor and organize by electing a chairman and secretary from its members, and must within thirty days thereafter make a complete reapportionment of the state into assembly and senatorial districts to the number and in the manner hereinafter prescribed, and describe the exact boundaries of each of such districts in writing, and cause to be filed in the office of the secretary of state a full and correct copy thereof. Each member of said board present at any meeting thereof shall have a right to vote, and the concurrence of a majority of the members elected to such board is necessary to every decision of such board. In case any member of said board shall refuse to act, or in case a vacancy shall occur in said board, the governor shall appoint a person to fill such vacancy. The decision of a majority of the members elected to said board shall be necessary to every decision of said board, and the concurrence

of such copies in his office open to public inspection, and shall immediately deliver one copy to the governor, and upon the convening of the next regular session of the legislature, shall deliver one copy thereof to the presiding officer of each house of said legislature. If such board shall fail or neglect to make and file such reapportionment as required by this section and within the time herein provided, the attorney general of the state shall, within the twenty days from the expiration of such ninety days, apply to the supreme court of the state for a writ of mandamus to compel such board to perform and complete its duties under this section, and the supreme court must issue such writ or writs of mandamus to the said board and its members, as shall be necessary to compel the complete performance of its duties under this section within a time to be named by said court, and the said court is authorized and empowered to make any and all orders, judgments and commitments as it may deem necessary to enforce its said writ or writs. For the purpose of choosing members of the legislature, the state shall be divided into forty senatorial and eighty assembly districts, as nearly equal in population as may be, and composed of contiguous territory, to be called senatorial and assembly districts. Each senatorial district shall choose one senator, and each assembly district shall choose one member of assembly. The senatorial districts shall be numbered from one to forty, inclusive, in numerical order, and the assembly districts shall be numbered from one to eighty in the same order, commencing at the northern boundary of the state and ending at the southern boundary thereof. In the formation of such districts, no county, or city and county, shall be divided, unless it contains within its boundaries sufficient population to form more than one district: *provided*, that the portion of any county, or city and county, left over by the excess population remaining after formation of compact districts of the largest population within county lines, may be combined with a contiguous county or a part thereof to form a district. The census taken under the direction of the congress of the United States must be adhered to, and shall be the basis of fixing and adjusting the legislative districts, and the said board shall adjust such districts and reapportion the representation so as to preserve them as near equal in population as may be. But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, senators and assemblymen shall be elected by the districts according to the apportionment now provided for by law. If the congress of the United States shall have reapportioned the members of congress to the several states under the census above referred to, at the time of, or within sixty days after the organization of such board, such board shall also within the ninety days so-called make a complete reapportionment of the state into as many congressional districts as the state shall be entitled to, subject to the foregoing rules and limitations. When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen, but the board may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county, containing a population greater than the number required for one congressional district, shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district. In dividing a county, or city and county, into congressional districts, no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts, as nearly equal in population as may be according to said census. The said board shall within said ninety days cause four written or printed copies of such congressional reapportionment, signed by said board or a majority of its members, to be filed in the office of the secretary of state, and the secretary of state shall retain one copy in his office and deliver the other copies as in case of copies of legislative reapportionment above provided for; and all the foregoing provisions as to the application for and issuing and enforcement of a writ or writs of mandamus shall apply to such congressional reapportionment.

If the congress of the United States shall not have reapportioned the members of congress to the several states under such census in time for such congressional reapportionment of this state to be made by said board as herein provided within the ninety days mentioned, the governor shall, when congress shall have determined the number of members of congress assigned to this state under such census, again convene such board by his call, as above specified, at a time to be named in such call, to meet at the capitol of the state, and such board must meet pursuant to such second call, and make complete and full such congressional reapportionment of this state under such census in the manner provided by this section, within thirty days from the time of having been so reassembled by the governor; and all the foregoing provisions of this section, so far as applicable, shall apply to such congressional reapportionment. Each member of said board shall be entitled to the sum of one

The question being on the adoption of the committee amendment.

The roll was called and Assembly Constitutional Amendment No. 4 adopted by the following vote:

Ayes—Senators Anthony, Ayer, Wray, Benson, Bennett, Burnett, Boyd, Finney, Harper, Campbell, Cass, Chamberlain, Esgenott, Curtis, Elsas, Flint, Gaston, Hewitt, Jones, Kimball, Kehoe, Kirk, Magee, Judd, Rickard, Shumaker, Strobridge, Tennyson, and Young—36.

Noes—None.

Constitutional amendment ordered engrossed, and transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—[OUT OF ORDER]

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 594—An Act making an appropriation for the payment and expense of a competent engineer to examine the condition of Tehama, Tehama and Shasta Valley Gas and Electric Company's canal and ditch, and report to the next session of the Legislature, and requesting action thereon, has had the same under consideration, and respectfully report the same back, and recommend that it do pass and be transferred to Committee on Finance.

BIRDSALL, Chairman.

Senate Bill No. 594 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 587—An Act to provide for grading, surfacing and maintaining a highway from Placerville to the county of San Mateo, or the State Road leading from Placerville to Sacramento, by the way of Folsom, to connect with a road to the Yosemite National Park, and making an appropriation therefor, have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be transferred to Committee on Finance.

BIRDSALL, Chairman.

Senate Bill No. 285 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1570—An Act to provide for the survey and construction of a State highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor, have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be transferred to Committee on Finance.

BIRDSALL, Chairman.

Assembly Bill No. 1570 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance, and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BIRDSALL, Chairman.

Assembly Bill No. 1370 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 207—An Act to amend the Penal Code by adding a new chapter to Title IX of Part I thereof; to preserve one day in the week as a day of rest, and to promote health, morals and the public welfare—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 207 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 1386—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be numbered 3*a* and 3*b*, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 1386 ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

Also: Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Also: Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HEWITT, Chairman.

Assembly Bills Nos. 1183, 1938 and 1939 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 346—An Act to Amend Section 4255 of the Political Code of the

State of California, relating to salaries and fees of officers as required by the Constitution.

Also: Assembly Bill No. 1454—An Act to amend Section 4307 of the Political Code of the State of California, relating to licenses and registration of the owners and licensed officers of vessels of the commercial class.

Ordered that the senate assembly concurrence and respectfully report the same back and recommend that they do pass.

DOZIER, Chairman.

Assembly Bills Nos. 110 and 134 ordered to the 3rd session pending.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Finance to whom was referred Assembly Bill No. 96—An Act authorizing certain of the purchases of additional land for the State Normal school located at Chico, Butte County, and Humboldt County, and Assembly Bill No. 1134—An Act to provide for the repair and completion of the Veteran's Home at Yountville, Napa County, and to provide for the construction of buildings (also called dormitories) for the benefit of Veterans' Home and the Soldiers' Home at Santa Monica, Los Angeles County, have carefully considered the same and respectfully report that they do pass.

DOZIER, Chairman.

Assembly Bills Nos. 110 and 134 ordered to the 3rd session pending.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Finance to whom was referred Assembly Bill No. 96—An Act authorizing certain of the purchases of additional land for the State Normal school located at Chico, Butte County, and Humboldt County, and Assembly Bill No. 1134—An Act to provide for the repair and completion of the Veteran's Home at Yountville, Napa County, and to provide for the construction of buildings (also called dormitories) for the benefit of Veterans' Home and the Soldiers' Home at Santa Monica, Los Angeles County, have carefully considered the same and respectfully report that they do pass.

DOZIER, Chairman.

Assembly Bills Nos. 99, 1114, 2259 and 2278 ordered to the 3rd session pending.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Engrossed and Enrolled bills examined the following:

Senate Constitutional Amendment No. 11—A resolution to submit to the people of the State of California an amendment to the Constitution of said State, by adding Section 1 of Article VI thereof, relating to courts.

Also: Senate Bill No. 388—An Act to amend Section 3000 of the Code of Civil Procedure, relating to actions to quiet title.

Also: Senate Bill No. 396—An Act to amend Section 731 of the Political Code, relating to taxation of property.

Also: Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled An Act to regulate the sale of [illegible]," by [illegible] the [illegible] [illegible] [illegible]

Also: Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library, and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Also: Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 626*g*, relating to sea otter.

Also: Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

Also: Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of plans and specifications therefor and for the acceptance and maintenance thereof.

Also: Senate Bill No. 311—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Also: Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 1128—An Act to amend Section 4250 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

Also: Senate Joint Resolution No. 25—Relative to memorializing Congress regarding the citrus fruit industry of the State of California and requesting our Senators and Representatives in Congress to use all honorable means to procure a reduction in duties on citrus fruits below the point where the difference in the cost of production of the same would be equalized.

Also: Senate Bill No. 524—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the State Normal School at Los Angeles.

Also: Senate Bill No. 247—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410*b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Also: Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Also: Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers and providing for the proper distribution of such books.

And report that the same have been correctly enrolled, and presented the same to the Governor on this second day of May, 1913, at eleven o'clock a. m.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Also: Senate Bill No. 523—An Act to amend Section 1411 of the Civil Code of the State of California, relating to the appropriation of water.

Also: Senate Bill No. 652—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending Section 6 thereof.

Also: Committee Substitute for Senate Bill No. 1064—An Act to provide for the consolidation of municipal corporations.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills respectfully reports the following:

Senate Bill No. 1705—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1054, relating to the service of process and to the time of issuing of the same.

Also: Senate Bill No. 1697—An Act appropriating money to pay the claim of Richard T. Wilcox against the State of California.

Also: Senate Bill No. 1716—An Act to create and fix the boundaries of the Antelope Valley Irrigation District, providing for the organization and government of said district, and providing for the payment of the costs of the proceedings for the organization of said district.

Also: Senate Bill No. 1710—An Act to amend Section 1 of the Political Code, relating to the Secretary of State.

And reports that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills have examined the following:

Senate Bill No. 477—An Act to amend Section 1 of the Political Code, relating to the Department of Agriculture and the qualifications and duties of the members of said Board.

Also: Senate Bill No. 1000—An Act to amend Section 1 of the Political Code of the State of California, relating to notaries public.

And report that the same have been correctly engrossed.

GRANT, Chairman.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER, SACRAMENTO, May 5, 1913

MR. PRESIDENT: Your Committee on Printers and Subscriptions, to whom was referred Assembly Bill No. 1703—An Act authorizing the State Board of Prison Directors to establish and maintain such organizations for the purposes of engaging in productive employment of any kind, whether in connection with the State prison or otherwise, as said Board of Prison Directors may deem necessary or advisable, and providing for the payment of wages to such prisoners employed, and creating an appropriation for the purpose of carrying out the provisions of this Act.

Also: Assembly Bill No. 1711—An Act to authorize the State Board of Prison Directors to establish and maintain special and additional prisons and to provide conditions for the sale and working and distribution of their products.

Have had the same under consideration, and respectfully report the same back, and recommend that when the fees and bonds recommended have been paid, that they be referred to Committee on Finance.

HIRAM, Chairman.

Assembly Bills Nos. 1516 and 1517 ordered re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, May 5, 1913

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1771—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds" to provide a fund for the improvement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, and erection of new buildings thereon, the remodeling of such buildings and the general improvement and beautification of said State Fair grounds as a condition precedent to the expenditure and construction of the additions and improvements of the State, appropriating the moneys arising from such purchases and sales of the state fair grounds as shall be required, together with moneys arising from the payment of interest on said bonds and the redemption thereof, making an appropriation for the payment of interest on said bonds and the redemption thereof, providing that the provisions of various laws shall not apply to the expenditure of the moneys appropriated by this Act, providing for the appointment by the governor of a commission to have charge of the expenditure of the moneys appropriated by this Act, providing for the duties of said commission, and providing that this Act shall take effect immediately, begs leave to report that the same has been carefully considered by your Committee, and that it is the opinion of your Committee that said bill should not pass, and recommends that the same be referred to Committee on Finance.

GATES, Chairman.

Senate Bill No. 1771 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 23 and 23a of Article IV thereof, relating to the Legislative Department—have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Senate Constitutional Amendment No. 73 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1364—An Act to amend Section 195 of the Penal Code of California, relating to homicide and the cases in which homicide is excusable—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Senate Bill No. 1364 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 1433 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 663—An Act to regulate the practice or occupation of steam engineering in the State of California; providing for the registration and licensing of persons to carry on such practice or occupation, providing for a board of examiners and a clerk thereof, to be under the supervision and management of the Commissioner of the Bureau of Labor Statistics; fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners; fixing the fees to be paid by persons authorized to practice under the provisions of this Act; and creating a fund to be kept by the State Treasurer for the purpose of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

LYON, Chairman.

Assembly Bill No. 663 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYON, Chairman.

Assembly Bill No. 609 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 240—An Act relating to life insurance companies and prohibiting discrimination—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRYANT, Chairman.

Senate Bill No. 240 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913

Mr. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 1050—An Act for the regulation and control of persons or benefit associations organized or formed and composed of members of local societies, lodges or councils exclusively

Also, Senate Bill No. 902—An Act to repeal Section 660 of the Political Code of the State of California, relating to insurance.

Also, Senate Bill No. 951—An Act to amend an Act entitled "An Act for the regulation and control of Casualty Insurance Companies" approved May 1, 1911, by amending Section 1 thereof.

Have had the same under consideration, and unanimously report the same back and recommend that they do pass.

BEEGE, Chairman.

Senate Bills Nos. 892, 894 and 896 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913

Mr. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 1089—An Act relating to the payment of accidental compensation insurance companies and associations, providing means and methods by which such insurance is to be determined and collected, providing for the collection of the state workmen's compensation insurance salary clearing fund against such companies and the manner and methods to be used in making such collections, for the payment of its expenses and making an appropriation therefor and providing penalties for violations of the provisions of this Act, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BRIANT, Chairman.

Senate Bill No. 1090 ordered on file for second reading

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 5, 1913

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1047—An Act to amend Section 17 of an Act entitled "An Act to provide for the organization, government and procedure of municipal corporations," approved March 23, 1883, relating to qualifications for police officers, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 1047 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1048—An Act supplementary thereto and to the repeal of portions of the same of the statutes and codes of the State of California, providing for and regulating the manner and time when and where municipal bonds, warrants or other evidences of indebtedness of any city, city and county, town, township or district, on the eighth day of November in the year one thousand nine hundred and thirteen, authorized by Section 24 of Article XIII of the constitution of the State of California, as amended by an Act of the Legislature of the State of California, approved March 10, 1911, and by the people at an election duly and regularly called and held for that purpose on the said eighth day of November, A. D. 1913, pursuant to the provisions of said Act, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 1048 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1049—An Act supplementary thereto and to the repeal of portions of the same of the statutes and codes of the State of California, providing for and regulating the manner and time when and where municipal bonds, warrants or other evidences of indebtedness of any city, city and county, town, township or district, on the eighth day of November in the year one thousand nine hundred and thirteen, authorized by Section 24 of Article XIII of the constitution of the State of California, as amended by an Act of the Legislature of the State of California, approved March 10, 1911, and by the people at an election duly and regularly called and held for that purpose on the said eighth day of November, A. D. 1913, pursuant to the provisions of said Act, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 1049 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1050—An Act supplementary thereto and to the repeal of portions of the same of the statutes and codes of the State of California, providing for and regulating the manner and time when and where municipal bonds, warrants or other evidences of indebtedness of any city, city and county, town, township or district, on the eighth day of November in the year one thousand nine hundred and thirteen, authorized by Section 24 of Article XIII of the constitution of the State of California, as amended by an Act of the Legislature of the State of California, approved March 10, 1911, and by the people at an election duly and regularly called and held for that purpose on the said eighth day of November, A. D. 1913, pursuant to the provisions of said Act, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 1050 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1051—An Act supplementary thereto and to the repeal of portions of the same of the statutes and codes of the State of California, providing for and regulating the manner and time when and where municipal bonds, warrants or other evidences of indebtedness of any city, city and county, town, township or district, on the eighth day of November in the year one thousand nine hundred and thirteen, authorized by Section 24 of Article XIII of the constitution of the State of California, as amended by an Act of the Legislature of the State of California, approved March 10, 1911, and by the people at an election duly and regularly called and held for that purpose on the said eighth day of November, A. D. 1913, pursuant to the provisions of said Act, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 1051 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1052—An Act supplementary thereto and to the repeal of portions of the same of the statutes and codes of the State of California, providing for and regulating the manner and time when and where municipal bonds, warrants or other evidences of indebtedness of any city, city and county, town, township or district, on the eighth day of November in the year one thousand nine hundred and thirteen, authorized by Section 24 of Article XIII of the constitution of the State of California, as amended by an Act of the Legislature of the State of California, approved March 10, 1911, and by the people at an election duly and regularly called and held for that purpose on the said eighth day of November, A. D. 1913, pursuant to the provisions of said Act, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 1052 ordered on file for second reading

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1053—An Act supplementary thereto and to the repeal of portions of the same of the statutes and codes of the State of California, providing for and regulating the manner and time when and where municipal bonds, warrants or other evidences of indebtedness of any city, city and county, town, township or district, on the eighth day of November in the year one thousand nine hundred and thirteen, authorized by Section 24 of Article XIII of the constitution of the State of California, as amended by an Act of the Legislature of the State of California, approved March 10, 1911, and by the people at an election duly and regularly called and held for that purpose on the said eighth day of November, A. D. 1913, pursuant to the provisions of said Act, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Assembly Bill No. 1053 ordered on file for second reading

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1046—An Act relating to the business of insurance, prescribing the powers and duties of the insurance commissioner, providing for the licensing of insurance companies, agents, brokers, solicitors and adjusters, providing for the deposit of securities by insurance companies, providing for the examination of insurance companies, providing for the payment of taxes by insurance companies, providing for the payment of fees and charges by insurance companies, providing for the payment of the expenses of the insurance department, providing for the disposition of moneys collected by the insurance commissioner, providing for the publication of reports by the insurance commissioner, providing for the regulation of the business of insurance, providing for the regulation of the business of fire insurance, providing for the regulation of the business of life insurance, providing for the regulation of the business of casualty insurance, providing for the regulation of the business of surety insurance, providing for the regulation of the business of marine and inland navigation insurance, providing for the regulation of the business of title insurance, providing for the regulation of the business of plate glass insurance, providing for the regulation of the business of boiler insurance, providing for the regulation of the business of automobile insurance, providing for the regulation of the business of burglary insurance, providing for the regulation of the business of credit insurance, providing for the regulation of the business of sprinkler insurance, providing for the regulation of the business of tornado insurance, providing for the regulation of the business of cyclone insurance, providing for the regulation of the business of live stock insurance, providing for the regulation of the business of weather insurance, providing for the regulation of the business of crop insurance, providing for the regulation of the business of use and occupancy insurance, providing for the regulation of the business of rent insurance, providing for the regulation of the business of profits insurance, providing for the regulation of the business of commission insurance, providing for the regulation of the business of leasehold insurance, providing for the regulation of the business of rain insurance, providing for the regulation of the business of explosion insurance, providing for the regulation of the business of water damage insurance, providing for the regulation of the business of sonstroke insurance, providing for the regulation of the business of earthquake insurance, providing for the regulation of the business of aircraft insurance, providing for the regulation of the business of vehicle insurance, providing for the regulation of the business of inland marine insurance, providing for the regulation of the business of ocean marine insurance, providing for the regulation of the business of transportation insurance, providing for the regulation of the business of personal property insurance, providing for the regulation of the business of real property insurance, providing for the regulation of the business of mortgage guaranty insurance, providing for the regulation of the business of mortgage insurance, providing for the regulation of the business of guaranty insurance, providing for the regulation of the business of indemnity insurance, providing for the regulation of the business of liability insurance, providing for the regulation of the business of property insurance, providing for the regulation of the business of personal insurance, providing for the regulation of the business of insurance, providing for the regulation of the business of reinsurance, providing for the regulation of the business of insurance, providing for the regulation of the business of insurance, providing for the regulation of the business of ins

fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries, providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, associations or corporations, or any combination or groups of such persons, firms, associations or corporations and for agreements between the State Board of Forestry and the Federal Government; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable débris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; repealing Chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act—have had the same under consideration, and respectfully report the same back, without recommendation.

MOTT, Chairman.

Assembly Bill No. 643 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, May 3, 1913

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Bill No. 1294—An Act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 1294 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1768—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HANS, Chairman.

Senate Bill No. 1768 ordered on file for second reading.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1600 passed by the following vote:

AYES—Senators Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cartwright, Cogswell, Curtin, Flint, Grant, Hare, Hewitt, Jones, Larkins, Owens, Rush, Sanford, Strobridge, Thompson, and Wright—23.

NOES—Senators Beban, Bryant, Cohn, Finn, and Regan—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

I voted for Senate Bill No. 1, relating to state land patents, or exchange. I have always held, and still hold, that the state should be liberal in its dealings with the United States and should give the latter every reasonable opportunity to acquire such lands as it may desire for the purpose of [illegible] but I cannot bring myself to the point where I can vote for a measure which, in effect, gives to the Federal Government the right to select, at its own discretion, any of the lands belonging to the state, without regard to the wishes of the state or its citizens. I am opposed to the principle involved in the bill, and for that reason I voted against it.

I voted for it.

[illegible]

Senator Rowell presented petitions as follows:

Praying that the recommendation of the Committee on Legislation of the California Miners' Association be favorably considered; from A. D. Foote and others of Grass Valley; also from F. F. Cassidy and others of Nevada City.

[illegible]

Assembly Bill No. 573—An Act to amend an Act entitled "An Act to prevent contagious live stock from contagious and infectious diseases, to provide for the appointment and duties of the officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 24, 1907, and as further amended March 19, 1909, by amending Sections 3, 5, 6, 7, 8 and 9, thereof, by adding a new section thereto, to be known and numbered as Section 6½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarians and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 573 passed by the following vote:

Ayes: Senators Anderson, Beban, Benson, Burkett, Daniel, Finney, Flaherty, Gaylord, Gerdes, Hatch, Hewitt, Inman, Leavitt, Lewis, Lukens, Wolfe, Wright, Young—19.

Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shumsham, Strobridge, Thompson, and Wright—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1765—An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Owens moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

On page 3, section 5, line 12, after the word "constructed", insert the following: "by said city of Richmond".
On page 3, section 5, line 15, after the word "thereof", insert the following: "except by the consent of the city council of said city of Richmond set forth in an order of said city council".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1765, with instructions to amend, respectfully reports the same back, amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

BILL RECALLED FROM ENGROSSMENT.

Senator Campbell moved to recall Senate Bill No. 84 from engrossment.

Motion carried.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities except in those of the fifth and sixth class, and of cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish within the State of California uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practical method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Avey, as a special committee of one, to amend as follows:

At the end of the bill, on page 20, add the following:
"SEC. 19. The requirements hereof in regard to the standard of dairies and dairy products shall constitute the minimum requirements therefor. The provisions

of this Act providing municipal assistance for the enforcement of the Act are defective. The control of its milk supply and the machinery for securing the most economic management of its milk supply and distribution, including such inquiry as either may consider to be necessary, and for the exercise of such powers."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON BILL

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee to which was referred Assembly Bill No. 533, with instructions to amend, respectfully reports the same back amended as per instructions.

AYER, Chairman.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Ayer, Benson, Boyle, Campbell, Carr, Cassidy, Finn, Lane, and Shanahan—9.

NOES—Senators Anderson, Bolton, Boynton, Bunkers, Chandler, Cogswell, Cutten, Curtin, Flint, Flosi, Gerdes, Hans, Hatfield, Holohan, Leavell, Mott, Owens, Rigdon, Sanford, Strobridge, Thompson, and Wright—20.

PRESIDENT pro tem. assumes the chair.

At four o'clock and fifty-five minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SENATOR CUTTEN IN THE CHAIR.

At five o'clock and ten minutes p. m., Senator Cutten, of the Twelfth District, in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Finn, as a special committee of one, to amend as follows:

Strike out all of Sections 8 and 9.

Motion carried.

REPORT OF SPECIAL COMMITTEE ON BILL

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Assembly Bill No. 533, with instructions to amend, respectfully reports the same back amended as per instructions.

FINN, Chairman.

Report read, and refused adoption.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 533 passed by the following vote:

AYES—Senators Anderson, Bolton, Boynton, Bunkers, Chandler, Cogswell, Cutten, Curtin, Flint, Flosi, Gerdes, Hans, Hatfield, Holohan, Leavell, Mott, Rigdon, Strobridge, Thompson, and Wright—20.

NOES—Senators Benson, Boyle, Carr, Finn, and Lane—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Owens was, on his own motion, granted leave of absence for the remainder of this day.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Campbell asked, and was granted, unanimous consent to take up for consideration Senate Bill No. 84, out of order.

Senate Bill No. 84—An Act to amend Section 26 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty one years of age; providing for their commitment to Whittier State School and the Preston State School of Industry, and manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistant Acts." approved March 8, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Jones, as a special committee of one, to amend as follows:

Be striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston School of Industry and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, is hereby amended to read as follows: "An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty one years of age; providing for their commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing for detention homes for said persons; providing for the punishment of those responsible for, or contributing to, the dependency or delinquency of said persons, and giving the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts."

SEC. 2. Said Act is hereby amended to read as follows:

Section 1. This Act shall be known as the "juvenile court law" and shall apply only to persons under the age of twenty one years and not now or hereafter inmates of a state institution.

SEC. 2. Within the meaning of this Act the words "neglected person" shall include any person:

(1) Who is found begging, receiving or gathering alms, whether actually begging or under the pretext of selling or offering anything for sale; or

(2) Who is found in any street, road or public place for the purpose of so begging, gathering or receiving alms; or

(3) Who being under the age of sixteen years, is found singing or playing any musical instrument, or giving any public entertainment in any street, road, or public place, or who accompanies or is used in aid of any person so doing for the purpose of begging, gathering or receiving alms, whether actually begging or under the pretext of selling or offering anything for sale; or

(4) Who is found wandering and not having any home, or any settled place of abode or any proper guardianship, or any visible means of subsistence; or

(5) Who has no parent or guardian; or who has no parent or guardian willing to exercise, or capable of exercising, proper parental control; or

(6) Who is destitute; or

(7) Whose home by reason of neglect, cruelty or depravity of his parents or either of them, or on the part of his guardian, or on the part of the person in whose custody or care he may be, is an unfit place for such person; or

(38) Without further to-do or fuss abandoned the family or any individual dependent on charity, failing or neglecting duly and promptly for such support; and

Provided, That any person so convicted shall have the right to appeal from such conviction to the circuit court of the county in which such conviction was had, upon giving bond with good security, to be approved by the clerk of the court in which such conviction was had, in such penalty as the court may fix, conditioned that he will prosecute his appeal with effect and will abide the judgment of the court thereon; and upon the giving of such bond the person so convicted shall be released from custody pending the determination of his appeal.

SEC. 2. Within the meaning of this law the following definitions shall apply thereto:

(1) Who is a husband?

(2) What constitutes the commission of separate complaints, charges, or prosecutions, or offenses?

(3) What is found guilty or pleads guilty to any charge of prosecution or information?

(4) Who habitually visits without parent or guardian, any habitual resort of prostitutes, or any saloon, or place where sale, manufacture, storage of spirituous liquors are illegally carried on?

(5) What constitutes refusal to label the immovable and portable articles as directed by the Secretary of Agriculture?

(6) What is misrepresentation, fraud, &c., done to prevent the inspection and seizure of the perishable articles or merchandise by reason of the various examples or causes of such seizure?

(7) What is an habitual person within the meaning of the act applied? As that to indicate the habitualness of conduct and providing penalties for the violation of said Act, approved March 21, 1906, and also with an eye regarding the penalties of the same, and time to be passed on a habitual action under the provisions of said Act, as also being sure that all those cases pertain to criminal liability or property of those who are punished by the judgment shall subsequently transform or pass themselves.

(8) What habitually takes intoxicating liquor as a beverage or habitually visits saloons or who habitually uses opium, morphine, chloroform or other poisonous drugs, without the direction of a competent physician, &c.

(9) What terms have caused the Secretary of Agriculture to look at the diseases or diseased life, &c.?

(10) What evidence must have in the cases of any infringement of the terms, conditions or any penalty of this act, nothing wrong, and which does not become invalid hereunder.

SEC. 3. If this law necessary in any way, the words "defendants' counsel" shall include any person who conducts any case of this nature, any corporation or company, duly existing at the last session of the above-mentioned laws, and which becomes invalid hereunder.

SEC. 4. For the purpose of distinguishing healthy property and unwholesome persons from unwholesome property and unwholesome persons, it is hereby provided that no person shall be found guilty on an unwholesome person who purposely shipped his product with as a diseased product or who is habitually drinking, and that no person shall be found guilty who is a habitual person for or a disorganized person, that possesses and has shown evidence of unwholesome persons upon examination of their persons and the above evidence as unwholesome persons upon examination of their persons and the above evidence as a legal conclusive evidence thereof, especially he shall with or an alleged dependent or as to different habitualness persons, or shall be adjudged habitualness or an unsound defendant person, convicted or shall with or any unsound habitualness persons, upon such be found guilty of any case the court must direct that the product sentence be fined, and upon the delivery of such sentence shall become the unsound property.

SEC. 5. The appointed court of every county of this State shall commence the term during April next to this Act, and being sitting in the counties of its said jurisdiction, and in session and sentence to on the [illegible] and in prosecuting an unsound &c. in connection having made their report of the preceding session. The purpose of such court shall thereafter be the hands of disorderly delegates and of those of their appointed citizens there to shall the or more of unsound sitting twenty days [illegible] provided, that no [illegible] shall be designated to serve in such capacity who has already served [illegible] and that no [illegible] shall be [illegible] to such capacity who has already served [illegible] shall [illegible] upon the [illegible] [illegible] [illegible]

of said neglected, dependent or delinquent person. There shall be no fee for filing such petition.

SEC. 7. Upon the filing of the petition provided for in section six hereof, a citation shall issue, requiring the person or persons having the custody or control of the alleged neglected, dependent or delinquent person, or with whom such alleged neglected, dependent or delinquent person may be, to appear with said alleged neglected, dependent or delinquent person at a time and place stated in the citation. Service of such citation must be made at least twenty-four hours before the time stated therein for such appearance. The parents or guardians of said alleged neglected, dependent or delinquent person, if residing within the county in which the court sits, and if their places of residence be known to the petitioner, or if there be neither parent nor guardian so residing, or if their places of residence be not known to the petitioner, then some relative of said alleged neglected, dependent or delinquent person, if any there be residing within said county, and if his residence and relationship to such alleged neglected, dependent or delinquent person be known to petitioner, shall be notified of the proceedings by service of citation requiring him or them to appear at the time and place stated in such citation. In any case the judge may appoint some suitable person to act in behalf of said alleged neglected, dependent or delinquent person, and may order such further notice of the proceedings to be given as he may deem proper. If any person, cited as herein provided, shall fail, without reasonable cause, to appear and abide by the order of the court, or to bring said alleged neglected, dependent or delinquent person, if so required in the citation, such failure shall constitute a contempt of said court and may be punished as provided for in other cases of contempt of court. In case such citation can not be served or the party served fails to obey the same, and in any case in which it shall be made to appear to the court that such citation will probably be ineffective, a warrant of arrest shall issue on the order of the court, either against the parent or guardian, or the person having the custody of said alleged neglected, dependent or delinquent person, or with whom the said alleged neglected, dependent or delinquent person may be, or against the said alleged neglected, dependent or delinquent person himself, or any or all said persons; or if there be no person to be served with citation as above provided, a warrant of arrest may be issued against the said alleged neglected, dependent or delinquent person immediately. On the return of the citation or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Until the final disposition of any case, the said alleged neglected, dependent or delinquent person may be retained in the possession of the person having charge of said person, or may be kept upon the order of the court, in some suitable place, provided by the county, or may be held otherwise as the court may direct.

SEC. 8. When any alleged neglected person under the age of twenty-one years shall be found by said court or judge to be a neglected person within the meaning of this Act, the court may make an order placing said neglected person, for such time as the court may deem fit, but not beyond the time when such neglected person shall reach the age of twenty-one years, in the care of some reputable person of good moral character, or in the care of some association, society or corporation willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for neglected persons, or to the care of the probation officer or other person to remain in the home of said neglected person, or other home approved by the court; *provided, however*, that no such neglected person shall be placed in the care of any family home, detention home or institution, where such person will be brought into association with dependent or delinquent persons. No person adjudged to be a neglected person shall be eligible for adoption in accordance with Section 224 of the Civil Code of the State of California, unless the judge of the juvenile court has declared such child to be eligible for adoption, and such parent or parents have been present in court on the day when such declaration of such eligibility for adoption has been made, or have been duly cited and have failed to appear in court, or, in case the party serving such citation, after due and diligent search, has been unable to find such parent or parents and to make service upon them of such citation, then after publication of such citation as is provided for the publication of summons in section four hundred and thirteen of the Code of Civil Procedure and failure of the parties thus cited to appear. Whenever the judge of the juvenile court shall make an order of placement of a neglected person, or of commitment of a dependent or delinquent person, said judge shall also make a finding as to whether or not such person is an orphan, half-orphan, or abandoned child, said judge shall certify the same to the auditor of the county in which the court making such finding is situated.

When any alleged dependent or delinquent person under the age of twenty-one years shall be found by said court or judge to be dependent or delinquent, within the meaning of this Act, the court may make an order committing said dependent or delinquent person, for such time as the court may deem fit but not beyond the time when such dependent or delinquent person shall reach the age of twenty-one years, to the home and care of some reputable person of good moral character, or to the care of some association, society or corporation willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for dependent or delinquent children, or to the care of the probation officer, or other person, said dependent or

as a public document with the clerk of the juvenile court appointing such commissioner. The original commitment shall also be filed with the county board of supervisors and the state board of charities and corrections.

detention home or branch detention home heretofore or hereafter established by the county board of supervisors; and it shall be the duty of said board of supervisors to provide for the payment of such employees as may be needed in the efficient management of such detention home or branch detention home or homes.

SEC. 12. Members of the probation committee shall serve without compensation, but shall be allowed their reasonable traveling expenses as approved by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specified amount of such expenses. All orders by the juvenile court judge upon the county treasurer shall be filed in duplicate with the county board of supervisors.

SEC. 13. There shall be appointed, as hereinafter provided, a probation officer in every county, and he may appoint as many deputies as he may desire; *provided, however*, that such deputies shall not have any powers to act until their appointment shall have been approved by a majority vote of the probation committee, and by the judge of the juvenile court. The term of office of such deputies shall expire with the expiration of the term of office of the probation officer making such appointments, but either the judge or the probation officer, with the consent of the judge, may at any time in his discretion, revoke and terminate any such appointment. Such deputies, except as hereinafter provided, shall serve without compensation. Every probation officer and every assistant probation officer receiving an official salary shall, at the time that he takes his oath of office, file with the county clerk of the county his official bond approved by the judge of the juvenile court. The judge of the juvenile court shall have authority by an order entered in the minutes of said court to determine and fix the amount of bonds of the probation officer of the county and of his assistants. If said bonds, or any of them, are furnished by any surety company licensed to transact business in the State of California, the premium thereon shall be paid out of the county treasury.

SEC. 14. The offices of probation officer and assistant probation officer are hereby created. The executive officers and assistant probation officers to serve hereunder in any county shall be appointed by the justice or judges of the superior court in and for the county, and the appointment of such executive officers and assistant probation officers shall thereafter be made by the judge of the respective juvenile courts. The term of office of the executive officers and assistant probation officers shall be two years from the date of their said appointments. All executive officers and assistant probation officers receiving a salary of seventy-five dollars per month shall devote their entire time and attention to the duties of their offices, and no such executive officer or assistant probation officer receiving such salary shall be a candidate or seek the nomination for any other public office or employment, and no person shall be appointed to and receive the salary attached to such office or to perform the duties of any executive officer who is related to the judge of the juvenile court or to a member of the probation committee of said county by consanguinity or affinity, within the third degree, computed according to the rules of law. Such probation officers and assistant probation officers may at any time be removed by the judge of the juvenile court for good cause; *provided*, that no such executive officer or assistant probation officer shall be removed unless he has been furnished with a specific statement in writing of the reasons for such removal, said statement to be approved and signed by one judge of the juvenile court and by a majority of the probation committee.

SEC. 15. In counties of the first class there shall be one probation officer and twenty-two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer in charge of [illegible] one hundred dollars per month; one assistant probation officer, one hundred dollars per month; one assistant probation officer in charge of [illegible] one hundred dollars per month; one assistant probation officer, one hundred dollars per month; one assistant probation officer, one hundred dollars per month; one assistant probation officer,

hundred and sixty dollars per month; two assistant prohibition officers, one hundred and five dollars per month; one assistant prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; two assistant prohibition officers, one hundred and forty dollars per month.

Sec. 143. To commissioner of labor, three clerks to the prohibition officer, two stenographic typewriter officers, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 144. To secretary of state, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 145. To treasurer of the state, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 146. To auditor of the treasurer of the state, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 147. To inspector of the state, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 148. To secretary of the state, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 149. To treasurer of the state, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 150. To auditor of the treasurer of the state, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 151. To clerk of the supreme court, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 152. To reporter of the supreme court, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 153. To commissioner of the state capitol, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 154. To clerk of the district court, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 155. To clerk of the district court, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 156. To clerk of the district court, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

Sec. 157. To clerk of the district court, three clerks to the prohibition officer, one hundred and twenty dollars per month; one assistant prohibition officer, one hundred and thirty dollars per month; one assistant prohibition officer, one hundred and forty dollars per month; one assistant prohibition officer, one hundred and sixty dollars per month; one assistant prohibition officer, one hundred and eighty dollars per month; one assistant prohibition officer, two hundred dollars per month; one assistant prohibition officer, two hundred and twenty dollars per month; one assistant prohibition officer, two hundred and forty dollars per month; one assistant prohibition officer, two hundred and sixty dollars per month; one assistant prohibition officer, two hundred and eighty dollars per month; one assistant prohibition officer, three hundred dollars per month; one assistant prohibition officer, three hundred and twenty dollars per month.

shall be paid out of the county treasury of the county for which they are appointed, respectively, in the same manner as the salaries of the county officers. The probation officers and assistant probation officers and deputy probation officers in all counties of the state shall be allowed such necessary incidental expenses incurred in the performance of their duties as required by any laws of the State of California as may be authorized by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specific amount of such expenses. The probation officer and the clerk of the juvenile court shall each keep a classified list of expenses and file a duplicate copy with the county board of supervisors.

SEC. 16. It shall be the duty of the clerk of any court before which an alleged neglected, dependent or delinquent person is brought under the provisions of this Act, before hearing, to notify the probation officer of the county thereof.

SEC. 17. The probation officer shall inquire into the antecedents, character, family history, environment and cause of neglect, dependency or delinquency of every alleged neglected, dependent or delinquent person brought before the juvenile court, and shall make his report in writing to the judge thereof; it shall also be the duty of said probation officer to be present in court in order to represent the interests of the neglected, dependent or delinquent person when the case is heard, and to furnish to the court such information and assistance as it may require and to make such report at such time; and to take charge of said neglected, dependent or delinquent person before and after the hearing as may be ordered. Whenever any person is declared neglected, dependent or delinquent under the provisions of this Act, and is placed in or committed to the care and custody of the probation officer, the case may be transferred to the juvenile court of any county of this state in which such person resides or to which such person shall remove, and such court shall thereafter have entire jurisdiction over said case. Every probation officer, assistant probation officer and deputy probation officer shall have the powers of a peace officer. At any time the probation officer may bring any neglected, dependent or delinquent person placed in or committed to his care before the court for such further or other action as the court may deem proper. Before any neglected person is replaced, or any dependent or delinquent person is recommitted, the probation officer shall inquire into the reasons assigned for such action and shall be present in court in order to represent the interests of such person. Every probation officer shall have the powers of a school attendance officer, in such portions of the county, in which such probation officer has been appointed, as are not otherwise provided with a school attendance officer, and shall exercise such powers when not inconsistent with his other duties. Every probation officer, within fifteen days after the thirtieth day of June, and within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document a report to the judge of the juvenile court of the county in which such probation officer is appointed, and shall furnish to the county board of supervisors and to the secretary of the state board of charities and corrections of this state a copy thereof. Such report without giving names shall state separately the exact number of neglected, dependent and delinquent persons, segregating male and female, who have been committed by such juvenile court to the care and custody of such probation officer, and the exact number of such persons who are wards of such juvenile court, but of whose cases other disposition has been made, as such number exists deducting all cases dismissed, or where such person has passed the age of twenty-one years upon such thirtieth day of June and such thirty first day of December, segregating such persons as having been adjudged by such juvenile court to be neglected, dependent or delinquent, as the case may be, in 1903, 1904, 1905 and so on, up to and including the calendar year in which such report is made and filed. Any of the duties of a probation officer may be performed by an assistant or deputy probation officer, and shall be so performed whenever directed by the probation officer, and it shall be the duty of the probation officer to see that his assistant and deputy probation officers perform their duties.

SEC. 18. Whenever a deposition or complaint shall be filed in any court other than a superior court, charging a person with a crime and it shall be suggested to the judge, justice or recorder before whom such person is brought that the person charged is under the age of eighteen years said judge, justice or recorder shall immediately suspend all proceedings against such person on said charge and examine into the age of such person, and if, from such examination, it shall appear to the satisfaction of said judge, justice or recorder that such person is under the age above specified, he shall forthwith certify to the juvenile court of his county (a) that said person (naming him) is charged with such crime (briefly stating its nature), (b) that such person appears to be under the age of eighteen years, giving date of birth when known, and (c) the satisfaction of proceedings against such person on such charge by reason of his age, with the date of such suspension, and immediately thereupon all proceedings against the said person on said charge shall be suspended and said court shall assert its powers as hereinafter provided, directing the time and place when said person was ordered to appear with the complaining party or said thereof, and the court so succeeding to its proceedings shall forthwith cause such person to be taken before the juvenile court of the

to the custody of the sheriff of the county in which such crime was committed, and thereafter proceedings shall be had upon the indictment or information commencing at the point at which proceedings were arrested; and said person shall be tried for the offense alleged in the information, and if convicted shall be sent to the penitentiary for such time as the court may determine or otherwise dealt with in accordance with the law for dealing with persons convicted of a felony. If no request is made by the defendant for proceedings under this statute, or if the defendant desires a trial by jury, or if the judge declines to consent to the application of the defendant for proceedings under this statute, said cause shall proceed in the ordinary manner up to the verdict of guilty or not guilty as the case may be. If said person is convicted, the court may thereafter receive such evidence as may be offered, touching the question as to whether or not said person should be dealt with as a delinquent in the manner hereinbefore provided in case of the application and consent of the accused before trial, and may make such order of probation or commitment to said state schools, and may from time to time modify said probation orders, as is herein provided in the case of persons adjudged delinquent. If such person during the period of his commitment to said state institution, proves to be incorrigible or not amenable to the discipline of such institution, and it shall be deemed advisable in the judgment of the trustees of such institution that said person be sent to the penitentiary, then said person shall be returned to the superior court in which the verdict was rendered, for sentence, and thereupon the court shall pronounce judgment.

SEC. 21. In the case of a person alleged to be neglected, dependent or delinquent within the meaning of this Act, the juvenile court may, pending the hearing, at any time before the person is adjudged neglected, dependent or delinquent or otherwise disposed of, order that same person be detained in any detention home provided for that purpose by any county or it may be otherwise temporarily provided for as to the court may seem fit in any manner provided herein for the care of a person after the determination of his neglect, dependency or delinquency.

SEC. 22. If the court find a person to be dependent or delinquent, then the court may commit such person to the care and custody of the probation officer and may allow the said person to remain in the home of said person, subject to the visitation of a probation officer, and such person shall report to the probation officer as often as may be required, and be subject to be returned to the court for further proceedings whenever such action may appear necessary or desirable, or the court may commit the person to the care and custody of the probation officer, to be placed in a suitable family home subject to the supervision of said probation officer and the further order of the court; or it may order the probation officer to board out the person in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of said person until suitable provision may be made for said person in a home without such payment; or the court may commit said person for such time until such person arrives at the age of twenty-one years as to the court may seem fit, to the care and custody of some association, society or corporation that will receive it, embracing within its objects the care of dependent or delinquent children; or the court may commit said person to a state school as hereinbefore provided, or to such other state institution as may be authorized by law to receive it; *provided, further*, that should the legislative body of the county provide a suitable place for the detention of neglected, dependent or delinquent persons which they are hereby authorized and required to do, such dependent or delinquent persons may be committed thereto after the adjudication of neglect, dependency or delinquency for a definite period to be specified in such order, at the end of which time said person shall be brought before the court for further order of court. The court may thereafter set aside, change or modify said order and provide for a further detention in said place. The court shall retain the jurisdiction of any person who is found to be dependent or delinquent until such person attains his majority, or if a girl, until she attains the age of twenty-one years, unless she is married with the consent of the court, or until said court is satisfied that said person has fully reformed and that further direction and supervision under the provisions of this Act are unnecessary for said person's reformation. If a boy under the age of sixteen years, said person may be committed by said court to the Whittier State School or if over the age of sixteen years, the Preston School of Industry at any time during his minority for the period of his minority. If a girl she may be committed to the said Whittier State School at any time before she is twenty-one years of age until she is twenty-one years of age. Such person may be committed to any other institution now or hereafter provided by the state for such persons. Upon the return of said person to the custody of the juvenile court, if said person be accused of felony, it shall be the duty of the judge of said court to sit as a committing magistrate and hold the preliminary examination of such person, and if upon said hearing he shall determine that there is probable cause to believe that the said person has committed the offense charged in the petition theretofore filed in court, he shall hold such person to answer to the superior court, and thereupon the usual proceedings shall be had for the trial of said case in the superior court after the filing of the information in pursuance to said order of said judge sitting as a committing magistrate, and said person shall be tried by court and jury in the usual

manner for the trial of a felony; provided, however, that no person under the age of fourteen years at the time of the commission of the offense with which he is charged shall ever be sent to a penitentiary until he has first been committed to the Wyoming State school or the Preston School of Industry and there remain subject to the jurisdiction or not discharged by the trustees of said school. No person who is under the age of eight years and no one who is suffering from any contagious, infectious or venereal disease which would constitute endangerment to the lives or health of the other inmates of such state schools shall be committed thereto. No person shall be committed to such state schools unless the judge of said court shall be fully satisfied that the parental conditions and surroundings of said person are such as to render it probable that such person will be benefited by the reformatory educational treatment of such schools.

Sec. 23. Any order providing for the custody of a neglected, dependent or delinquent person may provide that the expense of maintaining such person shall be paid by the parent or parents or guardian of such person, and in such case shall state the amount to be so paid, and direct the manner in which the same shall be paid by the parents or guardian, and thereafter may control and change such payments and order the manner thereof. Any disobedience of such order in connection with the property of the person so to them determined shall constitute a contempt of court. It shall be the duty of the probation officer to investigate and report to the court at the first session of the juvenile court term after the date of the order, the circumstances of each case, whether said orders have been obeyed. If in the fourth instance that any parent or guardian of a neglected, dependent or delinquent person is unable to pay the whole expense of maintaining such person, the court may, in the order providing for the custody of such person, direct such reasonable expense or any part thereof to be paid from the county treasury of the county for the support of such person, but before so ordering the court shall require the trustees of said county and the county commissioners of said county to consent to such payment. In case of any one person the sum of twenty dollars per month shall be the limit that can be paid out of the county treasury for the support of any one person, and in no case shall the payment of any one person from the county treasury exceed the aforesaid sum of twenty dollars per month. Before any order is entered by the court directing the payment of money from the county treasury shall be effective for such purpose, unless a copy of such order is presented to the county clerk at least ten days before the first day of the session of the board of county commissioners at which such order is presented for allowance. Such order shall be presented to the board of county commissioners by the county clerk, and the board of county commissioners shall have the power to allow or disallow such order in whole or in part, or to change or modify the same before approving the same. All orders for the payment of money from the county treasury shall be filed by the county clerk and entered of record in the minutes of the board of county commissioners.

Sec. 24. Any order made by the court in case of a neglected, dependent or delinquent person may at any time be changed, modified or set aside as to the court may seem just and proper. Nothing in this Act contained shall be deemed to conflict with the present jurisdiction that the courts have over juvenile offenders, but the same is hereby declared to be cumulative to the present jurisdiction of the courts, and the trustees of the Wyoming State School and the Preston School of Industry, respectively, for the custody and discharge of dependent and delinquent persons committed to the said schools as in case of juvenile offenders, and nothing in this Act contained shall be construed to require that the said schools, upon the petition hereinbefore provided for, or upon the hearing thereof, or upon the commitment of any person to the said schools, upon the hearing of the petition hereinbefore provided for, shall be required to receive any person who is not a resident of the State of Wyoming, or who is not a citizen of the United States, or who is not a resident of the county in which said petition is filed, or who has been convicted of a felony.

Sec. 25. Any delinquent, neglected, dependent or delinquent person may have a private hearing upon the question of his neglect, dependency or delinquency, and upon the request of said parents or said persons or either of the parents or guardian shall have any hearing may be had previous to the hearing provided for in the first section of this Act, and upon such hearing may be had previous to the hearing provided for in the first section of this Act, and upon such hearing may be had previous to the hearing provided for in the first section of this Act, and upon such

to have charge of such detention home, and for such other employees as may be needed in the efficient management of such detention home, and provide for the payment, out of the general fund of the county, or city and county, of suitable salaries for such superintendent and matron, and such other employees, such superintendent, matron and other employees to be appointed by said board, as a body, upon the examination of the probation committee and approval of the judge of the juvenile court. The superintendent of the detention home shall keep a classified list of expenses, and file a duplicate copy with the county board of supervisors. The superintendent, matron or other employee of such detention home may, at any time, be removed by the probation committee, in its discretion.

SEC. 28. Any person who shall commit any act or omit the performance of any duty, which act or omission causes or tends to cause, encourage or contribute to the dependency or delinquency of any person under the age of twenty-one years, as defined by any law of this state, or any person who shall, by any act or omission, threats or commands or persuasion, endeavor to induce any such person, under twenty-one years of age, to do or to perform any act or follow any course of conduct, or to so live as would cause or manifestly tend to cause any such person to become, or to remain a dependent or delinquent person, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and the superior court, sitting as juvenile court, shall have original jurisdiction of all such misdemeanors.

SEC. 29. This Act shall be liberally construed to the end that its purposes may be carried out, to wit: That the care, custody and discipline of a neglected, dependent or delinquent person as defined in this Act shall approximate as nearly as may be that which should be given by his parents, and in all cases where it can be properly done, the neglected, dependent or delinquent person as defined in this Act shall be placed in an approved family, with people of the same or similar religious belief, and become a member of the family, by legal adoption or otherwise, or if placed in the care of an association, society, corporation, school or institution, then with people of the same or similar religious belief. No neglected, dependent or delinquent person as defined in this Act shall be taken from the custody of his parent or legal guardian, without the consent of such parent or guardian, unless the court shall find such parent or guardian to be incapable of providing, or to have failed or neglected to provide proper maintenance, training and education for said person; and in no case unless the parent or guardian has been duly notified to be present in court before or at the time of placement or commitment or recommitment, or unless said person, if dependent or delinquent has been tried on probation in said custody, and has failed to reform. In this Act words used in any gender shall include all other genders, and the word "county" shall include "city and county," the plural shall include the singular and the singular shall include the plural. Each section of this Act shall be construed separately and any decision rendered as to the constitutionality or legality thereof shall not affect any other section of the Act.

SEC. 30. An appeal to the district court of appeal shall lie from any decision and judgment of the juvenile court. The party appealing shall serve on the opposite party and file a notice of such appeal within fifteen days from the day of rendition of the judgment from which the appeal is taken. It is hereby made the duty of the judge of the juvenile court when such an appeal is taken, to find the facts of the case based upon a preponderance of evidence in the form of a special finding, and the appellate court shall pass upon the sufficiency of the evidence to sustain the judgment rendered. In case the party appealing questions the sufficiency of the evidence to warrant the findings made by the court, such evidence shall be incorporated in a bill of exceptions prepared by the appellant within fifteen days after the notice of appeal shall have been served on the opposite party and filed as aforesaid. The opposite party shall within ten days prepare and serve on appellant proposed amendments to such bill of exceptions, which amendment shall be settled by the judge within five days thereafter. Within ten days after the settlement of said bill of exceptions, the appellant shall engross the same and serve a copy on the opposite party and also on the attorney general, and file the original thereof, together with proof of service as herein required endorsed thereon, with the clerk of the juvenile court, who shall immediately transmit the same to the court to which the appeal is taken with his certificate that such bill of exceptions is correctly engrossed. An assignment of error that the decision of the juvenile court is contrary to law shall be sufficient to present both a sufficiency of the facts found to sustain the judgment and a sufficiency of the evidence to justify the findings. Appeals from the juvenile court shall have precedence in the court to which such appeal is taken over all other cases. The prosecution in appeal of such cases shall be governed as to costs and as to all other matters not herein provided for by the statutes governing appeals and criminal causes.

SEC. 31. This Act shall supersede all provisions of the Act entitled "An Act to establish a state reform school for juvenile offenders, and to make an appropriation therefor," approved March 11, 1889, and all amendments thereto, and all provisions of the Act entitled "An Act to establish a school of industry and to provide for the maintenance and management of same, and to make an appropriation therefor," approved March 11, 1889, and all amendments thereto, relating to the mode of com-

Motion carried.

Report read and adopted.

Bill ordered to print and to engrossment.

SPECIAL ORDER POSTPONED.

Senator Juilliard moved that the consideration of the special order Assembly Bill No. 477 and Senate Bill No. 1288, be continued to eight o'clock and fifteen minutes p.m.

Motion carried.

Senator Wright moved that the consideration of the special order Assembly Bill No. 418, be continued to follow the special order set for eight o'clock and fifteen minutes p.m., this day.

Motion carried.

BILL RECALLED FROM PRINT.

Senator Anderson moved that Assembly Bill No. 1152 be recalled from print.

Motion carried.

ACTION RESCINDED.

Senator Gates moved that the action had by the Senate on May 3, 1913, in amending Assembly Bill No. 1225 under special instructions, be rescinded and that the record of such action be expunged from the record.

Motion carried.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Strobridge, the Senate took up for consideration Assembly Bill No. 282 with the pending report of the special committee amendment.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the

Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

The question being on the adoption of the report of the special committee instructed to amend.

Report read and refused adoption.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer Assembly Bill No. 282 to Senator Curtin, as a special committee of one, to amend as follows:

On page 2, line 19, of the printed bill as amended in the Senate on April 22, 1913, strike out the period, and in lieu thereof insert a semi-colon and the following words: "ten porters at a monthly salary of ninety dollars each."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 282, with instructions to amend, respectfully reports the same back, amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At five o'clock and forty minutes p.m., HON. A. E. Boynton, President pro tem. of the Senate, in the chair.

COMMITTEE ON CONFERENCE APPOINTED.

The President pro tem. announced the appointment of Senators Hewitt, Juilliard and Breed as a committee on conference to meet with a similar committee from the Assembly to consider amendments to Senate Bill No. 1397.

LEAVE OF ABSENCE.

Senator Cohn was, on his own motion, granted leave of absence for the remainder of the day.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 2038, "An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School," have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

AVEY, Chairman.

Assembly Bill No. 2038 ordered re-referred to Committee on Finance.

ON COMMERCE AND NAVIGATION

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1660—An Act [illegible] and appropriation of [illegible] granted to an Act entitled An Act to provide for the management of the work of the [illegible] of the Sacramento [illegible] Reclamation [illegible] Colusa [illegible] Engineers [illegible] Marion [illegible] Engineers, and Thomas H. Jackson, Corps of Engineers of the United States army, and [illegible] the [illegible] [illegible] [illegible]

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Benson, Boynton, Brown, Bryant, Butler, Campbell, Cogswell, Curtin, Finn, Flint, Grant, Hans, Juilliard, Lyon, Regan, Sanford, and Shanahan—18.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eight o'clock and twenty-five minutes p.m., Senators Carr, Thompson, Gates, Gerdes, Hewitt, Tyrrell, Breed, Kehoe, Mott, and Cartwright were brought to the bar of the Senate, and, on motion of Senator Campbell, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eight o'clock and twenty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Gerdes.

The roll of absentees was called, and the following answered to their names:

Senators Anderson, Benson, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Regan, Sanford, Shanahan, Thompson and Tyrrell—28.

Quorum present.

CONSIDERATION OF SPECIAL ORDER.

Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Juilliard moved to refer to Senator Regan, as a special committee of one, to amend Senate Bill No. 735 as follows:

AMENDMENT No. 1.

Amend the title by striking out all after the word "twelve", in line 2 of the title, and insert in lieu thereof the words "of the Penal Code."

AMENDMENT No. 2.

Strike out all after the figures "412", in line 3, page 1 of the printed bill, and insert in lieu thereof the following:

"Any person, firm or corporation who, within this state, engages in, instigates, aids, abets, encourages or does any act to further a contention or fight, without weapons, between two or more persons, or a fight commonly called a ring or prize fight, either within or without the state, or who engages in a public or private sparring or boxing exhibition, with or without gloves, within the state, or who sends or publishes a challenge or acceptance of a challenge for such a contention, exhibition or fight, or carries or delivers such a challenge or acceptance, or trains or assists any person in training or preparing for such a contention, exhibition or fight, shall be guilty of a felony, and upon conviction shall be fined not less than one thousand dollars nor more than four thousand dollars, and be imprisoned in the state prison not less than one year nor more than three years; *provided, however*, that sparring or boxing exhibitions, not to exceed twenty rounds, with gloves of not less than five ounces each in weight may be held by a domestic incorporated club upon the prepayment by such club of an annual license to be fixed by the board of supervisors of cities and counties, or the city counsel or other governing bodies of incorporated cities. Said exhibitions must comply with the rules and regulations as the said supervisors,

city councils or other governing bodies of cities and towns may separate by such wards, precincts, districts, [illegible] in such cities and towns, and may be counted by a physician who shall subscribe and make oath to the true [illegible] physical condition.

Motion carried.

[illegible]

Mr. President: Your special committee, to [illegible]

The question being on the adoption of the report.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Boyer moved a call of the Senate.

Motion carried.

Time, 10:10 o'clock, and 25 two minutes p. m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Bolton, Bonnet, Bristow, Brown, Boynton, Burton, Campbell, Case, Cartwright, Chappell, Clymer, Dale, Dallas, Dolman, Downey, Hess, Hewitt, Jaquith, Kelso, Lawson, Mott, Owens, Regan, Sanford, Shawhan, Downey, and Wright—26.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock p.m., Senators Tyrrell, Avey, Johns, Sanford, Lyon and Rush were brought to the bar of the Senate, and, on motion of Senator Cotton, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Regan.

The roll of absentees was called, and the report adopted by the following vote:

Ayes—Senators Bolton, Bonnet, Bristow, Brown, Campbell, Cartwright, Case, Chappell, Clymer, Dale, Dallas, Cotton, Dolman, Downey, Hess, Hewitt, Jaquith, Kelso, Lawson, Mott, Owens, Regan, Rush, Sanford, Shawhan, Tyrrell and Wright—30.

Nays—Senators Anderson, Avey, Bonnet, Boynton, Burton, Campbell, Case, Cotton, Gates, Green, Hewitt, Johns, Kelso, Lawson, Mott, and Thompson—17.

Bill ordered to print and re-engrossment.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and ten minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER.

Senator Campbell moved that the further consideration of Assembly Bill No. 477 be set for Tuesday, May 6, 1913, at eleven o'clock a.m.

Senator Curtin moved to amend by setting the time for consideration at Wednesday, May 7, 1913, at two o'clock p.m.

Amendment lost.

The question being on the motion of Senator Campbell.

The roll was called, and motion lost by the following vote:

AYES—Senators Campbell, Cohn, Hans, Jones, Larkins, Mott, and Shanahan—7.
NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Bryant, Caminetti, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hewitt, Juilliard, Kehoe, Sanford, Thompson, Tyrrell, and Wright—22.

Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with name and address of the original manufacturer thereon, providing for the enforcement of and providing for penalties for the violation of the provisions of this Act.

Read third time.

SENATOR JONES IN THE CHAIR.

At eleven o'clock and twenty-five minutes p.m., Senator Jones, of the Twenty-eighth District in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cartwright moved to refer to Senator Wright, as a special committee of one, to amend as follows:

By inserting in the title of the bill, line 3, after the word "manufacturer", the word "distributor".

Also: In section 2, page 1, line 6, after the word "packer", insert the word "distributor".

Also: In section 3, page 2, line 1, after the word "packer", insert the word "distributor".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 477, with instructions to amend, respectfully reports the same back, amended as per instructions.

WRIGHT, Committee.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Gates, Hans, Jones, Larkins, Mott, Sanford, Thompson, and Wright—23.
NOES—Senators Avey, Bryant, Gerdes, Juilliard, Kehoe, Rush, Shanahan, Strobridge, and Tyrrell—9.

Bill ordered to print.

Senate Bill No. 1288 ordered to third-reading file of Senate bills.

Assembly Bill No. 477 ordered to third-reading file of Assembly bills.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and forty minutes p.m., Hon A. E. Boynton, President pro tem. of the Senate, in the chair.

NOTICE OF MOTION TO RECONSIDER.

Senator Juilliard gave notice that he would, on the next legislative day, move to reconsider the vote whereby Assembly Bill No. 1198 was this day passed.

BILL ORDERED ON FILE

On motion of Senator Butler, Senate Bill No. 1040 was ordered from the file of unfinished business to the third reading file.

CONSIDERATION OF BILL—CAUSE OF URGENCY

On motion of Senator Avey, the Senate took up the consideration of Senate Bill No. 813 for second reading out of order.

Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended to certain Act approved May 1, 1911, by repealing Section 3 of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered 3½, relating to the practice of medicine and surgery in the State of California by members of the medical staff of the department of the United States army or navy, regular or volunteers.

Read third time.

MOTION TO REFER TO SENATE COMMITTEE OF ONE

Senator Avey moved to refer to Senator Jones as a special committee of one, to amend as follows:

AMENDMENT No. 1

On page 1, line 1, of the printed bill, strike out the word "three", and insert in lieu thereof the word "one".

AMENDMENT No. 2

On page 2, line 7, of the printed bill, strike out the word "two" after the word "and", and insert in lieu thereof the word "three".

AMENDMENT No. 3

On page 2, line 11, of the printed bill, after the word "college", insert a comma and the word "school".

AMENDMENT No. 4

On page 3, line 22, strike out the word "three" and insert in lieu thereof the word "form".

AMENDMENT No. 5

On page 3, line 24, strike out the words "in connection as well from all former".

AMENDMENT No. 6

On page 5, line 35, after the period, insert the following: "In small pox vaccination or inoculation none of whose members of said board are regular practitioners of medicine to adopt any rules, to pass any resolutions, or to authorize the issuance of any certificate as in this Act provided."

AMENDMENT No. 7.

On pages 5, 6 and 7, of the printed bill, strike out all of sections 8 and 9 beginning with the words "Sec. 8." in line 6 on page 5 and ending with the word "provisions" in line 16 on page 7, and insert in lieu thereof the following:

"Sec. 8. Two forms of certificates shall be issued by said board under the seal thereof and signed by the president and secretary, that is certificates entitling the holder thereof to use drugs or what are known as medicinal preparations on or upon human beings and to serve or prescribe for various ailments human beings and to use and all other methods in the treatment of diseases, injuries, deformities, or other physical or mental conditions, which certificates shall be designated 'Physician and Surgeon Certificate', entitling the holder thereof to treat diseases, injuries, deformities, or other physical or mental conditions without the use

of drugs or what are known as medicinal preparations and without in any manner severing or penetrating any of the tissues of human beings except the severing of the umbilical cord, which certificate shall be designated 'Drugless Practitioner Certificate'. A 'Reciprocity Certificate' shall also be issued under the provisions hereinafter specified. Any of these certificates on being recorded in the office of the county clerk, as hereinafter provided, shall constitute the holder thereof a duly licensed practitioner in accordance with the provisions of his certificate.

SEC. 9. Every applicant must file with the board at least two weeks prior to the regular meeting thereof, satisfactory testimonials of good moral character, and a diploma or diplomas issued by some legally chartered school or schools approved by the board, the requirements of which school or schools shall have been at the time of granting such diploma or diplomas in no degree less than those required under this Act, or satisfactory evidence of having possessed such diploma or diplomas, and must file an affidavit stating that he is the person named in said diploma or diplomas, and that he is the lawful holder thereof, and that the same was procured in the regular course of instruction and examination without fraud or misrepresentation: *provided*, that in addition thereto, each applicant for a 'Physician and Surgeon Certificate' must show that he has attended four courses of study, each such course to have been of not less than thirty-two weeks duration, but not necessarily pursued continuously or consecutively, and that at least ten months shall have intervened between the beginning of any course and the beginning of the preceding course; *provided, further*, that an applicant for a 'Drugless Practitioner Certificate' must show that he has attended two courses of study, each such course to have been of not less than thirty-two weeks duration, but not necessarily pursued continuously or consecutively, and that at least ten months shall have intervened between the beginning of any course and the beginning of the preceding course; *provided, also*, that before January 1, 1919, in lieu of the diploma or diplomas and preliminary requirements herein referred to where the applicant can show to the satisfaction of the board of medical examiners that he has taken courses in a school or schools approved by the board totaling for applicants for 'Drugless Practitioner Certificates' not less than sixty-four weeks consisting of not less than twenty-four hundred hours and for 'Physician and Surgeon Certificates' totaling not less than one hundred twenty-eight weeks consisting of not less than forty-eight hundred hours, it being required that all applicants shall have received passing grades in all such courses, that the applicant or applicants shall be admitted to examination for their respective form of certificates.

The said application shall be made upon a blank furnished by said board, and it shall contain such information concerning the medical instruction and the preliminary education of the applicant as the board may by rule prescribe. In addition to the requirements hereinabove provided for, applicants for either form of certificate hereunder shall present to said board at the time of making such application, a diploma from a California high school, or other school in the State of California requiring and giving a full four years' course of same grade, or other schools elsewhere, requiring and giving a full four years' standard high school course, or its equivalent, approved by the board, together with satisfactory proof that he is the lawful holder of such diploma and that the same was procured in the regular course of instruction. In lieu of such diploma, the applicant may present: (1) a certificate from the College Entrance Examination Board, or the college examining board of any state or territory showing that such applicant has successfully passed the examination of said board; or (2) if such applicant be thirty years or more of age he may show to the satisfaction of the board of medical examiners proof of preliminary education equivalent in training power to the foregoing requirements. After January 1, 1919, every applicant for a "Physician and Surgeon Certificate" shall in addition to the foregoing requirements, present to the board satisfactory evidence that before beginning the study of medicine he has completed a course which includes at least one year of work, of college grade, in each of the subjects of physics, chemistry and biology."

AMENDMENT No. 8.

On page 7, line 18, strike out the word "such", and insert in lieu thereof the word "any".

AMENDMENT No. 9.

On page 7, strike out all of the words beginning with the word "*provided*", in line 21, and ending with the word "year", in line 23.

AMENDMENT No. 10.

On page 7, line 25, strike out the numerals "720", and insert in lieu thereof the numerals "825".

AMENDMENT No. 11.

On page 7, line 26, strike out the numerals "510", and insert in lieu thereof the numerals "600".

AMENDMENT No. 12.

On page 7, line 28, strike out the numerals "135", and insert in lieu thereof the numerals "150".

AMENDMENT No. 16

On page 7, line 33, strike out the numerals "140" and insert in lieu thereof the numerals "700"

AMENDMENT No. 17

On page 7, line 35, strike out the numerals "20", and insert in lieu thereof the numerals "100"

AMENDMENT No. 18

On page 7, line 36, strike out the numerals "40", and insert in lieu thereof the numerals "80"

AMENDMENT No. 19

On page 7, line 37, strike out the numerals "420", and insert in lieu thereof the numerals "450"

AMENDMENT No. 20

On page 8, line 5, strike out the numerals "1200", and insert in lieu thereof the numerals "1120"

AMENDMENT No. 21

On page 8, line 8, strike out the numerals "140", and insert in lieu thereof the numerals "700"

AMENDMENT No. 22

On page 8, line 10, strike out the numerals "240", and insert in lieu thereof the numerals "180"

AMENDMENT No. 23

On page 8, line 24, strike out the numerals "4,000" and insert in lieu thereof the numerals "4,800"

AMENDMENT No. 24

On page 9, line 14, strike out the words "Establishment and maintenance" and insert in lieu thereof the words "Establishing and maintaining bacteriology"

AMENDMENT No. 25

On page 9, line 17, strike out the words "Establishment and maintenance" and insert in lieu thereof the words "Establishing and maintaining chemistry"

AMENDMENT No. 26

On page 10, line 1, strike out the words "or non-humidified tissues,"

AMENDMENT No. 27

On page 12, lines 36 and 37, strike out the words "This section shall not contravene the admission on practice witnesses" and on page 13, strike out all of lines 1, 2, 3 and 4.

AMENDMENT No. 28

On page 20, strike out all of lines 27, 28, 29, 30, 31 and 32, and insert in lieu thereof the following:

"SEC. 27. Nothing in this Act shall be construed to prohibit the practice of any person legally in possession of a license, diploma, or certificate to practice his or her medical profession. Any of the above, but all such certificates may be revoked for unprofessional conduct in the same manner and upon the same grounds as if they had been issued under this Act."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee on enrollment, to whom was referred Senate Bill No. 818, with instructions to amend, respectfully reports the same back amended as per instructions.

JONES, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossed.

CONSIDERATION OF BILL OUT OF ORDER.

Senator Avey asked, and was granted unanimous consent, that the Senate take up Senate Bill No. 681 for consideration, out of order.

Senate Bill No. 589—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897) by amending Section 58 thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Avey moved to refer to Senator Benson, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Page 1 of the printed bill, line 2 of the title, strike out the balance of the line after the words "to amend", also, strike out the balance of the title, and insert in lieu thereof the following: "four thousand twenty-one of the Political Code, relative to elective county and township officers."

AMENDMENT No. 2.

Page 1, strike out lines 1 and 2, and insert in lieu thereof the following: "SECTION 1. Section four thousand twenty-one of the Political Code is hereby".

AMENDMENT No. 3.

Page 1, line 4, strike out the word and figures "Section, 58", and insert in lieu thereof the figures "4201".

AMENDMENT No. 4.

Page 1, line 4, strike out the word "and" at the end of the line; also, in line 5, strike out the words "city justices of peace,".

AMENDMENT No. 5.

Page 1, line 5, strike out the word "act" at the end of the line, and insert in lieu thereof the words "title, and by law,".

AMENDMENT No. 6.

Page 1, line 10, strike out the word "act" and insert in lieu thereof the word "title".

AMENDMENT No. 7.

Page 1, line 14, strike out the words "January, eighteen hundred and ninety-three" and insert in lieu thereof the words "July, nineteen hundred and seven".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 589, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 38—Relative to Yerba Buena Island—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WRIGHT, Chairman.

Senate Joint Resolution No. 38 ordered on file.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 5, 1913

MR. PRESIDENT: Your Committee on Claims, to whom was referred Assembly Bill No. 652—An Act to amend Section 4440 of the Political Code of the State of California, relating to officers and salaries in counties of the third class.

Also, Senate Bill No. 815—An Act to amend Section 4440 of the Political Code of the State of California, relating to counties of the eighth class, have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

[illegible]

Assembly Bill No. 652 ordered on file for second reading.

Senate Bill No. 815 ordered on file for second reading.

[illegible]

Senator Wright moved that the further consideration of Assembly Bill No. 418 be made a special order for Tuesday, May 6, 1913, at three o'clock and forty-five minutes p.m.

Motion carried.

REPORTS OF STANDING COMMITTEES—[illegible]

The following reports of standing committees were received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, May 5, 1913

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1461—An Act appointing fish and game commissioners in counties containing land for the reclamation of swamp and overflowed lands, and the sale thereof, and repealing an act entitled an act to provide for the appointment of fish and game commissioners in counties containing land for the reclamation of swamp and overflowed lands, and the sale thereof, approved March 20, 1911, have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

HAAS, Chairman.

Assembly Bill No. 1461 ordered re-referred to Committee on Finance.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 5, 1913

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1486—An Act to provide for the health, safety and comfort of employees in factories, workshops, mercantile establishments and places of amusement; and to provide for the enforcement thereof.

Also, Senate Bill No. 57—An Act to provide for the annual [illegible] and inspection of a state reservoir lying a portion in the Orange Belt, in the county of Yuba, thence to the town of Colgate, [illegible] in Sutter County, and creating an appropriation therefor.

Also, Senate Bill No. 1078—An Act to add a new section to the Political Code, to be known as Section [illegible], relating to the duties of the assessor in relation to assessment books.

Also, Senate Bill No. 61—An Act to provide for the [illegible] of the Superior Court of the county of Riverside.

Also, Senate Bill No. 1077—An Act to establish a new and [illegible] for horses, harness, [illegible] and [illegible] to provide for the collection and to direct the disposition of moneys to be collected by this Act and to repeal all acts and parts of acts inconsistent herewith, and to take effect immediately, the provisions of this Act relating to [illegible] and to provide for the collection and disposition of moneys collected by this Act,

and to meet the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Also: Committee Substitute for Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and parks, and ways in municipalities and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

Also: Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this Act into effect.

Also: Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools.

Also: Senate Concurrent Resolution No. 29—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for boys, young and old in California, including recreation in rural communities as well as in small and large towns and cities.

And report that the same have been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission, therefor, providing for repayment to the State, and appropriating the sum of fifty thousand dollars therefor.

Also: Senate Bill No. 771—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Thompson, the Senate took up the consideration of Senate Bill No. 1294, out of order.

Senate Bill No. 1294—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out all of the title after the words "An Act" and insert in lieu thereof the following: "Providing for the designation of money in the state treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased."

Amendment adopted.

AMENDMENT No. 2.

Strike out everything following the enacting clause of the printed bill, and insert in lieu thereof the following:

"Section 1. Any money in the state treasury which shall have been designated as surplus money under the provisions of this Act may in the manner hereinafter provided be invested in bonds of any of the following classes:

(a) Bonds or interest-bearing notes or obligations of the United States, or those

for which the faith and credit of the United States are pledged for the payment of principal and interest.

(c) Bonds of any county, city and county, city or school district or other political subdivision of this state.

Section 2. The term "obligations" shall not include any bond or other obligation which shall at any time be held by the person who, or any firm or corporation which, issued and delivered such bond or other obligation in the first instance or by any successor in interest to such person, firm or corporation. For the purposes of this section, a successor in interest shall include any person, firm or corporation to whom or which any such bond or other obligation was sold, assigned or otherwise transferred, directly or indirectly, by the person, firm or corporation which originally issued and delivered the same, or by any successor in interest to such person, firm or corporation.

Section 3. Any person who knowingly and with intent to defraud any state or local taxing agency, or who knowingly and with intent to defraud any person, issues, delivers, or possesses with intent to sell, any bond or other obligation the interest on which is exempt from taxation under this act, or who knowingly and with intent to defraud any person, forges or counterfeits the coupons representing interest upon any such bond or other obligation, is guilty of a felony.

Section 4. This act shall not be construed as affecting the taxability of income derived from bonds or other obligations issued before the effective date of this act.

Section 5. This act shall take effect immediately.

Amendment adopted.

Bill read second time and ordered to grossed, engrossed and third reading.

CONSIDERATION OF BILL—SET AS ORDER

On motion of Senator Lagomarsino, the Senate took up for consideration at Assembly Bill No. 957 for second reading, and it was so ordered.

Assembly Bill No. 957—An Act to amend Section 4207 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT NO. 1

On page 1, line 14, and 15, Section 1, strike out the words and figures "seventy hundred (7000)" and insert in lieu thereof the words and figures "eighteen hundred (1800)".

Amendment adopted.

AMENDMENT NO. 2

On page 2, Section 2 line 10, strike out the words and figures "seventy hundred (7000)" and insert in lieu thereof the words and figures "eighteen hundred (1800)".

Amendment adopted.

AMENDMENT NO. 3

On page 2, Section 4, line 14, strike out the words and figures "seventy hundred (7000)" and insert in lieu thereof the words and figures "eighteen hundred (1800)".

Amendment adopted.

AMENDMENT No. 4.

On page 4, Section 5, lines 10 and 11, strike out the words and figures "sixteen hundred (1600)," and insert in lieu thereof the words and figures "eighteen hundred (1800)".

Amendment adopted.

AMENDMENT No. 5.

On page 5, Section 6, line 5, after the word "duties", insert a comma and the following: "including the making and compiling of the necessary indices to the assessment roll".

Amendment adopted.

AMENDMENT No. 6.

On page 6, Section 9, line 3, strike out the words and figures "twenty-two hundred (2200)," and insert in lieu thereof the words and figures "twenty-four hundred (2400)".

Amendment adopted.

AMENDMENT No. 7.

On page 6, lines 8 and 9, strike out the words and figures "twelve hundred (1200)", and insert in lieu thereof the words and figures "fifteen hundred (1500)".

Amendment adopted.

AMENDMENT No. 8.

On page 6, Section 9, beginning on line 9, and ending on line 12, strike out the words "*provided, however*, that in counties of this class the board of supervisors may allow for other detective service a sum not to exceed five hundred (500) dollars per annum", and insert in lieu thereof the following: "*provided, however*, that no further additional amounts shall be allowed for detective services without the previous consent and authorization of the board of supervisors.".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Avey, the Senate took up the consideration of Senate Bill No. 815, out of order.

Senate Bill No. 815—An Act to amend Section 4237 of the Political Code of the State of California, relating to counties of the eighth class.

AMENDMENT No. 1.

On page 1, line 9, strike out the word "seven", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 10 and 11, strike out the following: "and the sum of five hundred dollars for making the great register.".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 13, after the word "licenses", insert the following: "*provided, however*, that the percentage received by the clerk for the issuing of such licenses, shall be paid by him into the county treasury".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 6, strike out the words "three thousand", and insert in lieu thereof the following: "two thousand four hundred".

Amendment adopted.

AMENDMENT No. 5.

On page 3, lines 6, 7 and 8, strike out the words "and all conveyances from and between the heirs of persons or purchasers holding lands under them by virtue of his own grants".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 15, strike out the word "can", and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 22, strike out the period following the word "course", and insert in lieu thereof the following: ", and also every one who shall be summoned and attending therein as a juror, or witness for the county aforesaid, may demand and receive for each journey reasonable pay, which shall be paid by the county in the same manner as other county charges are paid; and every person who is summoned and attending as a juror in the circuit court shall be allowed and paid out of the state treasury the sum of two dollars per day for his attendance and mileage at the rate of ten cents per mile for the distance he may travel in going to and returning from the court house of the county in which he may be summoned as a juror".

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 24 strike out the word "party", and insert in lieu thereof the word "case".

Amendment adopted.

AMENDMENT No. 9.

On page 5, line 13 strike out the word "until", and insert in lieu thereof the word "from".

Amendment adopted.

AMENDMENT No. 10.

On page 5, line 24 strike out the words "tried", and insert in lieu thereof the word "had".

Amendment adopted.

AMENDMENT No. 11.

On page 6, line 20, strike out the words "the aforesaid fee", and insert in lieu thereof the following: "five thousand feet".

Amendment adopted.

AMENDMENT No. 12.

On page 6, lines 20 and 21 strike out the following: "and the aforesaid amount be due for the collection of per mile;".

Amendment adopted.

AMENDMENT No. 13.

On page 8, line 24, after the comma following the word "annual", insert the following: "and such additional compensation as the assessor may receive, the amount of which compensation hereafter paid and agreed to be paid to the assessor for any of these purposes shall not exceed in the aggregate the sum of three thousand two hundred dollars per annum".

Amendment Adopted.

AMENDMENT No. 14.

On page 4, line 1, after the word "property" insert the words "and poll".

Amendment adopted.

AMENDMENT No. 15.

On page 4, line 7, after the comma following the word "assessor" strike out the words "three thousand", and insert in lieu thereof the words "twenty-seven hundred".

Amendment adopted.

AMENDMENT No. 16.

On page 4, line 27, strike out the word "seven", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NO. 17.

On page 7, after line 10, add the following new paragraph:
"19. This Act shall take effect and be in force from and after twelve o'clock at noon of the first Monday after the first day of January, 1915."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Avey, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 813 and 815.

ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Senator Campbell, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, May 6, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by Rev. Harvey Runes Clarkins.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, May 5, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1937.—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1937 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 53—An Act appropriating money for the construction and equipment of new Ward No. 25, at Stockton State Hospital.

Also: Assembly Bill No. 1741—An Act to appropriate the sum of sixty-five hundred dollars for the purpose of paying claims from the Pilot Rules for Grain Tariffs, and other services.

Also: Assembly Bill No. 1760—An Act to provide for printing, binding, engraving and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Also: Assembly Bill No. 1761—An Act authorizing the State Board of Viticultural Commissioners to purchase certain equipment and property to continue and improve the facilities of the State Viticultural Laboratory at Fresno, and making an appropriation therefor.

Also: Assembly Bill No. 1762—An Act to add a new section to the Political Code of the State of California, to be known as section 1770a, providing for a medical engineer in the State Board of Health, and fixing his salary.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 14, 1742, 1760 and 1761 read first time, and referred to Committee on Finance.

Assembly Bill No. 1721 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1766—An Act to amend Section 4207 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class.

Also: Assembly Bill No. 1768—An Act to amend Section 4208, of the Political Code of the State of California, relating to the salaries of the State Engineer.

Also: Assembly Bill No. 1769—An Act to amend Section 30 of an Act entitled "An Act concerning districts and districting school districts, providing for their care, custody and maintenance, and prescribing powers of same, providing for their management in the Watts State School and the Preston State School of Industry, and the duties of such management and trustees thereof, establishing a collective committee and providing salaries to and with such officers and other for salaries of probation officers, providing for assistant deputy and other employees, providing for the appointment of assistant commissioners and for transferring to the jurisdiction of such persons committed to the Whittier State School and the Preston State School of Industry, and repealing inconsistent Acts," approved March 5, 1915, relating to the appointment of probation officer and his assistants.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1769 read first time, and referred to Committee on County Government.

Assembly Bill No. 1134 read first time, and referred to Committee on Finance.

Assembly Bill No. 1659 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to the amendment 14, to Article XI thereof, relating to the election, organization, duties and powers of a Commission to be known as the Legislature of the State of California.

Also: Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX a new section to be numbered 17a, relating to the conditions of labor and welfare of employees.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Constitutional Amendment No. 18 referred to Committee on Agriculture.

Assembly Constitutional Amendment No. 90 referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1439—An Act to amend Section 637*a* of the Penal Code of the State of California, relating to the protection of fish and game.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1439 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants, making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the State Hygienic Laboratory.

Also: Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredger for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Also: Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or ballot machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the result at such elections, and providing for the punishment of all violations of the provisions of this Act," approved March 20, 1903, as subsequently amended.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 570 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 471 and 470 read first time, and referred to Committee on Finance.

Assembly Bill No. 815 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 451—An Act to amend Section 1195*a* of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and providing for the designation as the same will appear on the ballots.

Also: Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Also: Assembly Bill No. 343—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Also: Assembly Bill No. 861—An Act to provide for the instruction of blind students in certain state institutions.

Also: Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Norfolk, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 451 read first time, and referred to Committee on Elections.

Assembly Bill No. 1855 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 813 and 1147 read first time and referred to Committee on Finance.

Assembly Bill No. 861 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 414, An Act [illegible] and the same is now [illegible] of said Bill.

Also: Senate Bill No. 1[illegible] An Act [illegible] and to [illegible] Hospital.

Also: Senate Bill No. 1[illegible] An Act [illegible] Hospital.

Also: Senate Bill No. 1[illegible] An Act [illegible] Hospital.

Also: Senate Bill No. 1[illegible] An Act [illegible] of Dance Hall [illegible] and Ordinances.

Also: Senate Bill No. [illegible] An Act [illegible] and [illegible] Act [illegible] and [illegible] Ordinances.

Also: Senate Bill No. 1[illegible] An Act [illegible] and [illegible] Hospital.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNER, Assistant Clerk.

Senate Bills Nos. 114, 115, 116, 501, 504 and 1754 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1[illegible] and the same is now [illegible] of said Bill.

Also: Senate Bill No. 1[illegible] An Act [illegible] and [illegible] Hospital.

Also: Senate Bill No. 1[illegible] An Act [illegible] Hospital.

Also: Senate Bill No. 1[illegible] An Act [illegible] and [illegible] Hospital.

Also: Senate Bill No. [illegible] An Act [illegible] and [illegible] Hospital.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNER, Assistant Clerk.

Senate Bills Nos. 312, 1200, 1745, 109, 110 and 1697 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1[illegible] An Act to amend Section [illegible] of the Political Code of the State of California, relating to salaries of county officers in counties of the [illegible] class.

Also: Senate Bill No. [illegible] An Act to provide state aid for blind persons in certain institutions, and making an appropriation therefor.

Also: Senate Bill No. [illegible] An Act appropriating money for the purchase of property adjoining premises now maintained as San Jose State Normal School.

Also: Senate Bill No. [illegible] An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard of the State of California, and appropriating a [illegible] to [illegible] and improvements thereon, and providing for the [illegible] of said lands for said purposes.

Also: Senate Bill No. 847—An Act appropriating money for the purchase and installation of the exhibits of the California Legislature for the Panama-Pacific International Exposition.

I. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WARNER, Assistant Clerk.

Senate Bills Nos. 1124, 509, 61, 1563 and 847 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 32 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Also: Senate Bill No. 405—An Act providing for the construction of additional livestock, barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Also: Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom, and for construction of a wall around said prison.

Also: Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1222, 405, 406, 484 and 482 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Also: Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Also: Senate Bill No. 151—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one hundredths dollars out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Also: Senate Bill No. 1013—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 226, 199, 151 and 1013 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1705—An Act appropriating the sum of dollars (omitted) and authorizing and directing the construction and furnishing of a dormitory for the Sonoma State Home at Eldridge, Sonoma County, California.

Also: Senate Bill No. 1728—An Act appropriating the amount necessary to purchase and improve the Asbill tract and to provide the proper access to the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing the acts and improvements to be done.

Also: Senate Bill No. 1761—An Act to amend Section 1478 of the Political Code, relating to matters of county officers, to conform to the Reorganization Act.

Also: Senate Bill No. 271—An Act appropriating money for the purchase of live stock at Folsom State Prison.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALSH, Assistant Clerk.

Senate Bills Nos. 270, 272, 480 and 481 ordered to engrossment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1399—An Act making an appropriation for the construction, equipment and furnishing of an armory, garage and site for the Battery A of 250th Coast Artillery (AA) of the National Guard of the State of California, at the city of Oakland, for the use of the National Guard of the State of California.

Also: SENATE BILL NO. 450—An Act making an appropriation of money to pay the claims of United States Mortgage and Trust Company, a corporation, against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALSH, Assistant Clerk.

Senate Bills Nos. 1488, 184, 727, 996 and 448 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1943.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1705—An Act providing for the purchase and the proper banking and improvement of the site of the dormitory at gold on the banks of the American River in college, in Placer County, California, creating the Gold Discovery Landmarks Commission and making an appropriation to carry out the purposes of the Act.

Also: SENATE BILL NO. 1728—An Act to provide for the acquisition of the property and water control for the Newman Canal at Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Also: Senate Bill No. 271—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of water work and the purchase of water and interests bearing thereon and appertaining to the Veterans' Home of California, located at Yountville, Napa County, and creating an appropriation therefor," approved April 21, 1941.

Also: Senate Bill No. 272—An Act appropriating money thereof to the State Treasurer and authorizing and directing the construction and furnishing of a nursery for males at the Sonoma State Home at Eldridge, Sonoma County, California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALSH, Assistant Clerk.

Senate Bills Nos. 1705, 1728, 1761, 196 and 271 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 802, providing that certain convicts shall be provided with fire escapes, and appointed Assemblymen Geo. H. Johnson, Shannon, and Gates as a committee on conference to meet a like committee from the Senate.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission, specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the public debt and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the application of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions in this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared constitutional—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and that it be re-referred to Committee on Finance.

MOTT, Chairman.

Assembly Bill No. 642 ordered re-referred to Committee on Finance.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Roads and Highways to which was referred Senate Bill No. 1077, an Act [illegible] respectfully reports that it has had the same under consideration and recommends that it do pass.

[illegible]

Senate Bill No. 1107 ordered reprinted as amended on Finance.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Engrossment and Enrollment has examined the following bill:

Senate Bill No. 1107, An Act [illegible]

Also: Senate Bill No. 1108, An Act [illegible]

Also: Senate Bill No. 1109, An Act [illegible]

Also: Senate Bill No. 1110, An Act [illegible]

Also: Senate Bill No. 1111, An Act [illegible]

Also: Senate Bill No.

Also: Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipment of the same at Folsom State Prison.

Also: Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department, at the Stockton State Hospital.

Also: Senate Bill No. 102—An Act appropriating money for painting buildings at the Veterans' Home of California.

Also: Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

Also: Senate Bill No. 97—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital.

Also: Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Also: Senate Bill No. 521—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate school districts and to the annexation of additional territory thereto.

Also: Senate Bill No. 488—An Act to amend Section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

Also: Senate Bill No. 307—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Also: Senate Bill No. 1036—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Sections 1, 2, 3, 5, 6, 7, 8, and 10 thereof.

Also: Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works.

Also: Senate Bill No. 580—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Also: Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Also: Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home of California.

Also: Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Also: Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section to be numbered Section 3a, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Also: Senate Concurrent Resolution No. 16—Relative to the appointment of a committee of the Legislature to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county, school and municipal buildings, grounds and public works throughout this State.

Also: Senate Bill No. 268—An Act appropriating five thousand five hundred dollars for the construction of septic tanks, and making such repairs, alterations and additions, as may be necessary, to the present sewer system at the Sonoma State

Home at Eldridge, Sonoma County, California, and authorizing said Board to do such work to be done and performed.

Also, Senate Bill No. 1166—An Act appropriating money thereof for and authorizing and directing the completion of a reservoir building at the Sonoma State Home at Eldridge, Sonoma County, California.

Also, Senate Bill No. 1167—An Act appropriating money for the construction of a normal training and manual arts building on San Jose State Normal School.

Also, Senate Bill No. 1168—An Act providing for the disposition of the records on the north or ground floor of the State Capitol building and making an appropriation therefor.

Also, Senate Bill No. 1169—An Act appropriating money for building, furnishing and equipping a receiving building at Stockton State Hospital.

Also, Senate Bill No. 1170—An Act appropriating money for repairs to cesspools at the Veterans' Home at Yountville.

Also, Senate Bill No. 1171—An Act appropriating money for purchasing several improvements for Los Angeles State Normal School.

Also, Senate Bill No. 1172—An Act appropriating money for furnishing and repairing and improving the Fresno State Normal School.

Also, Senate Bill No. 1173—An Act appropriating money for the construction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also, Senate Bill No. 1174—An Act to create and incorporate the governing, supervising and promoting the water supply system of the Preston School of Industry.

Also, Senate Bill No. 1175—An Act appropriating money for the erection at the State Agricultural Society, to cover a new building used by Victoria exhibit, the Mills, at Agricultural Park, in the city of Sacramento, State of California, to be known as the woman's building and auditorium and appropriating therefor.

Also, Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XIII thereof, relating to assessment and collection of revenue, a new section to be numbered 14, to be known as section 14 of Article XIII thereof, relating to assessing certain property of educational institutions of corporate entity from taxation.

Also, Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, adding to the article of provisions of boundary districts and other matters supplementary and to the powers by which such boundaries and powers may be modified.

Also, Senate Joint Resolution No. 16—Relative to the Federal Treasury and requesting the appropriation of the sum of Five Hundred Dollars to pay the publication of the reports of the Supreme Court of the United States.

Also, Senate Joint Resolution No. 18—Relative to the establishment of a permanent exhibit fair of products of the State of California at the Panama-Pacific International Exposition, to be held in the city and county of San Francisco, State of California, in the year A. D. 1915.

Also, Senate Joint Resolution No. 19—Relative to the purchase by the United States of the Dingee ranch.

Also, Senate Joint Resolution No. 20—Relative to memorializing the Congress of the United States to provide proper means for the construction of a battleship of the largest type of war vessels to be named the California, and that the President of the United States be requested to name one of the vessels of the new navy after the State of California, and that the Secretary of the Navy be requested to have one of the vessels of the new navy built at the Mare Island Navy Yard, near Vallejo, California.

Also, Senate Bill No. 1176—An Act to amend Section 1881 of the Political Code of the State of California, relating to the commissioners and term of office of members of the state board and their assistants, duties and salaries.

Also, Senate Bill No. 1177—An Act to amend Section 1881 of the Political Code of the State of California, relating to the duties and powers of the state board of examiners and examination of surveyors.

Also, Senate Bill No. 1178—An Act amending Section 1880a of the Political Code of the State of California, relating to the creation of boundaries surrounding counties, cities and counties, cities and towns and townships.

Also, Senate Bill No. 1179—An Act to amend Section 1881 of the Penal Code, relating to the punishment for abduction of minors.

Also, Senate Bill No. 1180—An Act to amend Section 261 of the Penal Code, relating to the killing of quail.

Also, Senate Bill No. 1181—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to persons from whom and places at which summons and process shall be served, service of summons during a session of the legislature, and fixing the time of such service.

Also, Senate Bill No. 1182—An Act to amend Section 1054 of the Code of Civil Procedure of California, relating to appointment and terms of office of the county auditor, county clerk and county recorder in counties containing a population of more than two hundred and fifty thousand and less than three hundred thousand.

Also, Senate Bill No. 1183—An Act appropriating the sum of Ten thousand dollars for the purpose of improving and extending the channel at Pacific Grove from the

bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Also: Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered three, six, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Also: Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof, providing for the revocation or suspension, in certain cases, of licenses issued hereunder, And to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1883, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a new section, to be numbered thirteen, relating to the collection of fees.

Also: Senate Bill No. 1327—An Act to appropriate twelve thousand dollars to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Also: Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of postgraduate grammar school course for certain schools.

Also: Senate Bill No. 880—An Act to repeal Sections 1923, 1935 and 1936 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932*a*, 1933, 1934, 1934*l*, 1953, 1957, 1962, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928*a*, 1928*b*, 1928*c* and 1928*d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Also: Senate Bill No. 805—An Act making an appropriation to pay the claim of the California Highway Construction Company against the State of California.

Also: Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Also: Senate Bill No. 548—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Also: Senate Bill No. 511—An Act to amend Section 599*a* of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Also: Senate Bill No. 50—An Act to declare the Sonora and Mono road in Tuolumne County a state highway.

Also: Senate Bill No. 103—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

Also: Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

Also: Senate Bill No. 277—An Act to add a new section to the Penal Code of the State of California to be known as Section 532*a*, relating to the making and use of false statements for the purpose of obtaining property or credit, and prescribing the punishment therefor.

Also: Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Also: Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Senate Bill No. 208—An Act to amend Section 377 of the Code of Civil Procedure of the State of California, relating to pleadings.

Also: Senate Bill No. 209—An Act to amend Section 377 of the Code of Civil Procedure of the State of California, relating to pleadings.

Also: Senate Bill No. 120—An Act authorizing access for surveying and draw to the canals in the Imperial Home of Reclamation District No. 108, Imperial County.

Also: Senate Bill No. 121—An Act appropriating money for completing a new directory in the Industrial Home of Stockton, Young for the State Board.

And moved that the bills, joint rules, constitutional amendment and resolution be referred to the Committee on Engrossed and Enrolled Bills.

SENATE CHAMBER.

REPORT OF COMMITTEE ON ENGROSSED AND ENROLLED BILLS.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills, to which was referred Senate Bill No. 1297—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered Section 1946, providing that persons convicted of felony may be punished with fine instead of imprisonment, and to repeal Section 1 of the Act entitled "An Act to amend Section 1 of an Act entitled 'An Act to amend Section 1 of an Act entitled 'An Act to amend Section 1 of an Act entitled '

cisco bay, and to prescribe their powers and duties and to fix their compensation and the compensation of employees and to appropriate money to carry this Act into effect.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1531 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cohn, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Rush, Shanahan, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 162—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 162 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cohn, Curtin, Finn, Flint, Gates, Hans, Jones, Juilliard, Kehoe, Lyon, Rush, Sanford, Shanahan, and Thompson—23.

NOES—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of fifty thousand dollars therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1014 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class—and report that the same has been correctly re-engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 288—An Act to amend Section 1665*a* of the Political Code, relating to the establishment of cosmopolitan schools in cities of certain classes.

Also: Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and loss of water from artesian wells and protecting property therein, and prescribing penalty and defining duties of certain officers in connection therewith," approved March 4, 1909, and all Acts amendatory thereof.

And report that the same have been correctly engrossed.

CHAS. CHERRY, Chairman.

THIRD READING OF BILLS—CONTINUED.

Senate Bill No. 1459—An Act to amend Section 1750 of the Political Code of the State of California, relating to state aid for high schools.

Read third time.

The question being on the passage of the Bill.

The roll was called, and Senate Bill No. 1459 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bills, Boynton, Bunkers, Burnett, Caminetti, Campbell, Chan Cook, Flint, Flos, Gaige, Gerdes, Hoyt, Inman, Jailliard, Jackson, Main, Owens, Shanahan, Strobridge, Thompson, and Wright—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 3266, relating to the lending of money by corporations organized under the laws of the State of California to its officers, directors or stockholders.

On motion of Senator Flint, Senate Bill No. 1741 was passed on file.

Senate Bill No. 439—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners, providing for the appointment of the same, defining its powers, duties and emoluments; to provide for the organization and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

On motion of Senator Gates, Senate Bill No. 439 was ordered to the file of Unfinished Business.

Senate Bill No. 310—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners, and a board of registration of religious practitioners.

On motion of Senator Gates, Senate Bill No. 310 was ordered to the file of Unfinished Business.

Senate Bill No. 121—An Act to protect the public against combinations, monopolies, and agreements among insurers, whereby rates of insurance are fixed or stamped; and to encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

On motion of Senator Gerdes, Senate Bill No. 121 was passed on file.

Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business

of insurance shall be transacted in this State or in any county, city and county, city or other local subdivision thereof.

On motion of Senator Gerdes, Senate Bill No. 122 was passed on file.

Committee Substitute for Senate Bill No. 1421—An Act to amend the Political Code of the State of California by adding thereto a new section to be known as Section ——, authorizing the Controller of State to maintain an inheritance tax department and to employ therewith an appraiser, an attorney, two assistant inheritance tax attorneys and an inheritance tax clerk and necessary assistants thereto, and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax appraiser, prescribing his duties and making an appropriation therefor," approved March 20, 1907.

Read third time as a previous day.

The question being on the passage of the bill.

The roll was called and Committee Substitute for Senate Bill No. 1421 passed by the following vote:

Ayes—Senators Anderson, Baker, Benson, Boynton, Brown, Chamberlain, Campbell, Cartwright, Cutten, Flint, Gerdes, Gleason, Hewitt, Hoeg, Holohan, Inman, Kehoe, Leavitt, Lewis, Lukens, Mott, Owens, Rush, Shanahan, Thompson, and Wolfe—28.

Noes—None.

Absent—Senators Bell, Bonnheim, Bonzi, Burnett, Caminetti, Carpenter, Curtin, Finn, Hatch, Hayes, Hurley, Jones, Kelly, Leland, Lyon, Mahoney, Martinelli, Rominger, Strobridge, Tyrrell, Walker, Weed, and Young—25

The roll was called, and Senate Constitutional Amendment No. 40 received adoption by the following vote:

[illegible]

[illegible]

PRESENTATION OF PETITIONS.

The following petitions were considered:

By Senator Stanford: Senate Joint Resolution No. 20—Relative to directing California gun, war, plants, and instructing the Secretary of State to place the proposition of state ownership on the ballot so that the people may be given an opportunity to express their opinion on the matter at the next general election.

Resolution referred to Committee on Federal Relations.

By Senator Boynton: Senate Joint Resolution No. 40—Relative to setting apart a district of land in Shasta County, State of California, as a national park, and memorializing the Congress of the United States to create said national park.

Resolution referred to Committee on Federal Relations.

[illegible]

Senate Bill No. 1[illegible]—An act to protect the soil within the State of California and to prevent the [illegible] or deterioration; to regulate the dredging of soil by means of the dredging process, declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and prohibited use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said application and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this Act and repealing Acts or parts of Acts in conflict herewith.

Read third time on a previous day.

SENATORIAL PARLIAMENT OF THE NIGHT.

At eleven o'clock and fifty minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

SENATORIAL PARLIAMENT OF THE DAWN.

At twelve o'clock and five minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

SENATOR THOMPSON IN THE CHAIR.

At twelve o'clock and twenty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Boynton, the hour of recess was extended for thirty minutes.

BILL REFUSED PASSAGE.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 713 refused passage by the following vote:

AYES—Senators Brown, Carr, Grant, and Kehoe—4.

NOES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Cartwright, Cohn, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Butler, the Senate took up the consideration of Senate Bill No. 652, out of order.

Senate Bill No. 652—An Act to amend an Act entitled, "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending section six thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Rush, as a special committee of one, to amend as follows:

Strike out all of the title and insert in lieu thereof the following: "An Act to amend Section 6 of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery, and adding a new section thereto to be numbered 6a."

AMENDMENT NO. 2.

On page 3, line 2, of the printed bill, after the word "follow", strike out the semicolon and insert in lieu thereof a period.

AMENDMENT NO. 3.

On page 4, line 12, of the printed bill, after the word "practice", strike out the semicolon and insert in lieu thereof a period.

AMENDMENT NO. 4.

On page 4, line 25, of the printed bill, after the words "medical examiners", insert the following: "(for a certificate to practice medicine and surgery)".

AMENDMENT NO. 5.

On page 5, line 24, of the printed bill, strike out all of line 24, and insert in lieu thereof the following: "Division No. 1, Anatomy, Hours 710."

AMENDMENT No. 6.

On page 6, line 46, of the printed bill, after the word "section" insert the word "shall".

AMENDMENT No. 7.

On page 7, line 19, of the printed bill, after the word "section" strike out the semicolon.

AMENDMENT No. 8.

On page 7, line 20, of the printed bill, after the word "who" insert the words "duly" after the word "elected" and strike out the word "shall" and the word "have" in connection and insert a period

Motion carried

REPORT OF SPECIAL COMMITTEE ON BILL

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 493, with instructions to amend, respectfully reports the same back, amended as per instructions.

J. M. ARTZ, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

CONSIDERATION OF BILLS—THIRD READING.

On motion of Senator Artz, the Senate took up the consideration of Senate Bill No. 1766, and it read:

Senate Bill No. 1766—An Act to amend an Act entitled "An Act to provide for the formation, organization and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 11, 1907, and as amended March 8, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Artz moved to refer to Senator Benson, as a special committee of one, to amend as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. An Act entitled "An Act to provide for the formation, organization and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 11, 1907, and as amended March 8, 1909, is hereby amended to read as follows:

Section 1. Any territory more than three miles in width separated from the county to which it may be annexed by a mountain range, or by a county or counties, in the manner set forth in this Act; provided, however, that no such county shall be reduced within said limits by a separation of less than twenty thousand persons nor shall any new county be formed containing a population of less than fifteen thousand nor an area of less than twenty hundred square miles; but such area and the population within the limits of such proposed new county may be less in which case notice of the county proposed to be created, if otherwise entitled to be organized as provided from said petition taking from said petition signers shall be limited for a new proposition of the petition, notice and signatures to the county to consider from which such territory shall be taken, and shall be entitled to a like presentation of the proposition of such county or counties to be presented as hereinafter provided.

Section 2. Whenever it is desired to divide any county or counties from another and form a new county out of a portion of one territory or more than one county or counties, a petition shall be presented to the board of supervisors of the county from which said new county is to be formed, in case said petition is to be formed from not one county, or to the board of supervisors of the county from which the largest

area of territory is proposed to be taken for the formation of such new county. In case said new county is to be formed from the portions of two or more existing counties. Such petition shall be signed by at least sixty-five per cent of the qualified electors residing within the designated boundaries of the proposed new county as set forth in said petition.

A qualified elector, within the meaning of this Act, is one whose name appears on the precinct registers used at the general election held in the county or counties last preceding the presentation of said petition to the board of supervisors as herein provided, and who at the time of signing said petition is a bona fide resident within the designated boundaries of the proposed new county as set forth in said petition. In cases where the proposed new county is to be formed from portions of two or more existing counties, separate petitions shall be presented from each county, and each of said separate petitions shall be signed by at least sixty-five per cent of the qualified electors residing within each part or portion of each county out of which it is proposed to form the new county. Such signatures need not be affixed to one paper, but may be signed to several petitions, but each must be identical in form, and when so signed the several petitions may be fastened together and shall be treated and presented as one petition.

Section 3. Such petition or petitions shall contain:

(*a*) A particular description of the boundaries of the proposed new county to be formed.

(*b*) A statement that no line thereof passes within five miles of the exterior boundary of the city or town in which the county seat of any county proposed to be divided is situated.

(*c*) A statement of the population in such proposed county, as near as may be.

(*d*) A statement of the area in square miles as near as may be in such proposed new county.

(*e*) A statement of the population, as near as may be, remaining in that portion of the county or each of the counties from which such new county is to be established, not included in such proposed new county.

(*f*) A statement of the area in square miles, as near as may be, which will remain in the county or each of said counties from which territory is taken to form such new county, after such new county is formed.

(*g*) The name of the proposed new county.

(*h*) A prayer that such proposed new county be organized into a new county under the provisions of this Act.

Section 4. There shall be attached to and filed with said petition the affidavits of three qualified electors and taxpayers within each county sought to be divided, to the effect that they have read said petition and examined the signatures affixed thereto and that they believe that the statements therein are true and that said petition is signed by at least sixty-five per cent of the qualified electors of the proposed new county, or of the proposed portion thereof taken from each existing county where the proposed new county is to be formed from portions of two or more existing counties; that the signatures affixed thereto are genuine and that each such person so signing was a qualified elector residing within the territory of the proposed new county at the date of such signing. Such petition or petitions so verified, and the certifications thereof, shall be accepted in all proceedings permitted or provided for in this Act, as prima facie evidence of the truth of the matters and facts therein set forth.

Section 5. Upon the filing of such petition and affidavit with the clerk of the said board of supervisors said board shall forthwith fix a date to hear the proof of the said petitioners and of any opponents thereto, which date must not be less than thirty nor more than forty days, subsequent to the filing of such petition with the clerk of said board. Said board of supervisors shall also at the same time designate a newspaper of general circulation published in the old county or each of the old counties, but not within the proposed new county, and also a newspaper of general circulation published within the boundaries of the proposed new county, if there be such, in which the said board shall order and cause to be published at least once a week for two weeks next preceding the date fixed for such hearing, a notice in substantially the following form:

NOTICE.

Notice is hereby given that a petition has been presented to the board of supervisors of _____ county (naming county represented by the board of supervisors with which said petition was filed) praying for the formation of a new county out of a portion of the said _____ county and _____ county (naming the county or counties out of which it is proposed to form the new county), and that said petition will be heard by the said board of supervisors at its place of meeting (designating the city or town and the day and hour of the meeting so to be held) when and where all persons interested therein may appear and oppose the granting of said petition and make any objection thereto.

Dated _____.

By order of the board of supervisors, of _____ county.

By _____, Chairman.

Attest: _____, County Clerk.

two or more existing counties, a certified copy of such election proclamation and notice shall be immediately mailed to the board of supervisors of each county from the territory of which a part of the proposed new county is to be taken. Within two weeks after the receipt of said certified copy each board of supervisors receiving same shall issue a like proclamation and notice of an election to be held on the same specified day for the purpose of determining whether said territory shall be established and organized into a new county.

Section 9. At the same time that the board of supervisors before which the petition for the organization of a new county is pending issues a proclamation and notice of election for the purpose of determining whether such county shall be established and organized into a new county, it shall issue a proclamation and notice of an election to be held on the same day in the territory which is proposed to be taken for the new county for the election of officers and the location of the county seat thereof in the event that the vote at the election called in the county or counties out of which the new county is to be carved shall be in favor of establishing and organizing the said new county.

All qualified electors of the county or counties from which territory is taken to form such proposed new county and who shall have been qualified electors ninety days prior to the date of such election, shall be entitled to vote at such election to determine whether or not such territory shall be established and organized into a new county, and all qualified electors, residing within the territory included within the boundary lines of the proposed new county as established by the board of supervisors, and who are qualified electors of the county or counties from which territory is taken to form such proposed new county, and who shall have been such resident qualified electors ninety days prior to the date of said election, shall be entitled to vote at said election for the election of officers and the location of a county seat therefor. Registration and transfers of registration shall be made and shall close in the manner and at the time provided by law for registration and transfers of registration for a general election in the State of California.

Such proclamation and notice of election to determine whether such county shall be established and organized into a new county shall be published in such county territorially affected at least once a week for three weeks before the holding of such election, in some newspaper of general circulation published in the county or counties out of which it is proposed to take territory for the organization of such new county. Such proclamation and notice shall require the voters to cast ballots which shall contain the words "For the new county of (giving name of the proposed new county)—Yes," and "For the new county of (giving the name of the proposed new county)—No," and each voter desiring to vote for the establishment and organization of said new county shall stamp a cross (X) opposite the words "For the new county of _____—Yes," and each voter desiring to vote against the establishment and organization of said new county shall stamp a cross (X) opposite the words "For the new county of _____—No," in the manner now required by law in other elections.

The board of supervisors before whom the petition for the organization of the new county is pending, shall also issue an election proclamation and notice for the election of officers and the locating of a county seat, which election shall be held only in the territory included within the boundaries of the proposed new county as set forth in the petition. Said election proclamation and notice shall provide for holding the election of officers and for the location of the county seat on the same day and at the same polling places within the territory described in the petition, and at which the election is held to determine whether such territory shall be established and organized into a new county and the same election officers shall serve at both elections. A copy of the election proclamation and notice for the election of officers and the locating of a county seat shall be immediately mailed by the county clerk of the county in which petition is filed to the county clerk of each county from which territory is taken for the proposed new county. Such proclamation and notice shall require the voters to cast ballots which shall contain the words "For county seat" with a blank space left below the words and the voter shall write his choice in said space, and the name so written shall be counted as the voter's choice for county seat whether a cross (X) shall be marked after said name or not, or whether said name shall be written in ink or pencil. And said proclamation shall also contain a statement of the offices to be filled and the officers to be elected to said respective offices in said proposed new county in accordance with the class to which said proposed new county will belong, as determined by the board of supervisors, as herein directed and in the manner provided by law, except as herein otherwise provided.

The proclamation calling for the election of officers and the locating of the county seat shall be made and given exclusively by the board of supervisors with which is filed the petition for the formation and establishment of such new county and such board shall cause the clerk of said county to furnish to the officers of each precinct in said proposed new county, all ballots, poll lists, tally lists, registers for voters' signatures, ballot boxes and other election supplies and equipment necessary to conduct election, and which are not hereinafter specifically directed to be

[illegible] [illegible] [illegible] [

which said new county is determined to belong as herein provided: *provided, also,* that all duly elected, qualified, and acting supervisors residing within the proposed new county at the time of the division of such county into supervisorial districts as hereinbefore in section seven hereof provided, shall hold office of supervisors in said new county for the remainder of the term for which they were elected on qualifying as supervisors for the respective district in which they reside, when said districts are organized as provided in this Act: *provided, also,* that all duly elected, qualified and acting justices of the peace and constables residing within the proposed new county at the time of the division of such county into judicial townships as hereinbefore in section seven hereof provided, shall hold office as such justices of the peace or constables in said county for the remainder of the term for which they were elected on qualifying as justices of the peace or constables for the respective townships in which they reside, when said townships are organized as provided in this Act: *also provided,* that all duly elected, qualified and acting school trustees residing within the proposed new county at the time of the division of such county into school districts as hereinbefore in section seven hereof provided shall hold office as school trustees in said new county for the remainder of the term for which they were elected on qualifying as school trustees for the respective districts in which they reside as said districts are organized as provided by this Act.

Section 13. Each person elected or appointed to fill an office of such new county under the provisions of this Act shall qualify in the manner provided by law for such officers, except as herein otherwise provided, and shall enter upon the discharge of the duties of his office within twenty days after the receipt of the certificate of his election. Each of such officers may take the oath of office before any officer authorized by the law of the State of California to administer oaths, and the bond of any officer from which a bond is required shall be approved by any judge of the superior court of any county from which territory was taken to form such new county. The officers elected or appointed under the provisions of this Act except as herein provided shall each perform the duties and receive the compensation now provided by general law for the office to which he has been appointed or elected in counties of the class to which such new county shall have been determined to belong as herein provided under the general classification of counties in this state.

The sheriff shall receive as compensation for the services required of him by law, or by virtue of his office, the sum of two thousand five hundred (82,500) dollars per annum and all commissions, fees and mileage for the service of papers or process coming from parts other than those of his own county. And there shall be, and there is hereby, created the office of jailor, to be appointed by the sheriff, who shall be paid a salary of one thousand two hundred ($1,200) dollars per annum, said salary to be paid by such county in annual installments at the time and in the manner and out of the same fund as the salaries of county officers are paid.

Section 14. If by reason of the provisions of section thirteen of this Act any vacancies in the offices of supervisors, justices of the peace, constables or school trustees are created in the old county or counties, the vacancies shall be filled as is now provided by general laws for the unexpired terms of such officers respectively, and the board of supervisors of such old county shall redistrict the territory remaining therein into supervisorial districts, and in any of such districts in which none of the remaining supervisors reside, the office of supervisor shall be deemed to be vacant, and supervisors for such district shall be appointed as by general law provided.

Section 15. It shall be the duty of the persons elected to the office of supervisors of said new county to meet at the county seat thereof within five days after all of them shall have qualified, and upon organization of said board of supervisors, it shall notify the governor of the state of the organization of said county, and thereupon it shall be the duty of the governor to appoint three persons, one of whom shall be a resident and taxpayer within the new county, and no two of whom shall be from any one county, the three persons so appointed shall form and be a board of commissioners. Such commissioners shall, within ten days, after the notice of their appointment, meet at the county seat of the new county and organize by electing from their number a chairman, and also elect a secretary who must not be a member of said commission. Thereafter such commission may meet at such place or places as it may select. A majority of said commissioners shall constitute a quorum for the transaction of business. Said commission shall have power to compel by citation and subpoena signed by their president and secretary the attendance of such persons and the production of such books and papers before said commission as may be required in the performance of the duties imposed by this Act except that the official records of any county or counties from which said new county was formed shall in no case be taken from the county seat of said county. It shall be the duty of the sheriff of any county to execute in his county all lawful orders and citations of the said commission, and for any services so performed the sheriff shall be allowed the same fees as are allowed to him for services in civil actions and all witnesses attending before said commission shall be entitled to the same compensation and mileage as are allowed to witnesses in civil actions; *provided,* that no witness shall be excused from attendance at the time and place mentioned in said order or citation by reason of the failure of the officer making such service to tender to such witness his fees and mileage in advance.

been presented to and allowed by the board of supervisors as is provided by law for claims against any county.

Section 18. After the creation of a new county as herein provided its officers shall proceed to complete all proceedings necessary for the assessment or collection of the state and county taxes for the then current year and all acts and steps heretofore taken by the officers of the old county or counties prior to the creation of the new county shall be deemed and taken as having been performed by the officers of the new county for the benefit of the new county; and upon the creation of the new county it shall be the duty of the officers of the old county or counties immediately to execute and deliver to the board of supervisors of such new county copies of all assessments or other proceedings relative to the assessment and collection of the current state and county taxes of property in such new county. Such copies shall be filed with the respective officers of the new county who would have the custody of the same if the proceeding had been originally had in the new county and such certified copies shall be taken and deemed as originals, and original proceedings in the new county, and all proceedings therein recited shall be taken and deemed as original proceedings in the new county, and shall have the same effect as if the proceedings therein stated had been had at the proper time and in the proper manner by the respective officials of the new county, and the officials of the new county are hereby authorized and directed to proceed thenceforth with the assessment and collection of said taxes as if the proceedings originally had in the old county or counties had been originally had in the new county.

Section 19. The superintendent of public schools of the old county or each of the old counties, respectively, shall furnish the superintendent of the public schools of the new county with a certified copy of the average daily attendance during the preceding school term of the different school districts in the territory set apart to form the new county, and draw his warrant on the treasurer of his county in favor of the treasurer in the new county, for all the money that is or may, by any apportionment or otherwise be due from his county to the different school districts embraced in the new county, and the auditor of each old county shall in like manner, respectively, draw his warrant on the treasurer of his county in favor of the treasurer of the new county for all money that is or may, by apportionment or otherwise be due from his county to the different road and supervisorial or district funds, in the territory set apart to form the new county, which said amounts shall be properly credited in both counties. And whenever in the formation of a new county, a road, supervisorial or school district has been divided the board of supervisors shall by resolution direct the treasurer to transfer the proper proportionate amount of the money remaining in the fund of such district to the treasurer of the new county.

Section 20. The board of supervisors of any new county formed as aforesaid must provide suitable books and have transcribed from the records of the old county or counties all such parts thereof as relate to or affect property or the title thereof situate in the new county, and said records when so transcribed and certified as herein provided shall have the same force and effect as such original records; and the compensation for said services shall be fixed and allowed by the board of supervisors of such new county at not to exceed eight cents per folio for transcribing. The recorder of the old county or counties shall compare the books of such transcripts and attach to each volume a certificate under his seal of office of the correctness of the records therein copied, for which service of comparing he shall be entitled to charge not to exceed two cents per folio and for each certificate a sum of not to exceed twenty-five cents.

Section 21. All actions pending in the superior court of the old county, or counties for the recovery of the possession of, quieting the title to or for the enforcement of liens upon, real estate lying in the county shall on motion of any party thereto be transferred to the superior court of the new county, and thereafter shall be subject to the same laws as if said actions had been originally brought in the superior court of the new county. All other actions or special proceeding pending in the superior court or courts of said old county or counties, which might have been commenced in said new county, if said new county had been in existence at the date of the commencing thereof, may, in the discretion of the court in which it is pending and on motion of any party interested therein, be transferred to the superior court of such new county.

Section 22. Whenever in this Act publication of any notice is provided for and no newspaper of general circulation is published within the territory in which said notice is required to be published, notice shall be given by posting copies of such notice in at least ten public places in such territory for the same length of time said notice was required to be published.

Section 23. The territory within the limits of any new county until otherwise provided by law shall constitute and continue a part of the assembly and senatorial districts to which the same belonged prior to such county division.

Section 24. The notaries public of the old county who are residents of the territory embraced in the new county at the date of its creation shall hold their offices until the expiration of their terms and shall be recommissioned as notaries public in and for the new county until the expiration of their terms, and the gov-

error shall from time to time appear, such additional amounts shall be levied in the same county as by said decree required.

Section 25. Any member of any board of supervisors of any county affected who violates any of the provisions of this Act, or fails to perform any duty required upon him under, shall be guilty of a misdemeanor, and of misfeasance in office, and be deprived of his office by the decree of a court of competent jurisdiction after trial and conviction.

Section 26. All Acts or parts of Acts inconsistent herewith are hereby repealed.

REPORT OF SPECIAL COMMITTEE ON LAW

SENATE CHAMBER, SACRAMENTO, May 5, 1931

Mr. President: Your special committee of one, to which was referred Senate Bill No. 1394, has considered the same, respectfully reports that said bill has been amended as per instructions.

STANLY, Committee.

Report read and adopted.

Bill ordered to print and [illegible]

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

REPORT OF PUBLIC HEALTH AND QUARANTINE

SENATE CHAMBER, SACRAMENTO, May 5, 1931

Mr. President: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1000—An Act to authorize the state Board of Health to purchase or produce and distribute [illegible] respectfully reports that said bill has been carefully considered by your committee and recommends that it do pass and be referred to Committee on Finance.

ROSS, Chairman.

Assembly Bill No. 1000 ordered re-referred to Committee on Finance.

ON MUNICIPAL CORPORATIONS

SENATE CHAMBER, SACRAMENTO, May 5, 1931

Mr. President: Your Committee on Municipal Corporations, to which was referred Assembly Constitutional Amendment No. [illegible] respectfully reports that said bill has been carefully considered by your committee and recommends that it do pass.

LEWIS, Chairman.

Assembly Concurrent Resolution No. 34 ordered on file

ON PUBLIC UTILITIES

SENATE CHAMBER, SACRAMENTO, May 6, 1931

Mr. President: Your Committee on Public Utilities, to whom was referred Senate Bill No. 1407—An Act to authorize and license the operation of [illegible] and to provide the terms, conditions and rates [illegible] respectfully reports that the same have been considered, and respectfully recommends that said bill do pass.

HANS, Chairman.

Senate Bill No. 1337 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1931

Mr. President: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 948—An Act to amend Section 464 of the Penal Code of the State of California relating to the possession of undersized fish and [illegible] consideration and respectfully report the same back and recommend that it do pass.

HANS, Chairman.

Assembly Bill No. 948 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 6, 1913

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control subject to the provisions of the Political Code of the State of California and to other laws of said state relative to reclamation districts and repealing all Acts and parts of Acts inconsistent therewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENSON, Chairman.

Assembly Bill No. 1705 ordered on file for second reading.

RECESS.

At one o'clock p.m., on motion of Senator Boynton, the acting President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading file of Assembly bills.

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, strike out all of lines 2 to 4, inclusive, of the title, and in lieu thereof insert the following: "To amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as section two hundred sixty-eight *a*, relating to salaries of officers and employees of the Assembly."

Amendment adopted.

AMENDMENT No. 2.

On pages 1 and 2, strike out all of lines 1 to 17, inclusive, on page 1, and lines 1 to 5, inclusive, on page 2, and in lieu thereof insert the following:

"SECTION 1. The Political Code of the State of California is hereby amended by adding a new section thereto, to be known and numbered as section two hundred sixty-eight *a* and to read as follows:

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of

boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the vacating, leasing and selling of lands and the leasing of space to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts and the construction, maintenance and repair of boulevards within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled "An Act to provide for the formation of boulevard districts and the construction, maintenance and use of boulevards and defining the term boulevard," approved March 22, 1909, and the Act amendatory thereof, approved April 16, 1909" approved May 1, 1911; and pertinent pertaining to the definition of the term boulevard, and use of said boulevards.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1194—An Act to amend Section 1206 of the Political Code, relating to the time of opening and closing the polls.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1459—An Act to amend Section 1205 of the Political Code, relating to ballot cases.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1460—An Act to amend Section 1211 of the Political Code of the State of California, relating to electioneering and secrecy of the ballot.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1461—An Act to amend Section 4454 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1464—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of county and township officers of counties of the twenty-third class.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 79—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1174—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway, to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 2000—An Act authorizing and directing the State Water Commission to examine, or cause to be examined and to report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands, authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to cooperate with the State Water Commission in said

examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

On motion of Senator Thompson, Assembly Bill No. 1433 was passed on file.

Assembly Bill No. 663—An Act to regulate the practice or occupation of steam engineering in the State of California; providing for the registration and licensing of persons to carry on such practice or occupation; providing for a board of examiners and a clerk thereof, to be under the supervision and management of the Commissioner of the Bureau of Labor Statistics; fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners; fixing the fees to be paid by persons authorized to practice under the provisions of this Act; and creating a fund to be kept by the State Treasurer for the purposes of this Act.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 4, of the amended bill, strike out the comma after the word "water".

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 19, after the word "person", insert a comma, and add the following: "except those persons hereinbefore exempted from the provisions of this Act".

Amendment adopted.

AMENDMENT No. 3.

On page 6, line 4, after the word "person", insert a comma and add the following: "except those persons hereinbefore exempted from the provisions of this Act."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 3, after the word "camps", insert the following: "or lumber districts,".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Bill read second time, and ordered on file for third reading.

On motion of Senator Strobridge, Assembly Bill No. 609 was ordered re-referred to the Committee on Finance.

Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 643—An Act creating a state board of forestry, prescribing its power and duties; creating the office of state forester and providing for the appointment and removal of appointment of a proper person thereto and the certification of his qualifications; prescribing the powers and duties of the state forester and fixing his salary; providing for the appointment and removal of appointees of assistant foresters and fixing their duties and salaries; providing for the appointment and removal of appointees of forest rangers and prescribing their duties and basis of compensation; providing for cooperative agreements between the State Board of Forestry and persons, firms, associations, or corporations or any combination or groups of such persons, firms, associations or corporations; declaring certain fires to be public nuisances and requiring them owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the necessary disbursement of all moneys declared by this Act; making the use of the statement of certain moneys a lien upon the land on which said moneys are situated, providing for the filing of and the enforcing of claims for such liens and the recovery of costs pertaining the said liens and satisfaction; providing for the collection of such liens by district attorneys and the compensation of district attorneys therefor; entering the duty of those owning or controlling lands on which liens may have; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "person"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 304 of the Laws of 1903 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the enforcement of this Act.

During second reading of the bill, the following amendments were offered by Senator Kehoe:

Amendment No. 1.

On page 2, of the printed bill, strike out all of Section 2, and insert in lieu thereof the following:

"Section 2. There is hereby created a state board of forestry consisting of [illegible] which shall serve without compensation, to be appointed by the governor, and who shall hold their offices at the pleasure of the governor. The said board shall organize and exercise all [illegible] powers which may now be conferred by law."

Amendment adopted.

Amendment No. 2.

On page 3, line 29, after the word "said", strike out all down to and including the word "Act" in line 34 and insert in lieu thereof the following: "this Act of the powers conferred by the act of the state board of forestry."

Amendment adopted.

Amendment No. 3.

On page 8, line 11, strike out the word "Act" and insert in lieu thereof the word "act".

Amendment adopted.

Bill read second time as amended to ways and third reading.

Assembly Bill No. 1572—An Act to amend Section 4281 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2 of the printed bill, strike out all of lines 11 and 12, and insert in lieu thereof the following: "The assessor sixteen hundred dollars per annum."

Amendment adopted.

AMENDMENT No. 2.

On page 2 of the printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following: "Justices of the peace, one hundred and twenty dollars per annum and such other compensation as may be provided by ordinance of the board of supervisors."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 3, line 4, of the printed bill, after the word "mentioned" and before the word "are", insert the following: "shall be turned over to the county and become the property of the county. All the provisions of this paragraph".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 29, of the printed bill, after the word "salaries", insert the words "of assistant auditors."

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 16, of the printed bill, after the word "provided", strike out the comma, and insert in lieu thereof the word "further," and after said word insert a comma.

Amendment adopted.

AMENDMENT No. 4.

On page 8, lines 9 and 10, of the printed bill, strike out all of Section 3.

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 15, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "seventeen".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the nineteenth class.

During second reading of the bill, the following amendment was offered by the committee:

AMENDMENT No. 1.

On page 2, line 11, of the amended bill, between the words "thousand" and "dollars", insert the words "four hundred".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1152—An Act to amend Section 4342 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

On motion of Senator Thompson, Assembly Bill No. 1152 was passed on file.

REPORT OF STANDING COMMITTEE [NOT TO CHANGE]

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1016—An Act to define and distinguish state highways and state trunk line, to designate routes for certain state trunk line highways, and to provide for the construction, maintenance, and supervision thereof, and to repeal an Act entitled "An Act to provide for the construction, maintenance, and supervision of a system of state highways, and to provide for the expenditure of money therefor, and to provide for the issuance of bonds of the State of California in the sum of forty million dollars to provide funds therefor, and to provide for the submission of this Act to the people of the State of California for their approval or rejection, and making an appropriation therefor," approved November 2, 1910, and all Acts amendatory thereof, have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Assembly Bill No. 1016 ordered re-referred to Committee on Finance.

Assembly Bill No. 1034 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1034—An Act appropriating money for the use of the state highway system known as Route Eleven, Chapter eight, of Statutes of 1909, in the counties of said route, and to amend an Act entitled an Act to provide generally for the construction, maintenance, and supervision of a system of state highways, and to provide for the expenditure of money therefor, and to provide for the issuance of bonds of the State of California in the sum of forty million dollars to provide funds therefor, and to provide for the submission of this Act to the people of the State of California for their approval or rejection, and making an appropriation therefor," approved November 2, 1910, and all Acts amendatory thereof, have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Assembly Bill No. 1034 ordered re-referred to Committee on Finance.

Assembly Bill No. 1026 ordered re-referred to Committee on Finance.

REPORT OF COMMITTEE ON ENROLLMENT.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Enrollment, to which was referred Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling railroad companies to equip their cars with automatic couplers," approved February 27, 1911, by amending Sections 1, 2, 3, 4, 5 and 6 thereof and by adding a new section thereto to be numbered Section 7, respectfully reports that we have met with a like committee of the Assembly consisting of Assemblymen Hinkle, Hayes and Bradford and we report that said engrossed bill has been compared by us, and we recommend that a conference on the disagreements by said bill be appointed.

BIRDSALL,
ZUMWALT,
THOMPSON,
Committee.

COMMITTEE ON FREE CONFERENCE [CHANGED]

The President pro tem announced the appointment of Senators Kehoe, Cartwright, and Boynton as a committee on free conference to meet with a like committee from the Assembly, to consider Senate Bill No. 847.

REPORT OF STANDING COMMITTEE [NOT TO CHANGE]

The following report of a standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1329—An Act [creating and fixing] the duties of [the] Secretary of State [to collect, compile and preserve certain statistics, relating to marriages and divorces and making it the duty of certain officers to furnish said statistics to said Secretary of State, and providing a penalty for the violation thereof, and repealing all Acts or parts of Acts inconsistent herewith], have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Finance.

with the provisions of this Act, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYON, Chairman.

Assembly Bill No. 1329 ordered on file for second reading.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Shanahan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. James Ferguson, of San Francisco.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Jones, the Senate took up the consideration of Assembly Bill No. 1879, out of order.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 32, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

AMENDMENT No. 2.

On page 3, line 1, strike out the word "thirty", and insert in lieu thereof the word "forty".

AMENDMENT No. 3.

On page 3, line 11, after the word "any", strike out the words "cottontail rabbit or any bush rabbit or who at any time hunts, pursues, takes, kills or has in his possession any".

The question being on the adoption of Amendments Nos. 1 and 2.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Senators Birdsall, Boynton, Breed, Caminetti, Finn, Hans, Juilliard, Lyon, and Wright—9.

NOES—Senators Anderson, Avey, Benson, Brown, Butler, Carr, Cohn, Flint, Gates, Gerdes, Grant, Jones, Owens, Rush, Shanahan, Strobridge, and Thompson—17.

The question being on the adoption of Amendment No. 3.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Senator Campbell moved that the Senate take up the consideration of appropriation and county government bills on the Assembly third-reading file, out of order.

Motion carried.

Assembly Bill No. 410—An Act to amend Section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 413 passed by the following vote:

Ayes—Senators Anderson, Boynton, Brown, Burnett, Chandler, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerdine, Gibson, Hans, Inman, Irwin, Kehoe, Leale, Lee, Mott, Owens, Rush, Saunders, Stetson, Strobridge, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1054. An Act to increase the number of judges of the Superior Court of the State of California in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

Time, three o'clock and five minutes p. m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Boynton, Brown, Burnett, Chandler, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerdine, Gibson, Hans, Inman, Irwin, Kehoe, Leale, Lee, Mott, Owens, Rush, Saunders, Strobridge, Thompson, and Wright.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and twenty minutes p. m. Senators Avey, Finlay and Benson were brought to the bar of the Senate, and on motion of Senator Anderson, they were excused for absence from the Senate chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twelve minutes p. m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Anderson.

The roll of absentees was called, and Assembly Bill No. 413 passed by the following vote:

Ayes—Senators Anderson, Avey, Finlay, Benson, Boynton, Brown, Burnett, Chandler, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerdine, Gibson, Hans, Inman, Irwin, Kehoe, Leale, Lee, Mott, Owens, Rush, Saunders, Strobridge, Thompson, and Wright—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1095—An Act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School; to change the name of the Whittier State School to "California Trades School," to pro-

...ation and improve a lot and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school, and to provide for the purchase of furniture, fixtures and apparatus for said school.

[illegible]

Section 4 setting forth the urgency clause read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators [illegible]—28

Noes—None.

The question being upon the passage of the bill.

The roll was called and Assembly Bill No. 1391 passed by the following vote:

Ayes—Senators Anderson, Ayer, Boynton, Burnett, Byrd, Butler, Campbell, Chandler, Cogswell, Cutten, Finck, Flint, Gates, Gerdes, Hayes, Hewitt, Jones, Kehoe, Leib, Main, Owens, Reed, Stanford, Strobridge, Tyrrell and Wright—28

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1410—An act to repeal an act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphans, half-orphans, abandoned children, and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings and to make the necessary appropriation, therefor," approved April 14, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1410 passed by the following vote:

Ayes—Senators Anderson, Ayer, Boynton, Burnett, Byrd, Butler, Campbell, Chandler, Cogswell, Cutten, Finck, Flint, Gates, Gerdes, Hayes, Hewitt, Jones, Kehoe, Leib, Main, Owens, Reed, Stanford, Strobridge, Tyrrell, and Wright—28

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1406—An act to provide for the issuance and sale of state bonds, to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes, and to create a

sinking fund for the payment of said bonds, and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Read third time.

The question being upon the passage of the bill.

The roll was called, and Assembly Bill No. 1694 passed by the following vote:

Ayes—Senators Anderson, Attig, Benson, Bonelli, Breed, Brown, Butler, Campbell, Carpenter, Carr, Chapman, Cobey, Finn, Flint, Garrison, Gerdes, Gerrard, Jones, Kelliher, Kelly, Lyon, Mott, Nichols, Reed, Sanford, Wyckoff, Thompson and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1720—An Act to provide for the towns of the San Joaquin River Delta Section.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1720 passed by the following vote:

Ayes—Senators Anderson, Attig, Benson, Bonelli, Breed, Brown, Butler, Campbell, Carpenter, Carr, Chapman, Cobey, Finn, Flint, Garrison, Gerdes, Gerrard, Jones, Kelliher, Kelly, Lyon, Mott, Nichols, Reed, Sanford, Wyckoff, Thompson and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR

At three o'clock and twenty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(CONTINUED)

Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California, and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservation of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2045 passed by the following vote:

Ayes—Senators Attig, Benson, Bonelli, Breed, Brown, Butler, Campbell, Campbell, Carr, Chapman, Cobey, Finn, Flint, Garrison, Gerdes, Gerrard, Jones, Kelliher, Lyon, Mott, Nichols, Reed, Sanford, Wyckoff, Thompson and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the state or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 777 passed by the following vote:

AYES—Senators Avey, Benson, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark and Henery Construction Company against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Avey, Benson, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—27.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 778 passed by the following vote:

AYES—Senators Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brand, Brown, Bunger, Burnett, Campbell, Carr, Caminetti, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hans, Harris, Johnson, Jeffreys, Kehoe, Lyon, Main, Owens, Rush, Saunders, Stockwell, Thompson and Wright—30.

Noes—None.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 739 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brand, Brown, Bunger, Burnett, Campbell, Carr, Caminetti, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hans, Harris, Johnson, Jeffreys, Kehoe, Lyon, Main, Owens, Rush, Saunders, Stockwell, Thompson and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brand, Brown, Bunger, Burnett, Campbell, Carr, Caminetti, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hans, Harris, Johnson, Jeffreys, Kehoe, Lyon, Main, Owens, Rush, Saunders, Stockwell, Thompson and Wright—30.

Noes—None.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 780 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brand, Brown, Bunger, Burnett, Campbell, Carr, Caminetti, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hans, Harris, Johnson, Jeffreys, Kehoe, Lyon, Main, Owens, Rush, Saunders, Stockwell, Thompson and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 781—An Act to appropriate money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brand, Brown, Bunger, Burnett, Campbell, Carr, Caminetti, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hans, Harris, Johnson, Jeffreys, Kehoe, Lyon, Main, Owens, Rush, Saunders, Stockwell, Thompson and Wright—30.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 781 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—27.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 783 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of a state hospital near the city of Los Angeles, for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1325 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 403, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Burnett, Campbell, Caminetti, Cartwright, Chamberlain, Cogswell, Cutten, Finn, Flint, Gaffey, Gerdes, Gleason, Hatfield, Kehoe, Lanktree, Lyon, Main, Owens, Rush, Stanford, Strobridge, Thompson and Wright—28.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 784 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Burnett, Campbell, Caminetti, Cartwright, Chamberlain, Cogswell, Cutten, Finn, Flint, Gaffey, Gerdes, Gleason, Hatfield, Kehoe, Lanktree, Lyon, Main, Owens, Rush, Stanford, Strobridge, Thompson and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 93, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Burnett, Campbell, Caminetti, Cartwright, Chamberlain, Cogswell, Cutten, Finn, Flint, Gaffey, Gerdes, Gleason, Hatfield, Kehoe, Lanktree, Lyon, Main, Owens, Rush, Stanford, Strobridge, Thompson and Wright—28.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 785 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Burnett, Campbell, Caminetti, Cartwright, Chamberlain, Cogswell, Cutten, Finn, Flint, Gaffey, Gerdes, Gleason, Hatfield, Kehoe, Lanktree, Lyon, Main, Owens, Rush, Stanford, Strobridge, Thompson and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 787 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—29.
NOES—None

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes of 1907, for searching for beneficial insects.

Read third time.

Section 5, setting worth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—30.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 788 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 536 passed by the following vote:

AYES—Senators Anderson, Avey, Breed, Brown, Bryant, Caminetti, Campbell, Cogswell, Flint, Gates, Gerdes, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—24.
NOES—Senator Carr—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 550. An Act to amend Section 4361 of the Political Code of the State of California, relating to county and township officers in counties of the fifty-seventh class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 550 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Bryant, Cartwright, Carr, Caminetti, Finn, Gerdes, Gerlach, Hans, Lewis, Johnson, Kehoe, Mac Gavin, Main, Stetson, Strobridge, Thompson and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 990—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1901, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the salaries and expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 3, 1897, also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commission of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges and appliances therefor, to improve and modify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a deputy commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1899, and all Acts or parts of Acts amendatory thereof, also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of said commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof" approved March 11, 1907, and all Acts or parts of Acts amendatory thereof by amending Sections 5, 6, 7, 9, 17 and 19 thereof, and by adding three new sections to be numbered Sections 9a, 9b and 9c,

relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor, and repealing Section 1½ of said Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 930 passed by the following vote:

AYES—Senators Anderson, Avey, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California relating to salaries and fees of officers in counties of the fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1291 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 20 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code relating to salaries of officers of counties of the forty-second class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 318 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cohn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Owens, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 496—An Act to amend Section 4202 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Read third time.

The question being on the passage of the bill

The roll was called and Assembly Bill No. 496 passed by the following vote:

Ayes—Senators Ayer, Bates, Benson, Brink, Broden, Brusie, Burnett, Campbell, Carr, Chipman, Cohn, Finn, Gerdes, Gesmer, Hans Hansen, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Saunders, Stephens, Thompson, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 576—An Act to amend Section 4201 of the Political Code of the state of California, relating to salaries and fees of officers in counties of the fifteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 576 passed by the following vote:

Ayes—Senators Ayer, Bates, Benson, Brusie, Burnett, Campbell, Carr, Chipman, Cohn, Finn, Gerdes, Gesmer, Hans Hansen, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Saunders, Stephens, Thompson, and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 756—An Act to amend Section 4204 of the Political Code, relating to salaries and fees of officers of counties of the twenty-sixth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 756 passed by the following vote:

Ayes—Senators Ayer, Benson, Brown, Burnett, Butler, Campbell, Carr, Chipman, Cohn, Finn, Gerdes, Gesmer, Hans Hansen, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Saunders, Stephens, Thompson, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 766—An Act to amend Section 4250 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 766 passed by the following vote:

Ayes—Senators Ayer, Bates, Benson, Brusie, Burnett, Campbell, Carr, Chipman, Cohn, Finn, Gerdes, Gesmer, Hans Hansen, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Saunders, Stephens, Thompson, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Senators Avey, Beban, Boynton, Bryant, Butler, Caminetti, Carr, Cogswell, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and ten minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 464 passed by the following vote:

AYES—Senators Avey, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 909—An Act to amend Section 4285 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 909 passed by the following vote:

AYES—Senators Avey, Beban, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1111—An Act to amend Section 428½ of the Political Code, relating to the salaries and compensation of officers of counties of the fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1111 passed by the following vote:

Ayes—Senators Ayer, Bolger, Bonnet, Boynton, Brandt, Breed, Brown, Burnett, Caminetti, Campbell, Cary, Chipman, Cline, Finn, Flint, Gaddis, Gerdes, Hans, Hoeg, Inman, Jacobsen, Kehoe, Jackson, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson and Wright—33.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 540 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bolger, Bonnet, Boynton, Brandt, Breed, Brown, Burnett, Caminetti, Campbell, Cary, Chipman, Cline, Finn, Flint, Gaddis, Gerdes, Hans, Hoeg, Inman, Jacobsen, Kehoe, Jackson, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2098 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bolger, Bonnet, Brandt, Breed, Brown, Burnett, Caminetti, Campbell, Cary, Chipman, Cline, Finn, Flint, Gaddis, Gerdes, Hans, Hoeg, Inman, Jacobsen, Kehoe, Jackson, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 884—An Act appropriating money for building a horse barn, a stone barn, a pavilion and other farm buildings at the California Polytechnic School.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 884 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bolger, Bonnet, Boynton, Brandt, Breed, Brown, Burnett, Caminetti, Campbell, Cary, Chipman, Cline, Finn, Flint, Gaddis, Gerdes, Hans, Hoeg,

Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—30.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Campbell asked and was granted unanimous consent to withdraw Senate Bill No. 67—An Act appropriating money for building a horse barn, swine barn, a pavilion and other farm buildings at the California Polytechnic School.
Senate Bill No. 67 withdrawn, and ordered stricken from the file.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California, and making an appropriation therefor.
Read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 218 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Owens, Rush, Shanahan, Strobridge, Thompson, and Wright—29.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purchase of playground equipment for the Los Angeles State Normal School.
Read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 266 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Shanahan, Strobridge, Thompson, and Wright—31.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.
Read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 839 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Grant, Hans,

Hewitt, Jones, Juilliard, Kehoe, Lawson, Linn, Mott, Owens, Reed, Simpson, Stevenson, Thompson and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1977—An Act to appropriate the sum of $302 to pay the claims of the State Board of Health.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1977 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Burke, Caminetti, Campbell, Cha, Chamberlain, Cogswell, Elsas, Finn, Flint, Gaffey, Gerdes, Harris, Harrold, Hewitt, Jones, Juilliard, Kehoe, Lawson, Linn, Mott, Owens, Reed, Simpson, Stevenson, Thompson and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

At four o'clock and twenty minutes p.m. Senator Stevens of the Twenty-seventh District in the chair.

[illegible]

Assembly Bill No. 2021—An Act [illegible] to pay the claims of Associated Contracting Company, a corporation, against the State of California.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of the bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Burke, Caminetti, Campbell, Cha, Chamberlain, Cogswell, Elsas, Finn, Flint, Gaffey, Gerdes, Harris, Harrold, Hewitt, Jones, Juilliard, Kehoe, Lawson, Linn, Mott, Owens, Reed, Simpson, Stevenson, Thompson and Wright—30.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2021 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Burnett, Burke, Caminetti, Campbell, Cha, Chamberlain, Cogswell, Elsas, Finn, Flint, Gaffey, Gerdes, Harris, Harrold, Hewitt, Jones, Juilliard, Kehoe, Lawson, Linn, Mott, Owens, Reed, Simpson, Stevenson, Thompson and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Mr. Frederick Madden.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1180 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol building.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1323 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

In Section 2, line 6, after the word "for", insert the word "usual".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1376, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg; appointing a commission in connection therewith, and making an appropriation therefor.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

In Section 6, line 27, after the word "the", insert the word "usual".

Motion carried.

REPORT OF ENROLLING COMMITTEE ON SAC.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your enrolling committee of one on whom was referred Assembly Bill No. 1003, has had the same under consideration, and reports that the same has been correctly enrolled, and that it is now ready for the action of the Governor.

THOMAS F. CAMPBELL, Chairman.

Report read and adopted.

Bill ordered so printed.

Assembly Bill No. 891—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 891 passed by the following vote:

AYES—Senators Anderson, Avey, Boden, Bolasco, Breed, Brown, Bryant, Burnett, Campbell, Chan, Chipman, Cogswell, Cutler, Flint, Gerdes, Green, Hans, Hewitt, Inman, Juilliard, Kehoe, Leake, Lewis, Main, Mitchell, Rominger, Sanford, Shanahan, Stephens, Thompson, Tyrrell and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 891—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 891 passed by the following vote:

AYES—Senators Anderson, Avey, Boden, Bolasco, Breed, Brown, Bryant, Burnett, Campbell, Chan, Chipman, Cogswell, Cutler, Flint, Gerdes, Green, Hans, Hewitt, Inman, Juilliard, Kehoe, Leake, Lewis, Main, Mitchell, Rominger, Sanford, Shanahan, Stephens, Thompson, Tyrrell and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM BOYNTON IN THE CHAIR.

At four o'clock and thirty-five minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(CONTINUED).

Assembly Bill No. 892—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 892 passed by the following vote:

AYES—Senators Anderson, Avey, Boden, Bolasco, Breed, Brown, Bryant, Burnett, Campbell, Chan, Chipman, Cogswell, Cutler, Flint, Gerdes, Green, Hans, Hewitt, Inman, Juilliard, Kehoe, Leake, Lewis, Main, Mitchell, Rominger, Sanford, Shanahan, Stephens, Thompson, Tyrrell and Wright—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewerage from the State Fair grounds in the city of Sacramento.

Read third time.

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Haas, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 393 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Haas, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 790 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Flint, Gerdes, Grant, Haas, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 791 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Haas, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 792 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bates, Beamer, Boynton, Breed, Brown, Campbell, Cash, Caygill, Colas, Flint, Gaines, Gerdes, Hans, Hewitt, Hubbard, Kehoe, Lawson, Leale, Mott, Owens, Rush, Stanford, Stetson, Strobridge, Thompson, and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT WARREN IN THE CHAIR.

At four o'clock and forty minutes p.m., Lieutenant-Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF BILLS—CONCURRED.

Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 794 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bates, Beamer, Boynton, Breed, Brown, Butler, Campbell, Campbell, Cash, Caygill, Colas, Flint, Gaines, Hans, Hewitt, Hubbard, Kehoe, Lawson, Leale, Mott, Owens, Rush, Stanford, Stetson, Strobridge, Thompson, and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 795—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 795 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bates, Beamer, Boynton, Breed, Brown, Campbell, Cash, Caygill, Colas, Flint, Gaines, Hans, Hewitt, Hubbard, Kehoe, Lawson, Leale, Mott, Owens, Rush, Stanford, Stetson, Strobridge, Thompson, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 788—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 788 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bates, Beamer, Boynton, Breed, Brown, Butler, Campbell, Campbell, Cash, Caygill, Colas, Flint, Gaines, Hans, Hewitt, Hubbard, Kehoe, Lawson, Leale, Mott, Owens, Rush, Stanford, Stetson, Strobridge, Thompson, and Wright—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2063 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno, and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics, and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expenses thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 530 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 488 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Butler, Caminetti, Carr, Cogswell, Flint, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code, relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks and assistants and their compensation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 594 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Bonnheim, Boynton, Brown, Burnett, Campbell, Chandler, Chapman, Chrisman, Cogswell, Cutten, Curtin, Dennett, Flint, Gerdes, Gerlach, Gerrigues, Gesford, Hare, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Jones, Judson, Kehoe, Lanagan, Lee, Leeds, Lewis, Lyon, Mahan, Mathews, Mayo, Merrill, Miller, Nelson, Owens, Peck, Pendleton, Rader, Rains, Rigdon, Roseberry, Rush, Sanford, Shanahan, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wallrich, Wehe, Welch, Wolfe, Wyllie and Young—80.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 111—An Act appropriating $1,000 for the completing of the restoration and rebuilding of the Mission San Francisco Solano of the city of Sonoma, California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 111 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Bonnheim, Boynton, Brown, Burnett, Campbell, Chandler, Chapman, Chrisman, Cogswell, Cutten, Curtin, Dennett, Flint, Gerdes, Gerlach, Gerrigues, Gesford, Hare, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Jones, Judson, Kehoe, Lanagan, Lee, Leeds, Lewis, Lyon, Mahan, Mathews, Mayo, Merrill, Miller, Nelson, Owens, Peck, Pendleton, Rader, Rains, Rigdon, Roseberry, Rush, Sanford, Shanahan, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wallrich, Wehe, Welch, Wolfe, Wyllie and Young—80.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1046—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1046 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Bonnheim, Boynton, Brown, Burnett, Campbell, Chandler, Chapman, Chrisman, Cogswell, Cutten, Curtin, Dennett, Flint, Gerdes, Gerlach, Gerrigues, Gesford, Hare, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Jones, Judson, Kehoe, Lanagan, Lee, Leeds, Lewis, Lyon, Mahan, Mathews, Mayo, Merrill, Miller, Nelson, Owens, Peck, Pendleton, Rader, Rains, Rigdon, Roseberry, Rush, Sanford, Shanahan, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wallrich, Wehe, Welch, Wolfe, Wyllie and Young—80.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1408—An Act appropriating the sum of $8,811.79 out of the general fund in the state treasury to pay the assessments levied by the city and county of San Francisco against property belonging to the State of California, for local improvements.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1408 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Bonnheim, Boynton, Brown, Burnett, Campbell, Chandler, Chapman, Chrisman, Cogswell, Cutten, Curtin, Dennett, Flint, Gerdes, Gerlach, Gerrigues, Gesford, Hare, Harris, Harrison, Hatch, Hayes, Hewitt, Holohan, Inman, Jones, Judson, Kehoe, Lanagan, Lee, Leeds, Lewis, Lyon, Mahan, Mathews, Mayo, Merrill, Miller, Nelson, Owens, Peck, Pendleton, Rader, Rains, Rigdon, Roseberry, Rush, Sanford, Shanahan, Shortridge, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wallrich, Wehe, Welch, Wolfe, Wyllie and Young—80.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer county, to Nevada City, in Nevada County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1541 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid for such employees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1279 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Juilliard, Kehoe, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to Assembly.

Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants and the salaries of the deputy and assistants.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1379 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White, in the prosecution of criminals in the county of Trinity, State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1294 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Grant,

Hewitt, Jones, Juilliard, Kehoe, Lane, Mott, Owens, Rush, Sanford, Scott, Shortridge, Thompson, Tyrrell and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1644—An Act appropriating money to pay the claim of James B. Graham against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1644 passed by the following vote:

Ayes—Simpson, Anderson, Ayer, Benson, Boynton, Breed, Brown, Bunner, Burnett, Caminetti, Cassidy, Cate, Chipman, Cohn, Dale, Flint, Gaffey, Gerdes, Gibson, Hewitt, Jones, Juilliard, Kehoe, Lane, Mott, Owens, Rush, Sanford, Shortridge, Thompson, Tyrrell and Wright—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2858—An Act to repeal section four of an Act entitled "An Act to prevent the taking of fish by means of seines, drag-nets, traps or screens in certain fish waters on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2858 passed by the following vote:

Ayes—Simpson, Anderson, Ayer, Dickey, Benson, Boynton, Breed, Brown, Bunner, Burnett, Caminetti, Cassidy, Cate, Chipman, Cohn, Dale, Flint, Gaffey, Gerdes, Gibson, Hewitt, Jones, Juilliard, Kehoe, Lane, Mott, Owens, Rush, Sanford, Shortridge, Thompson, and Tyrrell—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONFIRMATION OF GUBERNATORIAL APPOINTEES.

The President announced the appointments of Senators Cassidy, Gerdes and Cohn as a committee to confer with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 26.

THIRD READING OF BILLS.

ASSEMBLY CONCURRENT RESOLUTION NO. 32.

Authorizing a certain amendment to the charter of the city of San Bernardino by the people of San Bernardino, State of California, which has been ratified by two-thirds electors of said city of San Bernardino at a special municipal election held therein on the 15th day of April, 1913.

Whereas, At the said municipal election held on the 15th day of San Bernardino, State of California, one of the electors of said city of San Bernardino, to the charter of said city of San Bernardino, submitted to the qualified electors of said city on the 26th day of April, A. D. 1913.

PREAMBLE.

Be it known, that

Whereas, The city of San Bernardino, in the county of San Bernardino, State of California, has at all times heretofore been and now is a municipal corporation of said State of California, containing a population of more than thirty-five hundred (3500) inhabitants, and is now and has been for more than the 5th day of

February, 1905, organized and existing and acting under a freeholders' charter adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 6th day of January, 1905, and approved by the legislature of the State of California, on the 8th day of February, 1905 (Stats. 1905, page 940, *et seq.*); and

WHEREAS, The mayor and common council of said city of San Bernardino did by resolution designated as "Resolution No. 593" adopted by said mayor and common council on the 17th day of March, 1913, and approved by the mayor of said city on the 17th day of March, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of San Bernardino a certain amendment, hereinafter set forth, to the charter of said city to be submitted to said qualified electors at a special municipal election to be held in said city on the 18th day of April, 1913; and

WHEREAS, Said resolution and said certain proposed amendment hereinafter set forth was published for ten (10) times in a daily newspaper, printed and published in said city and of general circulation therein, to wit: in the San Bernardino *Daily Sun*, said publication ending on the 28th day of March, 1913; and

WHEREAS, Thereafter the mayor and common council of said city did by an ordinance designated "Ordinance No. 516" which was duly passed and adopted on the 17th day of March, 1913, and approved by the mayor of said city on said last mentioned date, call and order the holding of a special municipal election in the city of San Bernardino on the 18th day of April, 1913, which said last mentioned date was at least twenty (20) days and not more than forty (40) days after the completion of the publication of such resolution and proposed amendment to said charter for ten (10) times in said San Bernardino *Daily Sun*, a daily newspaper of general circulation, printed, published and circulated in said city, and which said ordinance calling such special election specified and ordered and ordained that said proposed amendment be submitted to the qualified electors of said city at said special election for ratification or rejection, and designated the time of such election and established election precincts, and designated the polling places therein, and the names of the election officers for each such precinct, and which said ordinance was published five (5) times in said San Bernardino *Daily Sun*, the last date of such publication being on the 23d day of March, 1913, and which said ordinance was approved by the mayor of said city on the 17th day of March, 1913; and

WHEREAS, Said amendment was duly submitted to the qualified electors of said city of San Bernardino at said special election held on said 18th day of April, 1913, which said special election was held not less than twenty (20) days nor more than forty (40) days after the completion of the publication of such proposal for ten (10) times in said daily newspaper; and

WHEREAS, In and by said ordinance and said resolution so passed, approved and published as aforesaid, said proposed amendment was submitted to the qualified electors of said city at said special municipal election; and

WHEREAS, On the 21st day of April, 1913, at a meeting of said mayor and common council of said city of San Bernardino, duly convened in accordance with law and with the provisions of said charter of said city, said mayor and common council of said city of San Bernardino did duly and regularly canvass the returns of said special municipal election so held on the 18th day of April, 1913, and did find thereupon that said special proposed amendment to said charter, hereinafter particularly set forth, was duly ratified by the majority of the electors voting thereon; and

WHEREAS, Said mayor and common council after canvassing said returns and at said meeting so held as aforesaid, after said canvass, did duly find and declare that said proposed amendment had been ratified and adopted by the majority of the electors voting thereon; and

WHEREAS, Said amendment so ratified by the electors of said city of San Bernardino at said special municipal election held on the said 18th day of April, 1913, is now submitted to the legislature of the State of California for approval or rejection, as a whole, without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, No other proposed amendment to said charter had been submitted to the electors of said city of San Bernardino within two (2) years immediately prior to said 18th day of April, 1913;

Now, therefore, the undersigned, J. S. Bright, the mayor and chief executive of the city of San Bernardino, and S. G. Batchelor, city clerk and clerk of the mayor and common council of said city, authenticating their signatures with the official seal of said city, do hereby certify, that said amendment to said charter of said city so ratified by the majority of the electors voting thereon at said special municipal election, held on the 18th day of April, 1913, as submitted to said electors is in the words and figures as follows, and is and shall, if so approved by said legislature, be in the words and figures following, to wit:

It is hereby proposed that Section 131 of the charter of said city be amended so as to read as follows:

Section 131. Whenever the board and common council shall, by ordinance or resolution, determine that the public interest or necessity demands the prosecution, construction or completion of any municipal improvement, the cost of which will be too great to be paid out of the ordinary annual income and revenue of the city, they are hereby given the power and authority to issue a special bonding and interest bearing evidence of the city, for the purpose of paying the cost of such improvement, or any portion thereof, which bonds shall be payable out of the special fund or funds provided for the payment of

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. A new section is hereby added to the Code of Civil Procedure of the State of California, to be designated as section sixteen hundred and ninety, to read as follows:

1690. When any person, owning property in this state, absents himself from the state or from the place of his last domicile therein, and conceals his whereabouts from his family and relatives for a period of seven years, or fails for a period of seven consecutive years to communicate with his family or any of his relatives residing in the county where his property or some part thereof is situated, a petition, setting forth such facts, and praying for the issuance of letters of administration upon his estate, may be filed in the superior court of any county where such property is situated, by any person who would be entitled to administer upon such absentee's estate if he were known to be dead. The court shall prescribe a notice to be given to such absentee, and order the same to be published in a newspaper published in said county, to be designated by the court, once each week, for eight weeks; proof of the publication of which, in the manner, and for the time ordered, shall, at the expiration of said period and before or at the hearing of said petition, be filed in said court. Upon the hearing of the petition, if the absentee does not appear, and the court is satisfied from the evidence presented, that the legal presumption of death is made out, the court shall so decree, and shall order that letters of administration, upon the estate of said absentee shall issue as though he were known to be dead, and the person to whom the letters of administration are granted, shall proceed to administer upon and dispose of the estate of said absentee in the same manner that administrators are required to dispose of and administer the estates of decedents; and the said letters of administration, until revoked, and all acts done in pursuance thereof and in reliance thereupon, by or on behalf of all persons who in good faith and for value acted upon the presumption of death herein mentioned, shall be as valid as if the absentee were really dead; and shall be conclusive as to him and those claiming under him; *provided, however*, that if at any time during such administration of said estate evidence that the said absentee is still living shall be presented to the court, the court shall thereupon suspend further proceedings in said administration until it shall be satisfied that the evidence in this proviso mentioned is unfounded; but, if from said evidence the court is satisfied that said absentee is still living, it shall make its order suspending all further proceedings in the administration of said estate."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 372, with instructions to amend, respectfully reports the same back, amended as per instructions.

CURTIN, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco

harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad spurs, breakwaters, and appurtenances and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of $5,000 for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

On page 2, line 8, after the words "to the" insert the word "State".

Amendment adopted.

AMENDMENT No. 2

On page 3, line 26, after the comma following "Williams", insert the words "including any bonds authorized, issued and purchased, and under authority of this Act".

Amendment adopted.

AMENDMENT No. 3

On page 4, line 26, after the period following the word "Act", insert the words "The state controller may call [illegible] bonds authorized and issued under authority of this Act with moneys in said sinking fund as have been [illegible]".

Amendment adopted.

AMENDMENT No. 4

On page 6, line 24, after the second [illegible] "moneys" insert in words "in the sinking fund [illegible] moneys appears to said sinking fund as the proceeds of [illegible] issued and [illegible] under provisions of this Act, then at the time in the section provided for the drawing of bonds to be paid [illegible] moneys [illegible]. The state treasurer shall attach and affix his official seal to said [illegible] bonds and coupons issued and sold under provisions of this Act and the moneys so [illegible] [illegible] of the bonds shall constitute the amount for the payment of said bonds".

Amendment adopted.

AMENDMENT No. 5

On page 8, line 20, after the comma following the word "bonds" insert the words "authorized, issued and sold under provisions of this Act".

Amendment adopted.

Bill read second time and ordered to print, engrossed, and third reading.

Senate Bill No. 207.—An Act to amend the Penal Code by adding a new chapter to Title IX of Part 1 thereof, to prohibit one day in the week as a day of rest, and to promote health, morals and public welfare.

During second reading of the bill, the following amendment was offered by the committee:

On pages 1, 2, 3 & 4, [illegible] [illegible] [illegible]

of electric current, light, heat, air, water, gas, or motive power, or to the operation of any public utility which the public welfare requires should be kept in daily operation; (f) to any work which the railroad commission of this state, having due regard to this Act to provide for a weekly rest day, may permit in connection with the traffic or conduct of any public utility within its jurisdiction; *provided, however*, that employees engaged in works as enumerated in the above provisions lettered (b) to (e) inclusive, may be employed without restriction as to the number of days, but not so as to exceed fifty-six hours while working during seven consecutive days, except as permitted by this Act.

300. Every employer of labor shall keep a time book showing the names and addresses of all his employees, the number of hours worked by each of them, and the day allowed each one for rest, and said book shall be open to inspection by any person whose duty it is made to enforce this Act.

301. The commissioner of the bureau of labor statistics and his deputies are hereby authorized, empowered and directed to enforce the provisions of this Act. And it is also declared to be the special duty of all magistrates, district attorneys and peace officers to enforce said provisions.

301*a*. Any person, firm, association, or corporation that violates any provision of this Act, is guilty of a misdemeanor and, upon conviction thereof, said offender shall be fined not less than ten dollars nor more than two hundred dollars, or be imprisoned in the county jail not to exceed thirty days and upon each subsequent conviction, both said fine and imprisonment may be imposed; except, however, in case of corporations, the imprisonment when imposed shall be imposed upon all officers or agents thereof in this state committing such offense or causing the same to be committed.

301*b*. Nothing in this Act shall be construed to repeal or limit an Act entitled "An Act limiting the hours of labor to females, etc.," approved March 22, 1911, or Acts amendatory thereof.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

BILL RE-REFERRED.

On motion of Senator Strobridge, Senate Bill No. 207 was ordered re-referred to Committee on Finance.

Senate Bill No. 1386—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto to be known as Sections 3*a* and 3*b*, relating to the investigation of the conditions and causes for pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend title of printed bill by striking out all after the words "An Act", and inserting in lieu thereof the following words: "to provide through the state board of charities and corrections for the investigation of the conditions and causes of insanity, vice and crime in this state, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals, and making an appropriation therefor."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all between the words "Section 1.", in line 1, page 1, and the word "is", in line 6, page 1, and insert in lieu thereof the following: "The state board of charities and corrections".

Amendment adopted.

AMENDMENT No. 3.

In line 8, page 1, strike out the words "all of the improvements" and insert in lieu thereof the following: "testimony of the investigators"

Amendment adopted.

AMENDMENT No. 4.

In lines 7 and 8, page 3, amend by striking out the words "(monthly, during session), (semi-monthly, when not in session)" and insert in lieu thereof the following: "(semi-monthly, when practicable)"

Amendment adopted.

AMENDMENT No. 5.

In lines 13, 14 and 15, of page 3, amend by striking out the words "of investigation", on lines 14 and 15, and the word "which" in line 15 and insert in lieu thereof the following: "and the amount of money necessary to be appropriated shall be stated in the bill or bills for such investigations as near as possible within the meaning of this Act, but shall in no event exceed in the aggregate the sum of ten thousand dollars"

Amendment adopted.

AMENDMENT No. 6.

In line 16 page 3, amend by striking out the words "certain, and will commence about the", and insert in lieu thereof the following: "year. And said investigations are"

Amendment adopted.

AMENDMENT No. 7.

In line 21, page 3, amend by striking out the words "which names it and shall" and insert in lieu thereof the following: "creating agencies of state and other public boards"

Amendment adopted.

AMENDMENT No. 8.

In line 28, page 3, after the word "Governor", insert the words "of the governor and"

Amendment adopted.

AMENDMENT No. 9.

In lines 28 and 29, page 3, strike out the word "commissioner", and insert in lieu thereof the word "investigator"

Amendment adopted.

AMENDMENT No. 10.

Amend by striking out all between the figure "2", in line 34, page 3, and the words "a sum", line 1, page 4, and inserting "of"

Amendment adopted.

AMENDMENT No. 11.

In line 2, on page 4, amend by striking out the words "ninety-seven hundred and fifty", and inserting in lieu thereof the following: "seven thousand five hundred"

Amendment adopted.

AMENDMENT No. 12.

In line 3, page 4, amend by striking out "until verified", and inserting in lieu thereof the words "thus and"

Amendment adopted.

AMENDMENT No. 13.

Amend by striking out all between the words "until", in line 6, page 4, and the word "shall", on line 12, and inserting in lieu thereof the following: "investigations, one of which shall relate to the state penitentiary, and for the maintenance expenses of the said investigations in the performance of their duties for the period of an adjournment. The maintenance expenses of said board, while employed in said aforesaid investigations and for other expenses imposed upon the said board by this Act"

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1364—An Act to amend Section 195 of the Penal Code of California, relating to homicide and the cases in which homicide is excusable.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 240—An Act relating to life insurance companies and prohibiting discrimination.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 892—An Act for the regulation and control of mutual or benefit associations organized or formed and composed of members of secret societies, lodges or councils exclusively.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 893—An Act to repeal Section 630 of the Political Code of the State of California, relating to insurance.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 894—An Act to amend an Act entitled "An Act for the regulation and control of fraternal benefit societies," approved May 1st, 1911, by amending Section 5 thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1090—An Act relating to the solvency of workmen's compensation insurance companies and associations, providing means and methods by which solvency is to be determined and maintained, providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers and duties and the means and methods to be used in making rates, making provision for the payment of its expense, making an appropriation therefor, and providing penalties for violations of the provisions of the Act.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On title page, strike out all of the four lines immediately following the words "An Act", and in lieu thereof insert the following: "Providing for the creation of the state work".

Amendment adopted.

AMENDMENT No. 1*a*.

On title page, strike out all of the last three lines of the title down to the enacting clause, and in lieu thereof insert the following: "of its expense and making an appropriation therefor."

Amendment adopted.

AMENDMENT No. 2.

On pages 1 and 2, strike out all of lines 5 to 11, inclusive, on page 1, and all of lines 1 to 5, inclusive, on page 2, and in lieu thereof insert the following: "the rating bureau, to consist of three members, to be appointed by the industrial accident commission as follows: One upon the recommendation of the insurance commissioner, one upon the recommendation of the manager of the state compensation insurance fund; one upon the recommendation of such companies and associations as have been authorized by the insurance commissioner to transact the business of workmen's compensation insurance in this state, such recommendation to be made in a manner to be determined by the industrial accident board. A member of the rating bureau may be removed from office at the pleasure of the industrial accident commission, or at the pleasure of the official or companies by whom such member was recommended. Each member of the rating bureau shall receive only such remuneration as may be paid to him for his services by the official or companies which he represents and by whom he was recommended.

SEC. 2. The term 'workmen's compensation insurance' as used in this Act shall mean and include insurance against any liability imposed upon any or all employers

of labor to compensate [illegible] employees and [illegible] to [illegible] employment [illegible] any [illegible] [illegible] [illegible]

Senate Bill No. 1768—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey, and to prohibit taking the same from such preserve for commercial purposes."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1669—An Act enabling the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made by John Biddle, Lieutenant Colonel, Corps of Engineers, C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Corps of Engineers, of the United States Army, and printed with the annual report of the Chief Engineer of the United States Army for the fiscal year ending June 30, 1909, and making an appropriation for such work," approved March 10, 1909, by removing certain conditions contained in and stipulated by said Act.

Bill read second time, ordered engrossed and on file for third reading.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At five o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER.

The President laid before the Senate the consideration of Senate Bill No. 134—An Act to protect the health of persons employed in the manufacture and packing or handling of Portland cement.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Bryant moved a call of the Senate.

Motion carried.

Time, five o'clock and twenty-five minutes p.m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Bryant.

The roll of absentees was called, and Senate Bill No. 134 refused passage by the following vote:

AYES—Senators Beban, Benson, Brown, Bryant, Caminetti, Campbell, Cogswell, Cohn, Finn, Gerdes, Grant, Juilliard, Kehoe, Larkins, Lyon, Sanford, and Shanahan—17.

NOES—Senators Anderson, Avey, Boynton, Breed, Butler, Carr, Flint, Gates, Hans, Hewitt, Jones, Mott, Owens, Rush, Strobridge, Thompson, Tyrrell, and Wright—18.

LEAVE OF ABSENCE.

Senator Cartwright was, on motion of Senator Thompson, granted leave of absence for this day.

RECONSIDERATION OF SENATE ORDER.

The President laid before the Senate the consideration of the motion of Senator Wright, to reconsider the vote whereby Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof—was passed.

The question being on the motion to reconsider

SPECIAL ORDER OF THE DAY.

At six o'clock and forty minutes p.m. Senator Lyon, of the Twenty-ninth District, in the chair.

SPECIAL ORDER CALLED UP FOR THE DAY.

At five o'clock and fifty-five minutes p.m. Senator Gordon, of the Twenty-first District, in the chair.

The roll was called

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

Time, six o'clock and ten minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Bolton, Brown, Buckbee, Bund, Burns, Byrne, Bur-ke, Cantwell, Campbell, Carr, Cartwright, Cole, Finn, Frisbie, Gerry, Gibson, Hess, Hewitt, Hines, Hollomon, Kraus, Lanning, Mare, Owen, Rose, Sanford, Schmitt, Smithers, Thompson, and Wright.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At six o'clock and forty-five minutes p.m. Senator Birdsall was brought to the bar of the Senate, and, on motion of Senator Sanford, was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE SUSPENDED, ETC.

At six o'clock and forty-five minutes p.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Wright.

The call of absentees was ordered, and the vote whereby Assembly Bill No. 418 was passed was reconsidered by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Brown, Bucklee, Bund, Burns, Byrne, Burke, Cantwell, Campbell, Carr, Cartwright, Cole, Finn, Frisbie, Gerry, Gibson, Hess, Hewitt, Hines, Hollomon, Kraus, Lanning, Mare, Owen, Rose, Sanford, Schmitt, Smithers, Thompson and Wright—34.

Noes—Senators McClure, Seagman, Bowen, Cunningham, Fuller, Gordon, Green, Hines, Lightner, Knox, Lawrence, Sheffield, Stadtmuller, and Tomlinson—16.

The question being on the passage of the bill

The roll was called

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Beban moved a call of the Senate.

The question being on the motion.

The roll was called, and the motion lost by the following vote:

AYES—Senators Anderson, Beban, Cambiett, Cole, Flint, Leyland, Stanton, Tyrrell and Wright—9.

NOES—Senators Benson, Bristol, Brown, Carr, Gates, Gerdes, Hans, Hewitt, Mott, Strobridge and Thompson—12.

The roll of absentees was called, and Assembly Bill No. 418 refused passage by the following vote:

AYES—Senators Beban, Bristol, Boynton, Campbell, Cole, Flint, Gerdes, Grant, Leyland, Lukens, Lyon, Sanford, Stephens and Tyrrell—14.

NOES—Senators Anderson, Avey, Benson, Breed, Brown, Carr, Caswell, Flint, Hewitt, Hans, Mott, Gates, Strobridge, Thompson, and Wright—15.

RECESS.

At six o'clock and fifty minutes p.m., on motion of Senator Strobridge, the acting President declared the Senate at recess until eight o'clock and thirty minutes p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

On motion of Senator Sanford, Senate Constitutional Amendment No. 67 was passed on file.

Senate Bill No. 1043—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 15, 1909, as amended by a certain Act approved May 1, 1911, by amending section six of said Act by striking out therefrom the provisions heretofore contained thereof for the issuance of a certificate to any person who has prosecuted a special branch of medicine and surgery for the period of thirty-five years, fifteen years of which time shall have been within the State of California, and by inserting therein a further requirement that any applicant to practice medicine and surgery, osteopathy, or other systems or modes of treating the sick or afflicted, whose application to practice shall be subsequent to the first day of January, 1918, shall prove to the satisfaction of the board that, at the time such applicant matriculated with the legally chartered college the diploma from which he files with his application as in said Act provided, he did then possess the require-

ments as to preliminary education and qualifications to be perscribed less than those prescribed at least by the Association of American Medical Colleges for the examination of students of colleges which are members of said association.

On motion of Senator Ames, Senate Bill No. 1042 was ordered to the file of unfinished business.

Senate Bill No. 478—An act to amend Section 7 of an Act entitled "An Act to regulate the taking of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 14, 1909.

In the absence of the author, Senate Bill 478 was passed on file.

Senate Bill No. 604—An Act to amend Sections 639a and 654, and to repeal Section 639½ of the Penal Code of the State of California, all relating to the protection and preservation of fish.

On motion of Senator Donnelly, Senate Bill No. 604 was passed on file.

Senate Bill No. 771—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of ordinances requiring the filing of maps showing the location of works constructed under franchises, vesting the railroad commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises and repealing conflicting Acts.

In the absence of the author, Senate Bill No. 771 was passed on file.

Senate Bill No. 472—An Act amending Section 1142 of the Political Code, relating to the appointment of election boards and the qualifications and duties of the members of such boards.

In the absence of the author, Senate Bill No. 472 was passed on file.

Senate Bill No. 1120—An Act to amend Section 4253 of the Political Code, relating to the suspension of officers of counties of the fourteenth class.

In the absence of the author, Senate Bill No. 1120 was passed on file.

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections to be numbered Section 7 and Section 8, relating to indeterminate sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 28 was passed on file.

SENATOR SANS IN THE CHAIR

At eight o'clock and forty minutes p. m., Senator Hans of the Fourteenth District, in the chair.

THIRD READING OF BILLS—(BY YEAS)

Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled "An Act to provide for the formation, government, operation and dis-

solution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 459 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Brown, Caminetti, Campbell, Cogswell, Finn, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Sanford, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Sanford, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. D. R. Green.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts and places in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1312 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Butler, Caminetti, Campbell, Cogswell, Finn, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Sanford, Shanahan, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the

costs and expenses thereof upon the property benefited thereby," approved March 24, 1885.

In the absence of the author, Senate Bill No. 1124 was passed to the Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185a of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 629 passed by the following vote:

Ayes: Senators Anderson, Birdsall, Boynton, Brown, Burnett, Butler, Chambers, Campbell, Carr, Cogswell, Dean, Gerdes, Hare, Hewitt, Hoffman, Holohan, Main, Owens, Rominger, Stetefeldt, Thompson, Tyrrell and Wright—25.

Noes: Senators Bills, Finn, Gaffey and Leyes—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 715—An Act to amend Section 267b of the Penal Code of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 715 refused passage by the following vote:

Ayes: Senators Bills, Burnett, Chambers, Campbell, Finn, Gerdes, Hare, Hoffman, Jacobs, Leyes, Stetefeldt and Thompson—14.

Noes: Senators Anderson, Avey, Boynton, Birdsall, Brown, Butler, Carr, Cogswell, Dean, Gaffey, Hewitt, Holohan, Main, Owens, Rominger, Strobridge, Tyrrell and Wright—20.

Senate Bill No. 718—An Act to amend Section 288 of the Penal Code of California.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 718 refused passage by the following vote:

Ayes: Senators Bills, Burnett, Boynton, Butler, Chambers, Campbell, Finn, Finn, Gerdes, Hare, Hoffman, Jacobs, Leyes, Stetefeldt and Thompson—15.

Noes: Senators Anderson, Avey, Birdsall, Brown, Carr, Cogswell, Dean, Gaffey, Hewitt, Holohan, Main, Owens, Rominger, Strobridge, Tyrrell and Wright—19.

Senate Bill No. 719—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 653a.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 719 refused passage by the following vote:

Ayes: Senators Bills, Burnett, Chambers, Finn, Gerdes, Hare, Hoffman, Jacobs, Leyes, Stetefeldt and Thompson—16.

Noes: Senators Anderson, Avey, Birdsall, Brown, Carr, Dean, Gaffey, Hewitt, Holohan, Main, Owens, Rominger, Strobridge, Tyrrell and Wright—24.

Senate Bill No. 720—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872," by adding a new section thereto, to be numbered Section 653c.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 720 refused passage by the following vote:

AYES—Senators Beban, Caminetti, Finn, Gerdes, Hans, Hewitt, Juilliard, Lyon, Regan, Sanford, and Shanahan—11.

NOES—Senators Anderson, Benson, Birdsall, Breed, Brown, Bryant, Carr, Cogswell, Grant, Jones, Kehoe, Rush, Strobridge, Thompson, and Tyrrell—15.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Committee Substitute for Senate Bill No. 1486—An Act relating to combinations, defining certain unlawful practices, and providing penalties for violations thereof, and repealing conflicting Acts—and report that the same has been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 of Article IV thereof, relating to senatorial and assembly districts, and repealing Section 27 of Article IV of said Constitution relating to congressional districts and the formation thereof.

Also: Senate Bill No. 678—An Act appropriating money to pay the claim of Johan Alfred Matsson, against the State of California.

Also: Senate Bill No. 158—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Also: Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties, and making an appropriation therefor.

Also: Senate Bill No. 1370—An Act to authorize the payment of the claim of Western Fuel Company against the State of California and making an appropriation therefor out of the San Francisco harbor funds.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 1776—An Act amending Section 602*a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRYANT, Chairman.

Senate Bill No. 1776 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Finance.

HEWITT, Chairman.

Assembly Bill No. 1911 ordered re-referred to Committee on Finance.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 623—An Act to amend that certain act entitled "An Act to regulate the

[illegible] [illegible] [illegible] [

The roll was called, and Senate Bill No. 1486 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Bryant, Caminetti, Campbell, Carr, Cogswell, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Owens, Sanford, Shanahan, Strobridge, and Tyrrell—22.

NOES—Senators Birdsall, Boynton, Finn, Hans, Mott, Regan, Rush, and Thompson—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis and for investigation of its prevalence and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1239 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Caminetti, Campbell, Cogswell, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDERS SET.

On motion of Senator Campbell, the consideration of Senate Bill No. 1770—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are not operated for hire and are not operated as common carriers; and prohibiting the construction of any more such lines for such purpose for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Also: Senate Bill No. 1763—An Act to declare such combinations between railroad or other common carriers and private corporations or individuals with reference to transportation of crude oil, petroleum or the products thereof, through pipe lines, in restraint of trade, an unfair practice, contrary to public policy and an unlawful monopoly, authorizing such pipe lines to become common carriers and public utilities, or requiring same to become licensed, fixing penalties for violation and authorizing certain court proceedings.

Also: Assembly Bill No. 2105 (Committee Substitute for Assembly Bill No. 1480)—An Act declaring certain corporations, individuals or

associations of individuals engaged directly or indirectly in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the Public Utilities Act of the State of California, approved January 23, 1911.

Was made a special order for eight o'clock p.m. on Wednesday, May 7, 1913.

[illegible]

Senate Bill No. 685—An Act to prohibit the use of lead, antimony, tin, cement or other similar substance for the purpose of stopping holes in stationary, locomotive or other boilers subject to regulation by the State of California.

On motion of Senator Finn, Senate Bill No. 685 was passed to file.

Senate Bill No. 1046—An Act to amend Section 4300c of the Political Code of the State of California, relating to county clerk's fees.

Read third time.

On motion of Senator Cowan, Senate Bill No. 1046 was passed to file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

Mr. President: Your Committee on Introduction of Bills, to whom was referred the request of Senator Hans to introduce a bill entitled "An Act appropriating money to provide for compiling a history of California for use in the public schools", have had the same under consideration, and respectfully report the same back and recommend that such request be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Bates, Bedford, Benson, Boyd, Brown, Chamberlain, Campbell, Cogswell, Cowan, Crow, Curtin, Dennett, Dennison, Dillon, Finn, Flint, Gerdes, Gesford, Gibson, Hans, Hatch, Hayes, Hewitt, Holohan, Inman, Jennings, Kehoe, Lanagan, Leake, Lee, Lewis, Lukens, Mahan, Marshall, Martin, Mathews, Melvin, Nelson, Owens, Regan, Rhodes, Rigdon, Roseberry, Sanford, Shearer, Simpson, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wallin, Walsh, Weeks, Welch, Wendling, Wolfe and Wright—67.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Hans:

Senate Bill No. 1777—An Act appropriating money to provide for compiling a history of California for use in the public schools.

Bill read first time, and referred to Committee on Finance.

[illegible]

Senate Bill No. 787—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered five hundred and [illegible], relating to the furnishing of water for [illegible] use.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 587 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Caminetti, Campbell, Cogswell, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 276—An Act to authorize the appointment of an interpreter of the Italian and Slavonian languages and their dialects, in criminal proceedings, in counties of the first class, and prescribing his duties and compensation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 276 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Caminetti, Campbell, Cogswell, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—28.
NOES—Senator Wright—1.

Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Caminetti moved a call of the Senate.

Motion carried.

Time, ten o'clock and thirty minutes p.m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At ten o'clock and thirty-two minutes p.m., Senator Benson was brought to the bar of the Senate, and on motion of Senator Gerdes he was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Caminetti.

The roll of absentees was called and Senate Bill No. 1008 was passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bryant, Chamberlain, Conrey, Cornwall, Crawford, Curtis, Flint, Gerdes, Gerdes, Hare, Harris, Hewitt, Holohan, Lanagan, Leavitt, Lewis, Lipman, Owens, Rush, and Stanford—27.

NOES—Senators Cogswell, Finn, Lewis, Mott, Rigdon, Shoemaker, Strobridge, Thompson, Tyrrell, and Wright—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF INTENTION TO RECONSIDER.

Senator Boynton gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1008 was this day passed.

THIRD READING OF BILLS (CONTINUED).

Senate Bill No. 1459—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 94 thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1459 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bryant, Burnett, Chamberlain, Carr, Cogswell, Finn, Flint, Gerdes, Gerdes, Hewitt, Holohan, Kehoe, Lanagan, Mott, Owens, Rigdon, Rush, Stanford, Shoemaker, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION NO. 17.

Approving four separate amendments to the charter of the city of Vallejo, in the county of Solano, State of California, passed by the qualified electors of the said city of Vallejo, at the general municipal election held therein on the 15th day of April, 1913.

WHEREAS, The city of Vallejo, in the county of Solano, State of California, relying upon the intelligence and good sense of the qualified inhabitants and taxpayers thereof, has for many years been governed under and by virtue of Section XI, Article XI of the Constitution of the State of California, which charter was duly adopted by the qualified electors of said city at an election held for that purpose on the 19th day of February, 1911, and approved by the Legislature of said State of California on the 14th day of March, 1911 (Statutes of 1911, pages 1068 to 1087, inclusive); and

WHEREAS, The city council of said city of Vallejo did by resolution adopted by said city council on the 16th day of March, 1913, and approved by the mayor of said city on the 17th day of March, 1913, and pursuant to said Section 8, of Article XI of said Constitution of the State of California, duly canvass on the qualified electors of said city of Vallejo, the certain amendments to the charter of said city to be submitted to said qualified electors at a general municipal election to be held in said city on the 15th day of April, 1913; and

WHEREAS, Said proposed amendments were and each of them was submitted for any vote cast in a duly given and published in said city, and of general circulation therein, to wit: The Vallejo Daily Times, said publication ending on the 25th day of March, 1913; and

WHEREAS, Thereafter the city council of said city did by ordinance which was duly adopted on the 8th day of April, 1913, and approved by the mayor on the 8th

day of April, 1913, order the holding of a general municipal election in said city of Vallejo on the 15th day of April, 1913, which last named date was at least twenty (20) days after the publication of said proposed amendments, which had been published ten times as aforesaid, and did provide in said ordinance for the submission of said five proposed amendments to the said charter to the qualified electors of said city for their ratification at said general municipal election, which said ordinance was published as required by law and the charter of said city, prior to the time appointed for the holding of such election in *The Vallejo Evening Chronicle*, a daily newspaper printed and published in said city; and

WHEREAS, At said election a majority of the qualified electors voting thereon, voted in favor of the ratification of and did ratify four of said five proposed amendments, to wit: numbers one, two, four, and five, thereof, but did not ratify number three of said proposed amendments; and

WHEREAS, The city council of said city at a regular meeting thereof, held within four days after said election, duly canvassed the returns of said election and duly found, determined and declared that a majority of such qualified electors voting thereon, had voted for and ratified each of said four of said proposed amendments, and rejected said number three; and

WHEREAS, The mayor and city clerk of said city did, on the 19th day of April, 1913, duly certify to the submission to the qualified electors of said city of said five proposed amendments to said charter and to the ratification of said four of such amendments, and did further certify to a copy of said four proposed amendments authenticated by the seal of said city of Vallejo, which said certificate is in the words and figures following, to wit:

STATE OF CALIFORNIA,
COUNTY OF SOLANO, } ss.
CITY OF VALLEJO.

We, the undersigned, W. J. Tormey, mayor of the city of Vallejo, State of California, and Alf. E. Edgcumbe, city clerk of said city, do hereby certify and declare as follows:

That the city of Vallejo, in the county of Solano, State of California, contains a population of over ten thousand inhabitants, and has ever since the year 1911, and is now organized and acting under a freeholders' charter, adopted under and by virtue of Section 8 of Article XI, of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city, at an election held for that purpose on the 21st day of February, 1911, and approved by the Legislature of the state aforesaid, on the 11th day of March, 1911;

That the city council of the said city of Vallejo did by resolution adopted by said city council on the 10th day of March, 1913, and approved by the mayor of said city, on the 10th day of March, 1913, pursuant to Section 8 of Article XI of the Constitution of said State of California, duly propose to the qualified electors of said city five certain amendments to the charter of such city to be submitted to said qualified electors at a general municipal election to be held in said city on the 15th day of April, 1913 and that the four of said amendments ratified as hereinafter set forth were and are in words and figures following, to wit:

Charter Amendment Number One.

That Subdivision (2) of Section 7 of Article IV, of the charter of the city of Vallejo, relating to petition for recall, be amended so as to read as follows:

Petition for recall.

(2) A petition signed by qualified electors equal to twenty (20) per centum of the entire vote cast for all candidates for the office of mayor at the last preceding general municipal election at which a mayor was elected, demanding an election of a successor of the officer sought to be removed, shall be addressed to the council and presented to the city clerk. The petition may request that such election shall be held at a special municipal election or at the next general municipal election.

Charter Amendment Number Two.

That Subdivision (39) of Section 49 of Article IX, of the charter of the city of Vallejo, relating to public entertainments, be amended, so as to read as follows:

Public entertainments, promotion and advertising.

(39) To appropriate and spend money from the funds of the city for any or all of the following purposes:

(*a*) Reception and entertainment of public guests.

(*b*) Assistance of public celebrations held by the city at large.

(*c*) To aid in or carry on the work of inducing immigration, manufactories or other industries to the city.

(*d*) To exhibit manufactured and other products of the city.

(*e*) Generally for the purpose of advertising and promoting the interests of the city.

Provided, however, that the aggregate expenditures for all of said purposes shall

[illegible]

(Model Amendment [illegible] Act)

This Article XIII. of the Articles of [illegible] relating to the [illegible] be amended as per as follows:

Article XIII.

[illegible]

Provisions in these matters.

Section No. [illegible] The qualified electors of the [illegible] have power to petition and to adopt or the same any ordinance which upon the proposed [illegible] ordinance may be proposed by the [illegible] petition. Such petitions may be presented to the [illegible] with the city clerk a petition setting forth said ordinance in full signed by qualified electors of the city [illegible] to exceed the [illegible] of the whole city vote cast for all candidates for the office of mayor at the last preceding general municipal election.

Before any petition for such ordinance or proposed ordinance shall be submitted the signatures [illegible] to [illegible] by the [illegible] on behalf of the petitioners shall be filed with the city clerk [illegible] that [illegible] legal power of the [illegible] petitioners, a statement of the [illegible] [illegible] [illegible] giving the [illegible] address for the [illegible] of said ordinance, a statement of the [illegible] [illegible] to secure the submission of said ordinance to a vote of the electors by the [illegible] petition, and the address of the party making such affidavit. The [illegible] shall [illegible] the [illegible] [illegible] any of these requirements [illegible] [illegible] [illegible]

cial municipal election (or general municipal election), that certain proposed ordinance entitled (here insert title of ordinance), to a copy of which this certificate is attached; unless said ordinance be passed by the council, without alteration, when and as provided in the charter of the city of Vallejo.

I further certify: That I have read the proposed ordinance and the above official reasons for and against the adoption of said ordinance and am in favor of its adoption; that I am a qualified elector of the city of Vallejo, State of California; that I am not at this time a signer of any other like certificate; that I reside at No. _____ _____ street, between _____ street and _____ street, in said city; and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA,
COUNTY OF SOLANO,
CITY OF VALLEJO. } ss.

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19__.

(Signed) _____

Verification Deputy (or notary public).

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, at No. _____ _____ street, Vallejo, California.

(Below and on the same sheet of paper shall be printed the following:)

I, the undersigned, hereby join in a petition to the council requiring that it shall not submit to the vote of the electors of the city of Vallejo, at a special municipal election (or general municipal election), that certain proposed ordinance entitled (here insert title of ordinance), to a copy of which this certificate is attached; that said ordinance shall not be adopted by the council, with or without alteration, when and as provided in the charter of the city of Vallejo.

I further certify: That I have read the proposed ordinance and the above official reasons for and against the adoption of said ordinance and am opposed to its adoption; that I am a qualified elector of the city of Vallejo, State of California; that I am not at this time a signer of any other like certificate; that I reside at No. _____ _____ street, between _____ street and _____ street, in said city; and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA,
COUNTY OF SOLANO,
CITY OF VALLEJO. } ss.

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19__.

(Signed) _____

Verification Deputy (or notary public).

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, at No. _____ street, Vallejo, California.

The provisions of Subdivision 4, of Section 7 of this charter, applying to recall petitions, shall apply to petitions filed under this article.

Copies prepared after the foregoing form shall be deposited by the clerk at all of the places mentioned in the "Notice of petition to invoke initiative" on or before 10 a.m. of the first day following the first publication of said notice and allowed to remain there until 8 p.m., of the twentieth day thereafter, whereupon the clerk shall promptly collect all copies of the certificates and place same on file in the office of the council. It shall be unlawful for any signatures to be added to the petitions after the expiration of the time last mentioned. Within ten days after the date of filing such petitions, the clerk shall examine, and from the records of registration ascertain the total number of registered voters who have signed both the petitions for and against the proposition to invoke the initiative to secure the adoption of the ordinance.

Any signer of a petition may file with the clerk a verified revocation of his signature to such petition before the report of the clerk is presented to the legislative body, and such signatures shall be cancelled by the clerk.

As soon as the clerk has completed his examination he shall report to the legislative body at its next regular meeting, in writing, the number of signatures received for and against the adoption of the proposed ordinance at each place where copies of the individual certificates were deposited, also the total number received, respectively, in the entire municipality.

Twenty per cent petition.

(3) If it is found that the total number of registered voters who signed the petition for the adoption of the proposed ordinance is less than twenty (20) per cent of

the entire number of votes cast at the last general election, or (2) by the petition of not less than one hundred qualified electors of the city, which petition shall be filed with the city clerk not less than thirty days before the date of the election at which the proposition is to be submitted.

Sec. 3. Ballots.—The ballots used when voting upon such proposition shall have printed thereon a brief description of the boundaries of the territory proposed to be annexed, and shall contain the words "For annexation" and "Against annexation," or words equivalent thereto. Any ballot having thereon the words "For annexation" shall be counted in favor of annexation, and any ballot having thereon the words "Against annexation" shall be counted against annexation. If a majority of the votes cast upon the proposition shall be in favor of annexation, the territory described in the petition shall be annexed to the city, and not otherwise.

Sec. 4. Effect of annexation.—When any territory is annexed to a city as provided in this act, all the property of the territory annexed shall be subject to taxation for the payment of the bonded indebtedness of the city, and the territory annexed shall be entitled to its proportion of the money in the treasury of the city at the time of annexation, and shall be subject to its proportion of the liabilities existing against the city at the time of annexation.

Sec. 5. Repeal.—All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 6. Emergency.—To avoid confusion and uncertainty in the annexation of territory to cities, an emergency is declared to exist, and this act shall take effect and be in force from and after its passage and approval.

Approved April 15, 1913.

CHAPTER 153.

AN ACT to amend and reenact section 1 of chapter 1 of the Laws of 1911, relating to the boundaries of the city of Fargo.

Be it enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Boundaries of city.—The boundaries of the city of Fargo shall be as follows, to wit:

Beginning at the northeast corner of section 1, township 139 north, range 49 west of the fifth principal meridian, thence west on the north line of said section 1 to the northwest corner thereof, thence south on the west line of said section 1 to the southwest corner thereof, thence west on the north line of section 12, township 139 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 12, thence south on the west line of said section 12 to the southwest corner thereof, thence west on the north line of section 14, township 139 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 14, thence south on the west line of said section 14 to the southwest corner thereof, thence west on the north line of section 22, township 139 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 22, thence south on the west line of said section 22 to the southwest corner thereof, thence west on the north line of section 28, township 139 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 28, thence south on the west line of said section 28 to the southwest corner thereof, thence west on the north line of section 32, township 139 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 32, thence south on the west line of said section 32 to the southwest corner thereof, thence west on the north line of section 4, township 138 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 4, thence south on the west line of said section 4 to the southwest corner thereof, thence west on the north line of section 8, township 138 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 8, thence south on the west line of said section 8 to the southwest corner thereof, thence west on the north line of section 18, township 138 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 18, thence south on the west line of said section 18 to the southwest corner thereof, thence west on the north line of section 20, township 138 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 138 north, range 49 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 138 north, range 50 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 137 north, range 50 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 137 north, range 50 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 137 north, range 50 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 137 north, range 50 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 137 north, range 50 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 137 north, range 51 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 136 north, range 51 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 136 north, range 51 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 136 north, range 51 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 136 north, range 51 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 136 north, range 51 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 136 north, range 52 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 135 north, range 52 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 135 north, range 52 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 135 north, range 52 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 135 north, range 52 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 135 north, range 52 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 135 north, range 53 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 134 north, range 53 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 134 north, range 53 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 134 north, range 53 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 134 north, range 53 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 134 north, range 53 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 134 north, range 54 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 133 north, range 54 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 133 north, range 54 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 133 north, range 54 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 133 north, range 54 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 133 north, range 54 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 133 north, range 55 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 132 north, range 55 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 132 north, range 55 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 132 north, range 55 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 132 north, range 55 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 132 north, range 55 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 132 north, range 56 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 131 north, range 56 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 131 north, range 56 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 131 north, range 56 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 131 north, range 56 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 131 north, range 56 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 131 north, range 57 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 130 north, range 57 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 130 north, range 57 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 130 north, range 57 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 130 north, range 57 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 130 north, range 57 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 130 north, range 58 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 129 north, range 58 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 129 north, range 58 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 129 north, range 58 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 129 north, range 58 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 129 north, range 58 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 129 north, range 59 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 128 north, range 59 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 128 north, range 59 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 128 north, range 59 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 128 north, range 59 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 128 north, range 59 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 128 north, range 60 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 127 north, range 60 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 127 north, range 60 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 127 north, range 60 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 127 north, range 60 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 127 north, range 60 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 127 north, range 61 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 126 north, range 61 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 126 north, range 61 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 126 north, range 61 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 126 north, range 61 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 126 north, range 61 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 126 north, range 62 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 125 north, range 62 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 125 north, range 62 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 125 north, range 62 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 125 north, range 62 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 125 north, range 62 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 125 north, range 63 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 124 north, range 63 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 124 north, range 63 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 124 north, range 63 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 124 north, range 63 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 124 north, range 63 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 124 north, range 64 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 123 north, range 64 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 123 north, range 64 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 123 north, range 64 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 123 north, range 64 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 123 north, range 64 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 123 north, range 65 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 122 north, range 65 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 122 north, range 65 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 122 north, range 65 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 122 north, range 65 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 122 north, range 65 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 122 north, range 66 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 121 north, range 66 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 121 north, range 66 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 121 north, range 66 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 121 north, range 66 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 121 north, range 66 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 121 north, range 67 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 120 north, range 67 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 120 north, range 67 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 120 north, range 67 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 120 north, range 67 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 120 north, range 67 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 120 north, range 68 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 119 north, range 68 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 119 north, range 68 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 119 north, range 68 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 119 north, range 68 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 119 north, range 68 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 119 north, range 69 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 118 north, range 69 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 118 north, range 69 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 118 north, range 69 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 118 north, range 69 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 118 north, range 69 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 118 north, range 70 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 117 north, range 70 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 117 north, range 70 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 117 north, range 70 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 117 north, range 70 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 117 north, range 70 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 117 north, range 71 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 116 north, range 71 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 116 north, range 71 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 116 north, range 71 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 116 north, range 71 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 116 north, range 71 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 116 north, range 72 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 115 north, range 72 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 115 north, range 72 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 115 north, range 72 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 115 north, range 72 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 115 north, range 72 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 115 north, range 73 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 114 north, range 73 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 114 north, range 73 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 114 north, range 73 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 114 north, range 73 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 114 north, range 73 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 114 north, range 74 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 113 north, range 74 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 113 north, range 74 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 113 north, range 74 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 113 north, range 74 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 113 north, range 74 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 113 north, range 75 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 112 north, range 75 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 112 north, range 75 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 112 north, range 75 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 112 north, range 75 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 112 north, range 75 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 112 north, range 76 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 111 north, range 76 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 111 north, range 76 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 111 north, range 76 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 111 north, range 76 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 111 north, range 76 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 111 north, range 77 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 110 north, range 77 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 110 north, range 77 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 110 north, range 77 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 110 north, range 77 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 110 north, range 77 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 110 north, range 78 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 109 north, range 78 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 109 north, range 78 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 109 north, range 78 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 109 north, range 78 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 109 north, range 78 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 109 north, range 79 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 108 north, range 79 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 108 north, range 79 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 108 north, range 79 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 108 north, range 79 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 108 north, range 79 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 108 north, range 80 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 107 north, range 80 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 107 north, range 80 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 107 north, range 80 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 107 north, range 80 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 107 north, range 80 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 107 north, range 81 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 106 north, range 81 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 106 north, range 81 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 106 north, range 81 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 106 north, range 81 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 106 north, range 81 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 106 north, range 82 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 105 north, range 82 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 105 north, range 82 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 105 north, range 82 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 105 north, range 82 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 105 north, range 82 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the southwest corner thereof, thence west on the north line of section 36, township 105 north, range 83 west of the fifth principal meridian, to the northwest corner of said section 36, thence south on the west line of said section 36 to the southwest corner thereof, thence west on the north line of section 2, township 104 north, range 83 west of the fifth principal meridian, to the northwest corner of said section 2, thence south on the west line of said section 2 to the southwest corner thereof, thence west on the north line of section 10, township 104 north, range 83 west of the fifth principal meridian, to the northwest corner of said section 10, thence south on the west line of said section 10 to the southwest corner thereof, thence west on the north line of section 16, township 104 north, range 83 west of the fifth principal meridian, to the northwest corner of said section 16, thence south on the west line of said section 16 to the southwest corner thereof, thence west on the north line of section 20, township 104 north, range 83 west of the fifth principal meridian, to the northwest corner of said section 20, thence south on the west line of said section 20 to the southwest corner thereof, thence west on the north line of section 30, township 104 north, range 83 west of the fifth principal meridian, to the northwest corner of said section 30, thence south on the west line of said section 30 to the south

not submitted to the voters at or within the time elsewhere specified in this charter, such petition shall remain in force until such ordinance has been submitted to a vote, and no bond issue or other ordinance proposed by the council shall be submitted to the voters unless at the same election, or prior thereto, there shall be submitted to the voters the ordinance or ordinances upon which a vote is requested by petition, if any vote be so requested and upon which a vote has not been taken at or within the time elsewhere specified in this charter. This section is prohibitory and mandatory.

Substantial compliance.

(12) A substantial compliance with the provisions of this article shall be sufficient for the holding of an election hereunder and the approval or rejection of any measure submitted thereat.

Further regulations.

(13) The council shall, by ordinance, make such further regulations as may be necessary to carry out the provisions of this article, and to adopt the provisions of Article III thereto.

Charter Amendment Number Five.

That Subdivision (1) of Section 100 of Article XIV, of the charter of the city of Vallejo, relating to mode of protesting ordinances, be amended so as to read as follows:

ARTICLE XIV

THE REFERENDUM.

Mode of protesting against ordinances.

Section 100. (1) No ordinance passed by the council shall go into effect before thirty days from the time of its final passage except when otherwise required by the general laws of the state or by the provisions of this charter respecting street improvements, and except the ordinance making the annual tax levy, and except an ordinance for the immediate preservation of the public peace, health, or safety, which contains a statement of its urgency, and is passed by a unanimous vote of the council; *provided*, that no grant of any franchise shall be construed to be an urgency measure, but all franchises shall be subject to the referendum vote provided in Section 101. If during said thirty days a petition signed by qualified electors of the city equal in number to at least twenty per centum of the entire vote cast for all candidates for the office of mayor at the last preceding general municipal election, at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance, and if the same be not entirely repealed, the council shall submit the ordinance to the vote of the electors of the city, either at the next general municipal election or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof.

That said four proposed amendments were, and each of them was, published for ten (10) times in a daily newspaper printed and published in said city and of general circulation therein, to wit, *The Vallejo Daily Times*, and that said publication ended on the 28th day of March, 1913;

That thereafter, the city council of said city did, by Ordinance No. 122, N. S., which was duly adopted on the 8th day of April, 1913, and approved by the mayor on the 8th day of April, 1913, order the holding of a general municipal election in said city of Vallejo, on the 15th day of April, 1913, which last named date was at least 20 days after the publication of said proposed amendments which had been published ten (10) times as aforesaid, and did provide in said ordinance for the submission of said five proposed amendments, to the city charter to the qualified electors of said city for their ratification at said general municipal election, which said ordinance was passed and approved as aforesaid and was published as required by law and the charter of said city;

That at said election a majority of the qualified electors voting thereon, voted in favor of the ratification and did ratify each and all of said five proposed amendments to the charter of said city of Vallejo, except such proposed amendment number three; and that said proposed amendment number three, did not receive a majority of the votes of the qualified electors voting thereon in favor of the ratification of said proposed amendments at said election;

That the city council of said city of Vallejo, at a regular meeting, and within four days after said election, and within the time and in the manner required by law and the charter of said city, duly canvassed the returns of said election, and duly found, determined and declared that a majority of such qualified electors voting thereon had voted for and ratified each and all of the said four proposed amendments to said charter;

We do further hereby certify and declare that the copy of said proposed amendments to the charter of the city of Vallejo hereinbefore set forth is a full, true and correct copy of the said four certain proposed amendments to the charter of the city

of Vallejo, which were, in the manner prescribed by law, submitted to the qualified electors of said city for their consideration and by them ballted on at a general municipal election duly called and held in said city on the 15th day of April, 1913.

In witness whereof, We have hereunto set our hands and affixed the corporate seal of the city of Vallejo this 16th day of April, 1913.

W. J. FRAMPTON,
Mayor of the City of Vallejo.
ATTEST: E. KNOWLES,
City Clerk of the City of Vallejo.

Ayes: Wagner, Ed. Hall, Lee. [illegible] as modified by Amendments Nos. [illegible] and [illegible] thereto, and to the Constitution of the State of California, [illegible] Section 8 of Article XI of the Constitution of the State of California, [illegible] Amendment No. 2.

Resolved by the Senate and Assembly of the State of California, the Assembly concurring [illegible] of all members elected to each house voting for the adoption of said amendment, that the Legislature of the State of California hereby ratifies the following proposed amendment to the Constitution of the State of California, which amendment proposes to amend Section 8 of Article XI of the Constitution of the State of California, [illegible] Amendment No. 2.

Resolved by the Senate and Assembly of the State of California, the Assembly concurring [illegible] of all members elected to each house voting for the adoption of said amendment, that the Legislature of the State of California hereby ratifies the following proposed amendment to the Constitution of the State of California, which amendment proposes to amend Section 8 of Article XI of the Constitution of the State of California, [illegible] Amendment No. 2.

The question being on the adoption of the resolution.

The roll was called, and Senator Cartwright Resolution No. 27 adopted by the following vote:

Ayes: Senators Anderson, Ayer, Boden, Brown, Bronzan, Burnett, Chandler, Cogswell, Cutten, Cartwright, Curtin, Dennett, Flint, Gerdes, Hare, Holohan, Inman, Jones, Lanagan, Leake, Lee, Leavitt, Lewis, Lukens, Mott, Owens, Rolfe, Rush, Sanford, Saunders, Stetson, Strobridge, Tyrrell and Wright—36.

Noes: None.

Resolution ordered transmitted to the Assembly.

RESOLUTION OF SENATE CONCURRENT RESOLUTION.

Senator Ayer asked and was granted unanimous consent to withdraw Senate Concurrent Resolution No. 28 relative to submitting a certain amendment to the charter of the city of San Bernardino in the county of San Bernardino, State of California, voted for and carried by the qualified electors of the said city of San Bernardino at a special municipal election held therein on the 18th day of April, 1913.

Senate Concurrent Resolution No. 28 withdrawn, and ordered stricken from the file.

Senate Constitutional Amendment No. 70—Proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature by amending Sections 1, 14, 15 and 16 of said Article IV, and by adding a new section thereto, to be numbered Section 24.

On motion of Senator Cogswell, Senate Constitutional Amendment No. 70 was passed to file.

Senate Bill No. 1708—An Act to provide for the registration of and filing reports by legislative lobbyists and regulating the work of such lobbyists.

Read third time.

On motion of Senator Rolfe, Senate Bill No. 1708 was passed to the

CONSIDERATION OF BILL—LEAVE OF ABSENT.

On motion of Senator Tyrrell, the Senate took up the consideration of Assembly Bill No. 1152 for second reading out of order.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California relating to salaries and fees of officers of counties of the fourth class.

During second reading of the bill, the following amendment was offered by Senator Anderson:

After the enacting clause, on page 1, of the printed bill strike out the entire bill and substitute in lieu thereof the following:

SECTION 1. Section 4242 of the Political Code of the State of California, is hereby amended to read as follows:

4242. In counties of the thirteenth class, county officers shall receive as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

1. The county clerk, two thousand eight hundred dollars per annum, and there shall be and there is hereby allowed to the county clerk, in addition, one deputy who shall be paid the sum of one thousand five hundred dollars per annum, and one deputy who shall be paid the sum of one thousand three hundred dollars per annum, and one deputy who shall be paid the sum of one thousand dollars per annum, the said salaries to be paid by such county in monthly installments at the time and in the manner and out of the same fund as the salaries of county officers are paid; *and provided, further*, that in each year in which a new and complete registration of voters is required by law, said county clerk shall appoint no additional deputy, **or deputies, who shall receive the sum of seven and one half cents per name for** taking the affidavits of registration outside of the city of Riverside, and bills for their service at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed; *and provided, further*, that all fees **and commissions received by this office shall be turned over to the county and** become the property of the county. All the provisions of this paragraph shall **apply to the present incumbent.**

2. The sheriff, three thousand three hundred dollars per annum, and all commissions, fees and mileage for the service of papers or process coming from courts other than those of his own county; *provided*, that in counties of this class there shall be and is hereby allowed to the sheriff, one under sheriff whose salary is hereby fixed at the sum of one thousand five hundred dollars per annum; and one deputy who shall be jailer, whose salary is hereby fixed at the sum of one thousand dollars per annum; and one deputy whose salary is hereby fixed at the sum of one hundred dollars per annum, said deputies to be appointed by the sheriff, and their salaries to be paid by the county in equal monthly installments at the time and in the manner and out of the same fund as the salaries of county officers are paid. **All the provisions of this paragraph shall apply to the present incumbent.**

3. The recorder, two thousand eight hundred dollars per annum; and one deputy, whose office is hereby expressly created, to be appointed by the recorder, who shall receive a salary of one thousand four hundred dollars per annum, payable in monthly installments; *and provided, further*, that the recorder is hereby allowed as many copyists as may be required, who shall receive as compensation the sum of four cents per folio for recording any instrument or notice. The salaries of the **deputy recorder and copyists herein provided, shall be paid by the county in** monthly installments, at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All fees and commissions **received by this office shall be turned over to the county and become the property** of the county. All the provisions of this paragraph are to apply to the present incumbent.

4. The auditor, two thousand eight hundred dollars per annum; and there shall be and there is hereby allowed to the auditor in addition, one deputy to be appointed by the auditor who shall be paid a salary of one thousand five hundred dollars per annum, and one deputy who shall be appointed by the auditor who shall be paid a salary of nine hundred dollars per annum, and such additional clerks and assistants as the auditor may require and whose compensation in the aggregate shall not exceed four hundred dollars in any one year; *and provided*, that the auditor shall file with the county clerk a verified statement showing in detail the amount paid, and the persons to whom said compensation is paid for such extra assistants employed. The salaries herein provided shall be paid by the county in monthly installments at the same time and out of the same fund as the salaries of county officers are paid. All that portion of this paragraph relating to deputies and other assistants shall **apply to the present incumbent.**

5. The treasurer, two thousand eight hundred dollars per annum; *provided*, **that in counties of this class there shall be and there is hereby allowed to the treasurer, one deputy, to be appointed by him, who shall receive from the county** a salary of one thousand dollars per annum, to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All that portion of this paragraph **relating to the salary of deputy shall apply to the present incumbent. From and** after the first Monday after the first day of January, 1915, all fees and com**missions received by the treasurer shall be turned over to the county and become the property of the county.**

6. The tax collector, two thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the tax

[illegible]

ated one constable, anything in the provisions of section four thousand fourteen of this code to the contrary notwithstanding.

14. The justice of the peace in townships having a city or a portion thereof situated therein and having a population of twelve thousand or more, fifteen hundred dollars per annum, payable in monthly installments, which shall be in full for all services rendered by him in both civil and criminal cases tried before him. He shall each month pay to the county treasurer all fines, commissions and fees collected by him as such justice of the peace, including fees for celebrating marriages and returning certificates thereof to the county recorder. In townships having a population of six thousand and less than twelve thousand the justice of the peace therein shall receive fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month; in townships having a population of two thousand and less than four thousand, twenty dollars per month; and in all other townships in said county, ten dollars per month: *provided, however*, that in all townships having an area equal to or exceeding one thousand square miles such salary shall not be less than fifty dollars per month. Each justice of the peace must pay into the county treasury once each month all fines collected by him in criminal cases, and the register shall withhold the warrant for salary until a sworn statement has been filed with him of all criminal cases tried and fines collected and paid into the county treasury. In addition to the monthly salary allowed herein, each justice of the peace, except the justice in townships having one or more cities or portions thereof situated therein, and having a population of twelve thousand or more, may receive for his own use in civil cases the fees allowed by law. For all services appertaining to the coroner's office, which the coroner is unable to attend to in person, the justice of the peace shall receive the same fees as are allowed the coroner in similar cases.

15. Constables in townships having one or more cities or portions thereof situated therein, and having a population of twelve thousand or more, fifteen hundred dollars per annum, payable in monthly installments, and their actual traveling expenses when engaged in official business outside of such townships, which shall be in full for all services rendered by them in all civil and criminal business. They shall charge and collect such fees as are allowed by law, and shall each month pay into the county treasury all fees, forfeitures, fines and commissions collected by them in the discharge of their duties as such constables. In townships having a population of six thousand and less than twelve thousand the constable shall receive fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month; in townships having a population of two thousand and less than four thousand, twenty dollars per month; and in all other townships in said county, ten dollars per month: *provided*, that in all townships having an area equal to or exceeding one thousand square miles such salary shall not be less than fifty dollars per month: *provided further* that in addition to the salaries herein allowed each constable, except constables in townships having a city or a portion thereof situated therein and having a population of twelve thousand or more, shall receive for their own use in civil cases, the fees allowed by law, and shall be paid out of the treasury of the county his actual traveling expenses outside of his own township but within his county, for the service of a warrant of arrest or any other paper in a criminal case, both going and returning, ten cents per mile; for each mile actually traveled outside of his county both going and returning from the place of arrest or other service five cents per mile; and for transporting prisoners to the county jail, the actual cost of transportation.

16. The population of the several judicial townships for the purpose of fixing the compensation of township officers shall be ascertained and declared by the board of supervisors on the first Monday after the first day of January every odd numbered year.

17. Each supervisor, fifteen hundred dollars per annum, payable in monthly installments and fifteen cents per mile one way for traveling from his residence to the place of meeting of the board at the county seat for not more than four board meetings per month and the necessary actual expenses incurred by him while engaged in county business outside of his district not exceeding in the aggregate the sum of three hundred dollars per annum.

Amendment adopted.

Bill read second time and ordered to print and third reading.

MOTIONS TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Juilliard moved to reconsider the vote whereby Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910,

providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation, under the laws of the State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation, under the laws of this State," was passed.

RECONSIDERATION MOTION LOST.

On motion of Senator Juilliard, the consideration of the motion to reconsider the vote whereby Assembly Bill No. 1185 was passed, was continued till the next legislative day.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS (ITEM 20 ON CALENDAR).

On motion of Senator Gates, the Senate took up the consideration of Senate Constitutional Amendments Nos. 81 and 90, and they read as follows:

Assembly Constitutional Amendment No. 81.—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

During the reading of the constitutional amendment the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 2, strike out the word "section," at the end of line 4, and the words "eight of this article as" in line 5, and insert in lieu thereof the following: "nine, section"

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 8, strike out the words "such polling right" and insert in lieu thereof the following: "this constitution"

Amendment adopted.

AMENDMENT NO. 3.

On page 2, strike out the word "such" at the end of line 9, and the words "polling right" at the beginning of line 10, and insert in lieu thereof the following: "this constitution"

Amendment adopted.

AMENDMENT NO. 4.

On page 2, line 14, strike out the words "polling right of the person", and insert in lieu thereof the following: "this constitution"

Amendment adopted.

AMENDMENT NO. 5.

On page 2, lines 19 and 20, strike out the words "polling power and right of the people", and insert in lieu thereof the following: "this constitution"

Amendment adopted.

Constitutional amendment ordered to print and engrossment.

Assembly Constitutional Amendment No. 60.—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article II, thereof, relating to charters of counties and the amendments to such charters and to the surrender thereof.

During the reading of the constitutional amendment, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 7, line 37, strike out the word "and", and insert in lieu thereof the following: "*provided*, that the provisions of such charters relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws; and".

Amendment adopted.

AMENDMENT No. 2.

On page 8, strike out lines 25, 26, 27, and 28.

Amendment adopted.

AMENDMENT No. 3.

On page 10, line 20, strike out the period after the word "provided", and insert in lieu thereof a comma, following the comma insert the following: "and except that any such charter shall not affect the tenure of office of the elective officers of the county, or of any district, township or division thereof, in office at the time such charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected, unless sooner removed in the manner provided by law."

Amendment adopted.

Constitutional amendment ordered to print and engrossment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 6, 1913

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEWITT, Chairman.

Assembly Bill No. 1936 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HEWITT, Chairman.

Assembly Bill No. 2091 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California by striking out 1194 and putting in place thereof 1210—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HEWITT, Chairman.

Assembly Bill No. 1752 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 1934—An Act to amend Section 1194 of the Political Code, relating to the registration of voters—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HEWITT, Chairman.

Assembly Bill No. 1934 ordered on file for second reading.

CONSIDERATION OF BILLS—OUT OF ORDER.

On motion of Senator Hewitt, the Senate took up the consideration of Senate Bill No. 1064, out of order.

Senate Bill No. 1064—An Act to amend Section 3 of an Act entitled "An Act to provide for consolidation of municipal corporations," approved March 11, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1064 passed by the following vote:

AYES—Senators Anderson, Arbo, Bates, Benson, Birdsall, Bolgiano, Boyd, Brown, Bryan, Caminetti, Chipman, Cole, Cogswell, Cory, Curtin, Flaxmer, Jones, Juilliard, Lukas, Mott, Owens, Rush, Shoemaker, Stanwood, Tennant, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Jones, the Senate took up the consideration of Senate Bill No. 1524, out of order.

Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards.

Read third time on a previous day.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer Senate Bill No. 1524 to Senator Cogswell, as a special committee of one, to amend as follows:

By striking out all of the printed bill after the figure "2340" in line 1, page 1, and inserting the following: "A parent or guardian having legal custody of a minor is liable for any willful misconduct of such minor, resulting in injury to the person or property of another, to the same extent as a child over the age of twenty-one years is liable for such misconduct, and the liability of the parent or guardian for the misconduct of such minor is limited to the amount of actual damages sustained by the injured party, not exceeding the sum of five hundred dollars."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1524, with instructions to amend, respectfully reports that same has been amended as per annexed copy.

COGSWELL, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

CONSIDERATION OF BILL—OUT OF ORDER.

On motion of Senator Boynton, the Senate took up the consideration of Senate Bill No. 1288, out of order.

Senate Bill No. 1288—An Act to amend an Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, misbranded or misbranded foods and liquors

and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor."

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Boynton moved to refer to Senator Breed, as a special committee of one, to amend as follows:

On page 1 strike out the word "by" in line 6, all of line 7 and that portion of line 8 ending with the colon after the word "following" and insert in lieu thereof the following: "to read as follows:

SEC. 6. Food and liquor shall be deemed mislabeled or misbranded within the meaning of this Act in any of the following cases:

First—If it be an imitation of or offered for sale under the distinctive name of another article of food.

Second—If it be labeled or branded or colored so as to deceive or mislead, or tend to deceive or mislead the purchaser, or if it be falsely labeled in any respect, or if it purport to be a foreign product tend to mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package.

Third—If in package form, and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package.

Fourth—If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substance contained therein which statement, design, or device shall be false or misleading in any particular."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1288, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read and adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Birdsall, the Senate took up the consideration of Senate Bills Nos. 1212 and 1213 for second reading, out of order.

Senate Bill No. 1212—AN ACT to amend Section 245 of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

During second reading of the bill, the following amendments were offered by Senator Cogswell:

AMENDMENT NO. 1.

Amend by striking out of section 1, page 2, line 4, the words "three bill filers, four bill clerks".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 19, strike out the words "four porters".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

During second reading of the bill, the following amendments were offered by Senator Cogswell:

AMENDMENT No. 1

On page 2, line 1, strike out the words "rail cases".

Amendment adopted.

AMENDMENT No. 2

On page 2, line 2, strike out the words "rail lines".

Amendment adopted.

AMENDMENT No. 3

On page 2, line 4, strike out the word "section".

Amendment adopted.

AMENDMENT No. 4

On page 4, line 3, after the comma following the word "day", insert the following: "to the nearest cent, eight hundred per day;"

AMENDMENT No. 5

On page 4, line 8, strike out the words "seventy-five".

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

RUSH ORDER TO PRINTER

On motion of Senator Cogswell, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 1212 and 1213.

BILL RECALLED FROM PRINT

On motion of Senator Kehoe, Assembly Bill No. 516 was ordered recalled from print and third reading.

ADJOURNMENT

At ten o'clock and ten minutes p.m., on motion of Senator Cogswell, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, May 7, 1913.

The Senate met at ten o'clock a.m.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Bentley, Boynton, Breed, Brown, Bryant, Burke, Campbell, Caminetti, Cogswell, Cone, Curtin, Elsy, Finn, Flint, Gates, Gerdes, Grant, Hans, Holohan, Johnson, Jones, Kehoe, Lanktree, Leale, Mac-Owens, Regan, Rush, Sanford, Saunders, Stetson, Thompson, Wolfe and Wright—38.

Quorum present.

PRAYER.

Prayer by Rev. Frank Kline Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, May 6, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Also: Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class.

Also: Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Also: Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds, in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1186 and 2116 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 1598 and 1900 read first time, and referred to Committee on County Government.

PRESIDENT WALLACE IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY—RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1609—An Act providing for the payment of the actual expenses of the justices *pro tempore* of the District Courts of Appeal of the State of California.

Also: Assembly Bill No. 177—An Act to amend an Act to establish a uniform system of county and township government, approved April 1, 1897, by amending Section 228 thereof.

Also: Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Also: Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Also: Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Also: Assembly Bill No. 1465—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1609, 2114, 2052, 2051 and 1465 read first time, and referred to Committee on Finance.

Assembly Bill No. 177 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1027—An Act to amend Section 4261 of the Political Code of the State of California, relating to notices and fees of officers in counties of the thirty-fifth class.

J. P. MALLOEY, Chief Clerk of Assembly.
By Thomas O. Wilson, Assistant Clerk.

Assembly Bill No. 1027 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1030—An Act to amend Section 31 of an Act entitled "An Act relating to the Penal Institutions, Reformatories, Detention Hospitals of the State of California and defining the powers and duties," approved March 4, 1911.

Also: Assembly Bill No. 1405—An Act to amend Section 4261 of the Political Code of the State of California, relating to the recording of bills and claims.

Also: Assembly Bill No. 1260—An Act relating to the marking and registering of trees, vines or bushes by persons under assumed names or marks.

Also: Assembly Bill No. 1284—An Act for the protection of national emblems and other persons, and providing for the carrying of native birds in an open and public way, and to the possession of carcasses.

Also: Assembly Bill No. 1311—An Act to amend Section 3040 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Also: Assembly Bill No. 1297—An Act to add a new section to the Political Code of the State of California, to be known as Section 1536b, with reference to the location of county high schools.

J. P. MALLOEY, Chief Clerk of Assembly.
By Thomas O. Wilson, Assistant Clerk.

Assembly Bill No. 1436 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 1291 and 408 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 844 read first time and referred to Committee on County Government.

Assembly Bill No. 1287 read first time and referred to Committee on Education.

BILLS RE-REFERRED FOR COMPARISON.

On motion of Senator Tyrrell, Senate Bill No. 1171 and Assembly Bill No. 1482 were re-referred to Committee on Engrossment and Enrollment for comparison.

MESSAGES FROM THE ASSEMBLY (SECOND TIME).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Harris, Hoeby and Shearer as a committee of Conference concerning Assembly Bill No. 20—An Act relating to appropriations for maintenance, buildings and improvements for the State Normal Schools, and repeal a specific appropriation for the Normal School at Los Angeles, and to enact a new section relating thereto, to be known as Section 8, the Senate.

J. P. MALLOEY, Chief Clerk of Assembly.
By Thomas O. Wilson, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1426—An Act to amend an Act entitled "An Act for the establishment of land titles and the simplification of the transfer of real estate," approved March 27, 1897.

Also: Assembly Bill No. 1252—An Act prohibiting the destruction of foodstuffs, food products or food articles.

Also: Assembly Bill No. 1903—An Act to amend Section 4300c of the Political Code, relating to justices of the peace fees.

Also: Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the 'Inheritance Tax Act", to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens, arising hereunder, to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1193, 1252 and 1903 read first time, and referred to Committee on Judiciary.

BILLS RE-REFERRED FOR COMPARISON.

On motion of Senator Gates, Assembly Bill No. 2117 and Senate Bill No. 1617 were re-referred to Committee on Engrossment and Enrollment for comparison.

MESSAGES FROM THE ASSEMBLY — RESUMED.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Constitutional Amendment No. 25 referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Also: Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth of January, the date of the discovery of gold in California, by James W. Marshall.

Also: Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Also: Senate Bill No. 1252—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or immediate danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Also, Senate Bill No. 429—An Act making an appropriation to pay the costs of the members of the State Board of Agriculture against the State of California.

J. P. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Bills Nos. 1197, 1198, 1201, 1202 and 1203 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1204—An Act relating to roads, providing for the construction and improvement thereof, providing that the appointment of a board of managers of said bureau, defining their qualifications, duties of office, terms and powers, providing for the employment of a director and other help and compensation therefor, the compensation of such managers, director, agents and employees, providing for the construction of such roads and bridges, and also providing for the expenses of surveying and superintending the office of said bureau, and making an appropriation therefor.

Also, Senate Bill No. 1206—An Act making an appropriation to pay the costs of J. W. Kavanagh against the State of California.

Also, Senate Bill No. 1214—An Act appropriating money to pay the claim of J. B. Carey against the State of California.

Also, Senate Bill No. 1216—An Act to amend Section 1208 of the Political Code of the State of California, relating to counties of fifteen to twenty-five thousand inhabitants.

Also, Senate Bill No. 42—An Act appropriating money for leasing and furnishing a cottage for female working patients at Agnews State Hospital.

J. P. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Bills Nos. 581, 1146, 1154, 454 and 41 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1210—An Act making the appropriation ready in Chapter 626, Statutes of 1911, "For salaries, traveling and all other expenses of the Commission and appropriated for the State Printing Office, to be used for the compiling and publishing of Blue Book, Legislative Bulletin, Directory of the City and County Officials" available for the publication of such Blue Book.

Also, Senate Bill No. 1051—An Act to appropriate money for the purpose of securing in whole the exhibit of a public library building in the building of a permanent appropriation of the United States War Department to the State, to be held in the year 1915.

Also, Senate Bill No. 720—An Act to provide for the establishment of a state library for the use and benefit of the legislature and the commissioners thereof, and making an appropriation therefor.

Also, Senate Bill No. 1156—An Act to appropriate money for the purpose of constructing a steel span over the Sacramento River at Princeton, in Glenn County, to the Supervisors, Board of Commissioners of Tehama, and connecting the same with the state system of road, Tehama Bridge.

J. P. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Bills Nos. 1177, 1184, 709 and 1176 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1208—An Act appropriating money for leasing and furnishing (the cottage) at Agnews State Hospital.

J. P. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Senate Bill No. 1196 ordered to enrollment.

BILLS RETURNED FOR CORRECTIONS

On motion of Senator Tyrrell, Assembly Bill No. 1182 and Senate Bill No. 1173 were ordered returned to the Committee on Engrossment and Enrollment for correction.

CONSTITUTIONAL AMENDMENT RECALLED FROM COMMITTEE.

On motion of Senator Brown, Assembly Constitutional Amendment No. 90 was ordered recalled from the Committee on Labor and Capital.

CONSTITUTIONAL AMENDMENT REFERRED FOR COMPARISON.

On motion of Senator Brown, Assembly Constitutional Amendment No. 90 and Senate Constitutional Amendment No. 72 were ordered referred to the Committee on Engrossment and Enrollment for comparison.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Also: Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Senate Bill No. 160—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases and appropriating money to be used for such purpose.

Also: Senate Bill No. 1727—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Senate Bill No. 868—An Act making an appropriation to pay the claim of the firm of Dillon, Thomson & Clay, of New York City, against the State of California.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 151—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State, and for expenses connected with and incidental to the payment of such bonds and the interest thereon, outside of the State.

Also: Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State, and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Also: Senate Bill No. 170—An Act to make an appropriation for the location and survey of a proposed highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley and making an appropriation therefor.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1218, "An act to amend Sections [illegible] of the Code of Civil Procedure, relating to the [illegible] proceeding for distribution, by which such estate may be settled and closed, and relating to the time of [illegible] and repealing conflicting acts," entitled March 15, 1913, and respectfully requests your concurrence in said amendments.

Also: Senate Bill No. 1235, "An Act to amend an Act entitled 'An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives on the thirteenth of March, one thousand [illegible], appropriating the sum of [illegible] dollars, for the improvement of the Sacramento River, or its tributaries, or both, below the mouth of the Feather River, to the confluence of said rivers, and providing for the payment of said appropriation from the General Fund of the State Treasury, and declaring the urgency thereof, to take effect immediately," approved December 20th, 1911, by amending Sections 1, 2 and 3 of said Act and adding thereto and supplementing the same by additional sections to be numbered as Sections 3 1/2, 3 3/4, 3 7/8, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19, relating to [illegible] the Sacramento River, and providing for the management and control of such district and defining the powers and duties of the Commission hereof and the State Engineer, the acquisition of rights of way and property by said Commission thereof, the ascertainment and assessment of the [illegible] thereby benefited, the collection and payment of the funds thereof, the method of enforcement of the collection and payment of the funds thereof, the method of enforcement of the collection of assessments, providing for the issuance of bonds and warrants therefor, and making an appropriation to pay the expenses of the State Engineer and the Commission hereof, and providing for the removal and erection of [illegible] of embankments, and the construction of the setback [illegible] to banks of embankments and levees, erection and setback, to preserve the efficiency of the system of said [illegible] and the Sacramento and San Joaquin Rivers, to prevent the encroachment of same to impair the channel of navigation of [illegible] to prevent overflow, to create and establish channels, to [illegible] and to provide for the acquisition of right of way for embankments of the banks of the Sacramento River and making an appropriation for carrying out the provisions of this Act."

And respectfully ask that the concurrence be extended to

J. B. MALLORY, Chief Clerk of Assembly.
By Thomas H. Wiseman, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1218.

(Adopted May 7, 1913.)

On page 2, line 27, strike out all of line 27 after the first semicolon.

Also: On page 34, line 10, after the word "court" insert the following: "or its commissioner".

Also: On page 34, line 18, after the word "record" insert a comma and the following words: "upon request of any".

Also: On page 34, line 20, after the word "court" insert a comma and the following words: "upon request of any".

Also: On page 37, line 10, after the word "court", insert the following words: "upon request of any".

Also: On page 38, line 18, after the word "court", insert the following words: "upon request of any".

Also: On page 38, line 20, after the word "court" insert a comma and the following words: "upon request of any".

(Adopted May 7, 1913.)

On page 35, out of line 24, insert the following: "The State of California only and he liable, directly or indirectly, for any obligation, claim, or liability of any kind or character, pending under or by reason of this Act, or any of the provisions thereof, in excess of the said hundred thousand dollars to be set aside from appropriations".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1218?"

The roll was called, and Assembly amendments to Senate Bill No. 1218 concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Gates, Juilliard, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—21.

NOES—None.

Senate Bill No. 1218 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1727.

In the title, before the word "completion", insert the word "partial", and after the word "completion", in the same line, insert the words "and partial furnishing".

Also In Section 1, line 4, after the word "the", insert the word "partial", and after the word "completion", in the same line, insert the words "and partial furnishing".

Also In Section 1, line 5, strike out the period, and insert in lieu thereof the following: ", and for sewer work in connection with the construction of said armory."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1727?"

The roll was called, and Assembly amendments to Senate Bill No. 1727 concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Juilliard, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, and Tyrrell—23.

NOES—None.

Senate Bill No. 1727 ordered to enrollment.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 7

On page 1 of the printed bill, strike out everything from and inclusive of line 1, down to and inclusive of line 8, and insert in lieu thereof the following:

"SECTION 1. The sum of four hundred thousand dollars ($400,000) is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be paid to the Regents of the University of California, to be used by them for the construction and equipment of a class room building on the campus of the University of California, at Berkeley, California. Of the total amount hereby appropriated the sum of one hundred thousand dollars ($100,000) shall be available for expenditure during the sixty-fifth and sixty-sixth fiscal years, or during either of such years, and the remaining three hundred thousand dollars ($300,000) shall be available for expenditure during the sixty-seventh and sixty-eighth fiscal years, or during either of such fiscal years."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 7?"

The roll was called, and Assembly amendment to Senate Bill No. 7 concurred in by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Hans, Juilliard, Lyon, Mott, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

Senate Bill No. 7 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Sutherland, Smith, and Richardson as a Committee on Free Conference concerning Senate Bill No. 817—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911—to meet a like committee appointed from the Senate.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblyman Young, Chair., Mr. C. and Engel as a Committee on the Part of the Assembly on Assembly Bill No. 1000, as set out in the Senate Journal of this date, relative to the

Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations, and making an appropriation for the purpose of carrying out the provisions of this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 285, 703, 1250, 1741 and 1515 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Also: Assembly Bill No. 1996—An Act to authorize the State Board of Health to purchase, or prepare, and distribute, free of cost, to certain persons, anti-rabic virus, and making an appropriation therefor.

Also: Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Also: Assembly Bill No. 175—An Act to amend Section 750 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation.

Also: Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1570, 1996, 65, 175 and 1461 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November in the year 1910, which is provided in Section 14 of Article XIII of the Constitution of this State and as provided in an Act of the thirty-ninth session of the Legislature entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

Also: Assembly Bill No. 1542—An Act making an appropriation for the location and survey of a proposed highway from Boca to the Nevada state line along the Truckee River in Nevada County.

Also: Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Also: Assembly Bill No. 1134—An Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian.

Also: Assembly Bill No. 970—An Act to establish a legislative counsel bureau and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1008, 1542, 2055, 1134 and 970 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Also: Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor.

Also, Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for inspecting convicted and discharged criminals with a view to future employment for the proper and suitable as determined from time to time.

Also, Assembly Bill No. 1470—An Act to provide for the building and maintenance of a deep navigable ship canal and turning basin for the use of the State Department of Engineering, and making an appropriation of Fifteen thousand.

Also, Assembly Bill No. 471—An Act to provide for the work of the three improvement of the navigation of the lower Sacramento River of the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STORMBRIDGE, Chairman.

Assembly Bills Nos. 999, 1231, 1517, 470 and 471 ordered on file for second reading.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the state by adding a new section to be numbered 11½ to Article XI thereof, relating to the powers, duties, compensation, term, duties and powers of supervisors in the several counties of the State of California—have had the same under consideration, and respectfully report back said Constitutional Amendment No. 10 as proposed.

CASWELL, Chairman.

Assembly Constitutional Amendment No. 10 ordered on file for second reading.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Public Expenditures, to whom was referred Senate Bill No. 1008—An Act to amend Section 4000 of the Political Code of the State of California, relating to the compensation of the assistant assessors in counties—have had the same under consideration, and respectfully report back said bill with the recommendation that it do pass.

Also, Senate Bill No. 331—An Act to amend Section 4000 of the Political Code of the State of California relative to the compensation of the assistant assessors in counties.

Also, Senate Bill No. 1007—An Act to amend Section 4000 of the Political Code of the State of California relating to assistant assessors in counties.

Also, Senate Bill No. 1008—An Act to amend Section 4000 of the Political Code of the State of California relating to the compensation of assistant assessors in counties.

Also, Senate Bill No. 1013—An Act to add a new section to the Political Code to be known as Section 4000½, relative to the compensation of certain officers.

Also, Senate Bill No. 1015—An Act to add a new section to the Political Code of the State of California, relating to the duties of assessors and their assistant deputies.

Also, Senate Bill No. 1021—An Act to amend Section 4000 of the Political Code of the State of California, relating to the compensation of assistant assessors in counties containing more than one hundred thousand inhabitants.

Also, Senate Bill No. 1030—An Act to add a new section to the Political Code to be known as Section 4000½, relative to the duties of assessors.

Also, Senate Bill No. 1031—An Act to amend Section 4000 of the Political Code of the State of California, relating to the duties of assessors and their assistant deputies.

Also, Senate Bill No. 1401—An Act to amend Section 4000 of the Political Code of the State of California, relating to the powers of boards of supervisors and fixing their duties and duties of their assistants in the performance of certain duties of assessors and deputies or clerical assistants, and the assistants and deputies, the limitation of number and of compensation thereof.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BEARD, Chairman.

Senate Bills Nos. 989, 911, 949, 1021, 1027, 1024, 1028, 1092 and 1401 ordered on file for second reading.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1128—An Act to establish a state motor commission, to regulate motion picture films and to regulate the use thereof in the State of California—and report that the same has been correctly engrossed.

GRANT, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1428—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Also: Assembly Bill No. 1439—An Act to amend Section 637*a*, of the Penal Code of the State of California, relating to the protection of fish and game.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HANS, Chairman.

Assembly Bills Nos. 1428 and 1439 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 862 ordered on file for second reading.

REPORTS OF COMMITTEES ON FREE CONFERENCE.

The following reports were received and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 402*f*, providing that certain buildings shall be provided with fire escapes—report that we have met a like committee of the Assembly, consisting of Assemblymen Green, Bagby and Wm. C. Clark, and we report that the Free Conference Committee agreed upon, and recommend that the following substitute be adopted:

An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered four hundred and two *f*, providing that certain buildings shall be provided with fire escapes.

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code of the State of California to be numbered four hundred and two *f* and to read as follows:

402*f*. Any building more than two stories in height used as a hotel, apartment house, lodging house, factory, hall, or place where people congregate, shall be provided with at least one fire escape of iron or other incombustible material on each exposed side of said building, conveniently accessible from each room of said building. An exposed side of a building is defined to be the front or rear thereof, or any other principal side of such building where provision can reasonably be made for descent to a place of safety in case of fire. The provisions of this Act shall not apply to buildings having a frame of steel or reinforced concrete and in which all the structural parts, including staircases and floors, are of incombustible material and the walls are of brick, stone or reinforced concrete, nor to any building situated within any incorporated city or town which is so constructed as to comply with the provisions of municipal ordinances therein relating to fire escapes. Any violation of this section by the owner, lessee or manager of any such building shall be punished by a fine not exceeding fifty dollars, and every day that such owner, lessee or manager of said building shall fail to comply with the provisions of this section shall be deemed a separate offense.

GREEN,
BAGBY,
CLARK, WM. C.,
Assembly Committee on Free Conference.

CAMPBELL,
TYRRELL,
HANS,
Senate Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Brown, Bulkley, Bunnell, Burke, Cassidy, Converse, Crawford, Curtis, Dayton, Downs, Dunlop, Hart, Hemstreet, Long, Mary Owen, Sanford, Shaw, Lee, Thompson, Tyrrell and Wright—21.

NOES—None.

Senate Bill No. 1267 ordered to engrossment

Also

SENATE CHAMBER, ALBANY, May 6, 1913.

MR. PRESIDENT: Your Committee on Cities, to which was referred Assembly Print No. 1611, An act to amend section 2 of chapter 4 of the laws of 1 and section 1 of chapter 4 of the laws of 1 and section 1 of chapter 4 of the laws of 1 and section 1

State of California, relating to the protection and preservation of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 1442 ordered on file for second reading.

RESOLUTIONS.

The following resolutions were introduced:

By Committee on Contingent Expenses:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of W. N. Parrish, Secretary, and the State Treasurer is hereby directed to pay the same for the sum of nine dollars and fifteen cents ($9.15), said amount being for the payment of the following bills attached:

W. F. Purnell—

1 numbering machine	$5 00
3 daters	75
1 triumph punch	1 75
6 grip files	90
1 gavel and block	75
	$9 15

GERDES, Chairman.
KEHOE.
SHANAHAN.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Boynton, Breed, Brown, Caminetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Hans, Juilliard, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of W. N. Parrish, Secretary, for the sum of two hundred and thirty dollars and fifty-seven cents ($230.57) out of the Contingent Fund of the Senate, and the State Treasurer is hereby directed to pay the same, being in payment of the Senate's portion (one half) of the following bills attached:

		One half
W. F. Purnell—		
4 doz. Shannon board files	$16 64	$8 32
8 doz. Shannon board files	33 60	16 80
7 record books	1 75	88
2 doz. clipboards	6 00	3 00
4 doz. Shannon board files	16 64	8 32
8½ doz. Shannon board files	34 67	17 33
1 doz. perforators	2 32	1 16
1 doz. shears, 10 inch	8 60	4 30
1 doz minute books	2 00	1 00
Pacific Coast Paper Co.—		
100 boxes typewriter paper, 8½ by 13	53 00	26 50
Sacramento Chemical Co.—		
2 hand sprayers for entomocide	1 20	60
Schwabacher-Frey Stationery Co.—		
200 boxes Gem clips	5 00	2 50
4 doz. quarts paste	19 20	9 60
3,000 Dennison's fasteners No. 24R	3 38	1 69
1 gross Falcon files	54 00	27 00
Richardson-Case Paper Co.—		
25 boxes typewriter paper, letter size	9 75	4 88
25 boxes typewriter paper, onion skin legal	10 25	5 12
1 gross No. 12 twine	11 52	5 76
½ gross No. 18 twine	5 04	2 52
½ gross No. 36 twine	10 20	5 10
1 gross Spring twine	18 72	9 36

Bureau of Vital Statistics, Co.—
For the month ending ..... $ [illegible]
Total Vital Statistics Account No. [illegible] ..... [illegible]
Penal Institutions, Board of—
To [illegible] maintenance ..... [illegible]
Pension Examiners of Texas, Co.—
To [illegible] ..... [illegible]
Pharmacy, Board of—
To [illegible] ..... [illegible]
Physician Purple Co.—
To [illegible] ..... [illegible]
Public Printing and Binding, Co.—
Contingent appropriation ..... [illegible]
R. R. Co.—
[illegible] ..... [illegible]
[illegible] ..... [illegible]
[illegible] ..... [illegible]
[illegible] ..... [illegible]
[illegible] ..... [illegible]
[illegible] ..... [illegible]
Total ..... $[illegible]

SENATE CHAMBER,
AUSTIN, TEXAS,
MARCH 7, 1913.

HON. [illegible],
SPEAKER,
HOUSE OF REPRESENTATIVES.

SIR: I am directed by the Senate to inform the House that the Senate has passed the following bills:

[illegible]

Respectfully,

[illegible],
Secretary of the Senate.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

Ayes—Senators Beeson, Brooks, Bryan, Burgess, Burney, Caldwell, Campbell, Carrington, Carter, Cousins, Crawford, Dies, Duncan, Estes, Fly, Gallagher, Gilmore, Harris, Hudspeth, Lattimore, Martin, Mayfield, Neal, Pettus, Pope, Smith, Stephens, Thompson, Tillotson, Townes, Tyrrell, Wilson, Witt, Woodward, Wortham and Wright—31.

Nays—None.

Absent—None.

Also:

Resolved, That the State Comptroller be and is hereby directed to issue warrants upon the proper fund in favor of the following persons, and for the amount hereinafter stated, for services rendered as pay for the use of cots furnished them during the session of the Thirty-third Legislature, and in accordance with Article [illegible], said amount being for the session of the following dates, respectively:

[illegible] ..... $[illegible]
[illegible] ..... [illegible]
[illegible] ..... [illegible]
[illegible] ..... [illegible]
[illegible] ..... [illegible]
[illegible] ..... [

By Senator Breed: Permission to introduce a Senate Bill—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

By Senator Jones: Permission to introduce a Senate Bill—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

By Senator Thompson: Permission to introduce a Senate Bill—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the general fund of the state treasury.

By Senator Wright: Permission to introduce a Senate Bill—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Requests referred to Committee on Introduction of Bills.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced:

By Senator Sanford: Senate Joint Resolution No. 41—Endorsing the course of Hon. John D. Works in his efforts in behalf of the nation wide movement for equal suffrage.

Resolution referred to Committee on Federal Relations.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Birdsall, Curtin and Strobridge as a Committee on Free Conference to meet with a like committee from the Assembly to consider Assembly Bill No. 26.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 1370—An Act to authorize the payment of the claim of Western Fuel Company against the State of California and making an appropriation therefor out of the San Francisco harbor funds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1370 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Butler, Cannaetti, Campbell, Cogswell, Cohn, Finn, Gates, Gerdes, Hans, Owens, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 678—An Act appropriating money to pay the claim of Julian Alfred Mattoon against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 678 passed by the following vote:

Ayes—Senators Anderson, Benson, Boynton, Breed, Burnett, Campbell, Caminetti, Carr, Chandler, Cogswell, Cogswell, Cutten, Dunn, Finn, Flint, Gates, Gerdes, Hewitt, Holohan, Inman, Leavitt, Lewis, Mott, Owens, Rigdon, Roseberry, Rush, Sanford, Scott, Shoemaker, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wyllie and Young—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 138—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 138 passed by the following vote:

Ayes—Senators Anderson, Benson, Boynton, Breed, Burnett, Campbell, Caminetti, Cogswell, Cogswell, Cutten, Dunn, Finn, Flint, Gates, Gerdes, Hewitt, Holohan, Inman, Leavitt, Lewis, Mott, Owens, Rigdon, Roseberry, Rush, Sanford, Scott, Shoemaker, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wyllie and Young—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health, defining its powers and duties, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 980 passed by the following vote:

Ayes—Senators Anderson, Benson, Boynton, Breed, Burnett, Campbell, Caminetti, Cogswell, Cogswell, Cutten, Dunn, Finn, Flint, Gates, Gerdes, Hewitt, Holohan, Inman, Leavitt, Lewis, Mott, Owens, Rigdon, Roseberry, Rush, Sanford, Scott, Shoemaker, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wyllie and Young—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 3796, relating to the loaning of money to corporations organized under the laws of the State of California, to its officers, directors or stockholders.

On motion of Senator Finn, Senate Bill No. 1741 was passed to the

Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

On motion of Senator Gerdes, Senate Bill No. 121 was passed to the

Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State by prohibiting [illegible]

binations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city or other legal subdivision thereof.

On motion of Senator Gerdes, Senate Bill No. 122 was passed on file.

Senate Bill No. 1385—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, to provide for the enforcement thereof.

On motion of Senator Lyon, Senate Bill No. 1385 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

On motion of Senator Sanford, Senate Constitutional Amendment No. 67 was passed on file.

Senate Bill No. 499—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

In the absence of the author, Senate Bill No. 499 was passed on file.

Senate Bill No. 771—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

In the absence of the author, Senate Bill No. 771 was passed on file.

Senate Bill No. 1756—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

In the absence of the author, Senate Bill No. 1756 was passed on file.

Senate Bill No. 1120—An Act to amend Section 4253 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

On motion of Senator Anderson, Senate Bill No. 1120 was passed on file.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentences.

On motion of Senator Finn, Senate Constitutional Amendment No. 38 was ordered to the file of unfinished business.

Senate Bill No. 1324—An Act providing for the manner of calling meetings of an unincorporated society, organization or association when the manner of calling the same is unprovided for in the constitution or by laws of such unincorporated society, organization, or association or the officer whose duty it is to call such meeting fails or refuses so to do.

On motion of Senator Regan, Senate Bill No. 1324 was ordered to the file of unfinished business.

Senate Bill No. 1734—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

In the absence of the author, Senate Bill No. 1734 was passed on file.

Senate Bill No. 1742—An Act to amend Section 900 of the Civil Code of the State of California, relating to [illegible] of [illegible].

On motion of Senator Boynton, Senate Bill No. 1742 was returned to the foot of the file.

Senate Bill No. 1800—An Act to amend Section [illegible] of the Political Code of the State of California, relating to county [illegible].

In the absence of the author Senate Bill No. 1800 was passed on file.

Senate Constitutional Amendment No. 70—Proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature, by amending Sections 1, 14, 15 and 16 of said Article IV, and by adding a new section thereto, to be numbered Section 6½.

On motion of Senator Campbell, Senate Constitutional Amendment No. 70 was passed on file.

Senate Bill No. 1709—An Act to provide for the registration of and filing express accounts by legislative lobbyists and regulating the work of such lobbyists.

In the absence of the author, Senate Bill No. 1709 was passed on file.

Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1089 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Caldwell, Burnham, Bond, Campbell, Cartwright, Chipman, Cogswell, Colton, Crowley, Flint, Gillett, Gerdon, Jones, Lee, Mott, Owens, Regan, Rush, Sanford, Thompson, and Wyllie—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1015—An Act to amend Section 628, Section 635½ and Section 636 of the Penal Code of the State of California, all relating to the protection and preservation of fish.

In the absence of the author, Senate Bill No. 1015 was passed on file.

Senate Bill No. 976—An Act to amend Sections 637 and 638 of the Civil Code, relating to building and loan associations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 976 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Caminetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Jones, Larkins, Regan, Rush, Sanford, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 977—An Act to amend Section 633 of the Civil Code, relating to building and loan associations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 977 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Caminetti, Campbell, Cogswell, Curtin, Gates, Gerdes, Hans, Jones, Larkins, Lyon, Owens, Regan, Sanford, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics, in compliance with the provisions of this Act," approved March 18, 1905.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1169 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Caminetti, Campbell, Curtin, Gates, Gerdes, Hans, Jones, Lyon, Mott, Owens, Regan, Sanford, Shanahan, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426*a*, relating to the complaint in actions for divorce.

Read third time.

On motion of Senator Gerdes, Senate Bill No. 1171 was passed on file.

SENATOR CAMPBELL IN THE CHAIR

At eleven o'clock and fifty minutes a.m., Senator Campbell, of the Tenth District, in the chair.

[illegible]

Senate Bill No. 64—An Act to provide one additional judge of the Superior Court of the county of Riverside.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Anderson moved a call of the Senate.

Motion carried.

Time, twelve o'clock and seventeen minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE POSTPONED

At twelve o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Anderson.

The roll of absentees was called, and Senate Bill No. 64 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1762—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be known as Section 2062 of the Penal Code.

On motion of Senator Gerdes, Senate Bill No. 1762 was passed on file.

Senate Bill No. 1773—An Act to add a new section to the Political Code to be known as Section 3616c, relating to the duty of assessors in compiling assessment books.

On motion of Senator Hewitt, Senate Bill No. 1773 was passed on file.

Senate Bill No. 347—An Act to amend Section 1870 of the Political Code of the State of California, relating to the subpoena of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Read third time.

On motion of Senator Sanford, Senate Bill No. 347 was passed on file.

Senate Bill No. 1422—An Act to amend Section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1622 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Busher, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Gerdes, Gray, Hare, Jackson, Kehoe, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered Section 597*h*, providing for the extermination of the ground squirrel.

On motion of Senator Campbell, Senate Bill No. 1396 was passed on file, to retain its place.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Kehoe, the Senate took up the consideration of Assembly Bill No. 643 for second reading, out of order.

Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for cooperative agreements between the State Board of Forestry and persons, firms, associations, or corporations or any combination or groups of such persons, firms, associations, or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable débris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land for which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

During second reading of the bill, the following amendment was offered by Senator Kehoe:

On page 6, line 15, strike out the words "by this Act", and insert in lieu thereof the words "for fire protection".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

[illegible]

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 20 of Article IV thereof, in relation to a "state budget."

On motion of Senator Chemerinsky, Senate Constitutional Amendment No. 24 was passed to file.

Senate Bill No. 1270—An Act to provide for a trial by jury in certain cases of contempt of court.

On motion of Senator Carroll, Senate Bill No. 1270 was passed to file.

Senate Bill No. 268—An Act to amend an Act entitled "An Act to add a new section to the Political Code to be known as Section 1661a providing for the establishment and maintenance in cities of the first class of one or more public schools called commercial schools, in which shall be taught the French, Italian and German languages in connection with the English branches," approved March 18, 1909, relating to cities of the first and first and one half classes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 268 passed by the following vote:

[illegible]

Ayes—Senator Anderson, Avey, Benson, Black, Boynton, Burke, Chemerinsky, Chenault, Cogswell, Cutten, Flint, Gaylor, Harlan, Hewitt, Hoeg, Holland, Kehoe, Mott, Owens, Rogers, Seale, Shoemaker, Stanford, Wyllie, Young, and Wolfe—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

The following reports of standing committees were received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1080—An Act to authorize and provide for the sale of the San Jacinto and Riverside Irrigation District, by petition, to provide for a proceeding for providing the Southern Sierra Hospital, by petition and request, with connections to and water from the reservoirs of the water facilities and improvements of said Riverside Water District, to authorize and empower to enter into agreement, a form and execute and deliver the proceeds of said sale to the Secretary and other and essential acts, duties and functions and other provisions and requirements provided and stated the said Riverside Water District to pay the cost and expense of such connections, for such time and after expiration of said Riverside Water District, organized and acting under the said Riverside Water District,

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1730—An Act authorizing and directing the State Water Commission to examine or cause to be examined and report to the Legislature on or before June, 1915, relating to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to cooperate with the State Water Commission in said examination; appropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Also: Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Also: Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California, providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 1730 and 1731 ordered on file for second reading.

Assembly Bill No. 60 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1751—An Act to amend Section 5 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State" have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1751 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1273—An Act to create a commission, to be known and designated as the commission of unemployment, for the purpose of investigating and reporting to the Legislature, at its forty-first session, conditions and remedies in relation to unemployment and kindred subjects; defining its powers and duties, and making an appropriation for the expenses of such commission—have had the same under consideration, and respectfully report the same back, and recommend that the committee amendments as proposed by the Committee on Finance be adopted and that the bill as amended do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1273 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 34—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California, during the year 1915, and making an appropriation therefor.

Also: Senate Bill No. 1363—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form.

Also: Senate Bill No. 1771—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land, for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the pay-

Senate Bills Nos. 34, 1363 and 1370 ordered on file for second reading.
Assembly Bill No. 1145 ordered on file for second reading.
Also

SENATE CHAMBER, SACRAMENTO, May 1, 1911.

MR. PRESIDENT: Your Committee on Finance to whom was referred Senate Bill No. 1001—An Act to provide a commission to investigate and recommend to the next session of the Legislature, legislation and measures relating to the taxation of franchises, and to report to the Governor, and making an appropriation for the expenses of such commission—have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

STRONG, Chairman.

Senate Bill No. 886 ordered on file for second reading.

RECESS.

At twelve o'clock and thirty minutes p.m. the acting President declared the Senate at recess until two o'clock p.m.

AFTERNOON SESSION.

At two o'clock p.m., the Senate reconvened.
Hon. A. E. Boynton, President pro tem. of the Senate, in the Chair.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced:
By Senator Sanford: Senate Joint Resolution No. 11—Endorsing the course of Hon. John H. Works in his efforts in behalf of the nation-wide movement for equal suffrage.
Joint resolution referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES [ONLY ON FILE].

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1911.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2086—An Act to amend [illegible] and to repeal [illegible] of the statutes of [illegible] relating to [illegible] and to repeal [illegible] of the statutes of [illegible] relating to [illegible] and to repeal [illegible] of the statutes of [illegible] relating to

ON FINANCE

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds, to be known as "state fair grounds bonds," to provide for a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a couple to plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes, and providing for the manner in which the same shall be expended, creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor, and providing for the collection of revenue for such purposes, making an appropriation for the expense of preparing such bonds, and providing for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 2116 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 88—A resolution to propose to the people of the State of California an amendment to Section 2 of Article XVIII of the Constitution of the State of California, relating to conventions for revising the Constitution of the State of California—have had the same under consideration, and respectfully reports the same back, without recommendation.

GATES, Chairman.

Assembly Constitutional Amendment No. 88 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 130—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 544a, relating to service of civil process on all corporations or firms other than state, county, municipal, or district corporations doing business in more than one county in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Assembly Bill No. 100 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1002—An Act to amend Section 114 of the Political Code of the State of California, relating to the employees of the Secretary of State, and providing a salary for the same.

Also: Assembly Bill No. 1132—An Act to amend Section 10 of the Political Code of California, relating to holidays.

Also: Assembly Bill No. 1658—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Also: Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Assembly Bills Nos. 1002, 1132, 1658 and 1671 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your committee on County Government, to whom was referred Assembly Bill No. 1007—An Act to amend Section 4207 of the Political Code of the State of California, relating to the number and salaries of county officers, have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

[illegible], Chairman.

Assembly Bill No. 1015 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your committee on County Government, to whom was referred Assembly Bill No. 1008—An Act to amend Section 4207 of the Political Code of the State of California, relating to the number and pay of officers in counties of the fifth class, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

[illegible], Chairman.

Assembly Bill No. 1008 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 1007—An Act to amend Section [illegible] of the Political Code of the State of California, relating to the number and pay of officers in counties of the fifth class, have had the same under consideration and respectfully report the same back with amendments and recommend that it do pass as amended.

[illegible], Chairman.

Assembly Bill No. 1007 ordered on file for second reading.

[illegible] MESSAGES OF ASSEMBLY [illegible]

On motion of Senator Campbell, the Senate took up the consideration of the second reading file of Assembly bills.

Assembly Bill No. 1448—An Act to amend Sections 637 and 637½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

On motion of Senator Thompson, Assembly Bill No. 1448 was passed on file.

Assembly Bill No. 945—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1008—An Act legalizing the formation and organization of Reclamation District No. 307 in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control, subject to the provisions of the Political Code of the State of California, and to other laws of said State relative to reclamation districts, and repealing all Acts and parts of Acts inconsistent herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1016—An Act to define and designate state highways and state roads and to designate names for certain state roads.

During second reading of the bill, the following amendment was offered by the committee:

On page 2 of the printed bill, add a new section to read as Section 8 to read as follows:

"SEC. 9. This Act shall be in force and take effect July 1, 1913."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1329—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 6, 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof and by adding a new section to said Act, which section shall be numbered 12, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804*a*, relating to the approval or rejection of claims for refund taxes, penalties and costs by board of supervisors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

During second reading of the bill, the following amendments were offered by the Committee:

AMENDMENT No. 1.

On page 1, lines 6 and 7, strike out the words "one of the copies", and insert in lieu thereof the following: "the third copy".

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out the word "in" at the end of line 8 and all of lines 9 to 15, inclusive, and insert in lieu thereof the following: "The second and third copies of such affidavit may be carbon copies."

Amendment adopted.

AMENDMENT No. 3.

On page 1, following line 21, insert the following:
"SEC. 2. This Act shall take effect January 1, 1914."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California, by striking out 1194 and putting in place thereof 1210.

During second reading of the bill, the following amendment was offered by the committee:

Amend the title of the printed bill, by striking out all of line 2 after the word "Code" and all of lines 3 and 4 of the title, and inserting in lieu thereof the following

"relating to the acquisition, retention and distribution of settlement purposes, personal supplemental appropriations and to the control and distribution of such for purposes) amendments."

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 1050—An Act to amend Section 1318 of the Penal Code, relating to the registration of voters.

During second reading of the bill the following amendments were offered to the committee:

Amendment No. 1.

On page 3, immediately after the words following the word "Democrat" in line 1 of the printed bill strike out the remainder of said line 1, and lines 2 and 3 of said printed bill and insert in lieu thereof the following: "that any such person who is registered as an opposite party's endorsement, unless allowed to do otherwise by law, or who is not a bona fide member of the party with which he claims affiliation."

Amendment adopted.

Amendment No. 2.

On page 3, line 10, after the word "appointed", strike out the words and the following: "and such notice of such affidavit shall forthwith transmit to such [illegible]."

Amendment adopted.

Bill read second time, and ordered to print and second reading.

Assembly Bill No. 1442—An Act to amend Section 638 of the Penal Code of the State of California, relating to the protection and preservation of fish.

During second reading of the bill the following amendments were offered by the committee:

On page 3, line 10, beginning after the word "market" strike out that word and all of the rest of the bill, and insert in lieu thereof the following: "section, who has in possession, living, with an offense for sale any salmon [illegible], or who at any time takes, catches, with, has in possession, living, with an offense for sale any salmon [illegible], or who at any time takes, catches, with, has in possession, living, with an offense for sale any salmon [illegible], at any time takes or aids in taking, [illegible] and any bail before he regularly committed from any commissioner for the offense and exclusive of said times of fishing, or who does at any other period, any of salmon [illegible] any [illegible] [illegible], at any such [illegible], and any [illegible] [illegible] [illegible]

purposes, or who at any time offers for shipment, or ships, or receives for shipment or transportation from the State of California to any place in any other state, territory or foreign country any abalone meat, fresh or dried; or abalone shells, excepting articles manufactured from abalone shells; or who takes, catches, or kills any abalone (*Haliotis*) by the use of a spear or spears, shall be guilty of a misdemeanor. Every person who, in fish and game district six of this state, uses or assists in using any diving apparatus of any character for the taking or catching of any abalone (*Haliotis*), or who takes, catches, or kills any black abalone (*Haliotis cracherodii*), or who takes, catches or kills during any one calendar day more than ten (10) abalone (*Haliotis*) shall be guilty of a misdemeanor. None of the provisions of this Act shall apply to lobster (crawfish) or abalone (*Haliotis*) caught or taken without the waters of this state, and bearing after inspection such evidence of having been so caught or taken as may be hereafter prescribed by the fish and game commission; *and be it provided*, that all the expense of such inspection shall be borne by the importer of such lobster (crawfish) or abalone (*Haliotis*); *and be it provided, further*, that all lobster (crawfish) or abalone (*Haliotis*) imported into this state shall be of the size prescribed in this section.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SECOND READING OF BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second reading of Senate bills.

Senate Bill No. 1337—An Act to regulate and license the vocation of hunting wild game birds and animals and to provide therefrom revenue for game preservation and restoration.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1776—An Act amending Section 602*a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 946—An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts,' approved March 22, 1905, Statutes of 1905, page 777 thereof," approved March 3, 1909, by amending Section 6 thereof.

Bill read second time, ordered engrossed and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to the employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 787 passed by the following vote:

Ayes—[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1071—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2240b, relating to and providing for the parole of mentally sick or psychopathic patients out of the binacy court of the Superior Court sitting as a binacy court in said county, providing for the care, custody and maintenance of said psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1071 passed by the following vote:

Ayes—Senators Avey, Bell, Black, Boynton, Breed, Burnett, Burnett, Cogswell, Colgan, Cox, Curtis, Dennett, Evans, Flint, Gerdes, Hatch, Holohan, Lukens, Mott, Owens, Rigdon, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 774—An Act to provide for the inspection, measurement and gauging of merchandise, manufactured articles and commodities, to provide for the regulation of the use and inspection of weighing and measuring instruments, to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers, and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 774 passed by the following vote:

Ayes—Senators Anderson, Avey, Breed, Burnett, Burnett, Curtis, Cogswell, Colgan, Cox, Dennett, Evans, Gerdes, Hatch, Holohan, Lukens, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—[illegible].

Noes—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 704—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 793 passed by the following vote:

AYES: Senators Anderson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahen, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR.

At two o'clock and fifty minutes p.m., Senator Tyrrell, of the Sixteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines, and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Read third time.

On motion of Senator Avey, Assembly Bill No. 2095 was passed on file, to retain its place.

Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the "Alpine State Highway."

Read third time.

On motion of Senator Thompson, Assembly Bill No. 13 was passed on file.

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1295 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Brown, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Strobridge, Thompson, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1119—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

On motion of Senator Lyon, Assembly Bill No. 1119 was passed to Bill.

PRESIDENT WALLACE IN THE CHAIR.

At three o'clock and ten minutes p.m. Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED)

Assembly Bill No. 941—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 941 passed by the following vote:

Ayes—Senators Anderson, Boynton, Brandt, Breed, Brown, Butler, Chapman, Campbell, Cogswell, Curtin, Elliott, Finnigan, Flint, Hewitt, Inman, Kehoe, Larkins, Lyon, Main, Owens, Rogers, Savage, Stetson, Strobridge and Wallace—21.

Noes—Senators Caminetti, Evans and Tyrrell—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER)

On motion of Senator Strobridge, the Senate took up the second reading of Senate Concurrent Resolution No. 18, out of order.

Senate Concurrent Resolution No. 18—Relative to adjournment sine die of the Fortieth session of the Legislature.

During the reading of the resolution, the following amendments were offered by the committee:

On page 1, line 9, strike out all after the word "be", and insert in lieu thereof the following: "Tuesday o'clock noon Sunday, May 11, 1913."

Amendment lost.

Senator Strobridge moved to amend as follows:

By striking out of line 3 the words "last ordered to be printed, April 25, 1913," and inserting in lieu thereof the following: "Tuesday o'clock m., Monday, May 12, 1913."

Amendment adopted.

Resolution ordered to print and engrossment.

RUSH ORDER TO PRINTER

On motion of Senator Strobridge, the Secretary was directed to issue a rush order for printing Senate Concurrent Resolution No. 18.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Tyrrell to introduce a bill entitled "An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children, and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Also: The request of Senator Breed to introduce a bill entitled: An Act making an appropriation to pay the cost of printing, publishing and distributing state textbooks free to the school children of the State, in accordance with the provisions of the Constitution.

Also: The request of Senator Jones to introduce a bill entitled: An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty, and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Also: The request of Senator Thompson to introduce a bill entitled "An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose, and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Have had the same under consideration, and respectfully report the same back, and recommend that such requests be granted.

BOYNTON, Chairman

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Butler, Cammetti, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Thompson: Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 1779—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 1780—An Act to amend Sections 1, 4, and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Bill read first time, and referred to Committee on Education.

By Senator Jones (by request): Senate Bill No. 1164.—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons granted for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the dismission of such accusation after full compliance with the terms of probation.

Bill read first time, and referred to Committee on Judiciary.

BILL ADVANCED.

On motion of Senator Hiram Assembly Bill No. 93 was ordered from the file of unfinished business and referred to the Committee on Municipal Corporations.

THIRD READING OF BILLS—AMENDED.

Assembly Bill No. 701.—An Act to amend Section 7 of an Act entitled "An Act to provide maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 3, 1911.

Read third time.

On motion of Senator Caminetti, Assembly Bill No. 701 was passed as file.

Assembly Bill No. 58.—An Act to amend Section 2045 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2041 of the Political Code.

On motion of Senator Merl, Assembly Bill No. 58 was passed as file.

PRIVILEGE OF THE FLOOR OF SENATE CHAMBER.

On request of Senator Strobl, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Walter H. Fisher, of New York City.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 1251.—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1251 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Boynton, Bunkerl, Burnett, Bush, Butler, Caminetti, Campbell, Chan, Cogswell, Cutten, Flint, Gerdes, Gerlach, Hare, Hatch, Jones, Judkins, Keller, Lachlan, Main, Owden, Rush, Scott, Sisk, Stetson, Strobl, Thompson and Tyrrell—37.

Noes—Senators Brown, Caminetti, Cohn, Gerdes, Hiram, Saunders and Wright—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Finn gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1251 was this day passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Concurrent Resolution No. 34—An Act approving a certain amendment to the charter of the city of Alameda, in Alameda county, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 14th day of April, 1913.

During the reading of the resolution, the following amendments were offered by the committee:

On page 4, after line 18, at the end of the resolution, add the following: "and

WHEREAS, The said proposed amendment so ratified, as hereinbefore set forth, has been duly presented and submitted to the legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the proposed amendment to the city charter of the city of Alameda as hereinabove set forth, as presented and submitted to and adopted and ratified by the qualified electors of said city, be, and the same is, hereby approved for and as an amendment to the city charter of the city of Alameda."

Resolution ordered to print and engrossment.

Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California relating to officers and salaries in counties of the fourth class.

Read third time on this day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 652 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Cohn, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Lyon, Mott, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At five o'clock and fifteen minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 813, An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts

Assembly Bill No. 1582 ordered on file for second reading.
Senate Bill No. 1773 ordered to the file of unfinished business.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 1582—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and declaring an urgency and danger," approved March 4, 1913.

Also: Senate Bill No. 1773—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and declaring an urgency and danger," approved March 4, 1913.

Have had the same under consideration, and respectfully report that Assembly Bill No. 1582 is identical with Senate Bill No. 1773.

GRANT, Chairman.

Assembly Bill No. 1582 ordered on file for second reading.
Senate Bill No. 1773 ordered to the file of unfinished business.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX, a new section to be numbered 17½, relating to the conditions of labor and welfare of employees.

Also: Senate Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX, a new section to be numbered 17½, relating to the conditions of labor and welfare of employees.

Have had the same under consideration, and respectfully report that Assembly Constitutional Amendment No. 90 is identical with Senate Constitutional Amendment No. 72.

GRANT, Chairman.

Assembly Constitutional Amendment No. 90 ordered on file.

Senate Constitutional Amendment No. 72 ordered to the file of unfinished business.

THIRD READING OF SENATE BILLS.

Senate Bill No. 523—An Act to amend Section 1411 of the Civil Code of the State of California, relating to the appropriation of water.

Read third time.

On motion of Senator Hewitt, Senate Bill No. 523 was passed on file, to retain its place.

Senate Bill No. 441—An Act to reserve for use within the State electricity generated by water power from the waters of the lakes, rivers, creeks, and streams of this State, and to prevent the transmission out of the State of electricity so generated.

On motion of Senator Hewitt, Senate Bill No. 441 was passed on file, to retain its place.

Senate Joint Resolution No. 37—Relative to alien land ownership.

In the absence of the author, Senate Joint Resolution No. 37 was passed on file.

Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 467 passed by the following vote:

AYES—Senators Anderson, Avey, Bekan, Benson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Grant, Hewitt, Jones, Leonard, Lyon, Mott, Sanford, Shumaker, Thompson, Tyrrell, and Wright—24.

NOES—Senators Larkins and Regan—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 467 was this day passed.

SPECIAL ORDER SET.

On motion of Senator Avey, the consideration of Senate Bill No. 813 was made a special order to follow the consideration of the special order set for eight o'clock p.m., of this day.

MOTION TO RECONSIDER

The consideration of the motion of Senator Juilliard to reconsider the vote whereby Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of police courts and other corporations, banks and insurance companies for the benefit of the State, all existing in relation and taxation," approved April 1, 1911, by providing the manner for discovering and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State—was passed, was continued until next legislative day, Thursday, May 8, 1913.

THIRD READING OF BILLS—CONTINUED

Senate Bill No. 1149—An Act to amend Section 1196 of the Political Code, relating to providing and posting ballots for elections.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1149 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bidwell, Boynton, Bradley, Campbell, Caminetti, Cogswell, Cohn, Crow, Elliott, Gerdes, Gerdes, Gesmer, Hewitt, Hoeg, Jones, Juilliard, Kehoe, Lachlan, Leale, Mott, Rogers, Roseberry, Saunders, Stetson, Strobridge, Thompson, Tyrrell, and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1150—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1881, relating to what persons are eligible to the office of jurors of the grand.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1150 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bidwell, Boynton, Bradley, Campbell, Caminetti, Cogswell, Cohn, Crow, Elliott, Gerdes, Gerdes, Gesmer, Hewitt, Hoeg, Jones, Juilliard, Kehoe, Lachlan, Leale, Mott, Rogers, Roseberry, Saunders, Stetson, Strobridge, Thompson, Tyrrell, and Wright—28.

Noes—Senators Boynton, Bradley, Rogers, Stetson, Strobridge, and Tyrrell—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1174—An Act to confer upon the Industrial Accident Commission all of the duties, liabilities, authority, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1774 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILLS.

Senator Grant asked, and was granted, unanimous consent to withdraw Senate Bill No. 320—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

Senate Bill No. 320 withdrawn, and ordered stricken from the file.

Senator Gates asked, and was granted, unanimous consent to withdraw Senate Bill No. 564—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Senate Bill No. 564 withdrawn, and ordered stricken from the file.

Senator Gates asked, and was granted, unanimous consent to withdraw Senate Bill No. 47—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State.

Senate Bill No. 47 withdrawn, and ordered stricken from the file.

Senator Kehoe asked, and was granted, unanimous consent to withdraw Senate Bill No. 1340—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Senate Bill No. 1340 withdrawn, and ordered stricken from the file.

Senator Mott asked, and was granted, unanimous consent to withdraw Senate Bill No. 979—An Act to amend Sections 1, 2 and 3 of an Act entitled "An Act to prevent the propagation by the production of seed, of that certain plant known as *Sorghum halepense*, otherwise known as Johnson grass," approved March 20, 1903, amended, approved March 22, 1907, relating to the propagation of noxious weeds.

Senate Bill No. 979 withdrawn, and ordered stricken from the file.

Senator Rush asked, and was granted, unanimous consent to withdraw Senate Bill No. 26—An Act making an appropriation to pay the claim of the town of Suisun City against the State of California.

Senate Bill No. 26 withdrawn, and ordered stricken from the file.

Senator Cogswell asked, and was granted, unanimous consent to withdraw Senate Bill No. 786—An Act to regulate the selling, offering or exposing of seed for sale, and providing penalties for violation thereof.

Senate Bill No. 786 withdrawn, and ordered stricken from the file.

Senator Cogswell asked, and was granted, unanimous consent to withdraw Senate Bill No. 918—An Act appropriating additional money for a dairy building and equipment at Whittier State School.

Senate Bill No. 979 withdrawn and ordered stricken from the file.

Senator Lyon asked and was granted unanimous consent to withdraw Senate Bill No. 807—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 4, 1911.

Senate Bill No. 401 withdrawn and ordered stricken from the file.

Senator Jones asked and was granted unanimous consent to withdraw Senate Bill No. 393—An Act to amend Section 4378 of the Penal Code, relative to witnesses and testimony of husband and wife.

Senate Bill No. 392 withdrawn and ordered stricken from the file.

Senator Jones asked and was granted unanimous consent to withdraw Senate Bill No. 919—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the limits of California, and for the planting, care, protection and preservation of shade and ornamental trees, hedges, bowes, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property, and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county foresters; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, bowes, shrubs and flowers," approved April 28, 1909.

Senate Bill No. 919 withdrawn, and ordered stricken from the file.

SENATE JOINT RESOLUTION NO. 33.

Relative to the ratification of the Sixteenth Amendment to the Constitution of the United States.

Be it resolved by the Senate of the State of California, the Assembly thereof concurring:

Whereas, Sections 2180 and 2247 of the revised statutes of the United States, regulating the assessment of taxes on certain lands under the homestead laws, were repealed by Act of Congress dated July 4, 1876 (19 Stats. 230); and

Whereas, The said laws required the settlement of at least one fifteenth of the land assessed before the assessment of any taxes became due or valid, and the patent to be issued was thereby delayed until the payment of those taxes from the proceeds of the sale of timber and the improvement of land; and

Whereas, There is now pending before the Congress of the United States a proposed amendment to the Constitution of the United States, known as the Sixteenth Amendment, providing that Congshall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration; and

Whereas, It is desirable that the United States should not exercise its power to tax incomes derived from the sources upon which the several States rely for revenue sufficient for their needs; and

Whereas, The proposed Federal income tax would be levied under the direction of officials who are not responsible to the people of this State, and who are unfamiliar with the conditions existing in this State; and

Whereas, The proposed Federal income tax would be collected

The roll was called, and Senate Joint Resolution No. 35 adopted by the following vote:

AYES—Senators Anderson, Avey, Behan, Benson, Breed, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Judah, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell and Wright—27.
NOES—None.

Resolution ordered engrossed, and transmitted to the Assembly.

Senate Constitutional Amendment No. 65—Proposed amendment to Article XI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XI thereof a new section, to be numbered Section 19*a*, relating to the extension of any public utility within one or more counties, and defining the powers, rights and duties of the county or counties requiring any such extension, and the powers, rights and duties of the person or corporation operating such utility.

On motion of Senator Caminetti, Senate Constitutional Amendment No. 65 was passed on file.

Senate Bill No. 1440—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

In the absence of the author, Senate Bill No. 1440 was passed on file.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

On motion of Senator Hewitt, Senate Constitutional Amendment No. 35 was passed on file.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

On motion of Senator Caminetti, Senate Bill No. 874 was passed on file.

Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

Read third time.

SPECIAL ORDER SET.

Senator Sanford moved that the further consideration of Senate Bill No. 1752 be made a special order for Thursday, May 8, 1913, at three o'clock and thirty minutes p.m.

Motion carried.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1773 was this day passed.

THIRD READING OF BILLS—"RESTORE."

Senate Joint Resolution No. 29—Relative to approving the course of Senator John D. Works in Congress, and recommending the passage of Senate joint resolution extending the presidential term to six years, and limiting the President to one single term.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 29 refused adoption by the following vote:

AYES—Senators Chalmers, Crawford, Otis, Owen, Sullivan, Sweeney and Works—8.

NOES—Senators Anderson, Avey, Bryan, Bunker, Birdsall, Bingham, Brown, Burnett, Bruce, Campbell, Flint, Ford, Gerdine, Hewitt, Hewitt, Lachlan, Lyon, Muir, Regan, Thompson and Tyrrell—18.

Senate Bill No. 668—An Act to establish a state school to train experts for practical service in governmental work of city, county and state and to make an appropriation therefor.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hewitt moved to refer to Senator Otis, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 1 of the printed bill, in the first line, after the words "act to establish a state school of" strike out the word "mines" and insert in lieu thereof "agriculture."

AMENDMENT No. 2.

On page 1, line 10, of the printed bill, strike out the comma.

AMENDMENT No. 3.

On page 1, line 14, of the printed bill, strike the word "in" (mines) the word "the"

AMENDMENT No. 4.

On page 1, line 15, of the printed bill, after the words "shall be admitted" strike out the word "students" and in lieu thereof insert the word "students"

AMENDMENT No. 5.

On page 1, line 7, of the printed bill, after the words "admission of such pupils" strike out the word "accordingly" and in lieu thereof insert the words "subject to"

AMENDMENT No. 6.

On page 2, line 20, of the printed bill, after the word "of" and before the word "chemistry" strike out the word "three" and in lieu thereof insert the word "two"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SPRINGFIELD, May 7, 1914.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 668, with instructions to amend, respectfully reports the same back amended as per instructions.

OTIS, Chairman.

Report read and adopted.

Bill ordered to third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, an amendment to Section 23a of Article IV, of the Constitution of the State of California, relative to the limitation of expense for officers and employees of the Legislature—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

GATES, Chairman.

Assembly Constitutional Amendment No. 23 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court—have had the same under consideration and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GATES, Chairman.

Assembly Bill No. 1066 ordered on file for second reading.

RECESS.

At six o'clock p.m., on motion of Senator Sanford, the acting President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Senator Thompson, of the Thirty-fifth District, in the chair.

COMMUNICATION.

The President laid before the Senate the following telegram:

PASADENA, CALIFORNIA, May 6, 1913.

Senate of California (care Lieutenant Governor Wallace, Sacramento):

Southern California Reciprocity Club, composed of representatives of various clubs in southland, urges passing of Assembly Bill 803, now before you, along with the measure creating an alien commission, because of the imperative need for constructive legislation in this State along immigraton and citizenship lines.

CATHERINE PIERCE WHEAT, President.

CONSIDERATION OF SPECIAL ORDER CONTINUED.

On motion of Senator Campbell, the consideration of the special order set for this hour was continued till the disposition of messages from the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Campbell, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1574—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered Section 1218a, providing for a jury trial in certain cases of contempt.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORT OF ENGROSSMENT

On motion of Senator Tyrrell, Assembly Bill No. 1114 and Senate Bill No. 1296 were referred to Committee on Engrossment and Enrollment for comparison.

Also

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

Mr. President: I am directed to inform your Honorable body that the Assembly has this day passed Assembly Bill No. 1445—An Act to add new Section 1 to the Political Code, relating to the appointment of Notaries Public, and to repeal Section 1 of the Political Code, relating to the appointment of Notaries Public, and respectfully request the concurrence of your Honorable body in said Assembly Bill No. 1445.

Also: Assembly Bill No. 1049—An Act providing for the leasing of a tideland known as Tideland No. 1, and making an appropriation therefor.

Also: Assembly Bill No. 1431—An Act to amend Section 4178 of the Political Code of the State of California, relating to the compensation of officers of counties of the fourth class.

J. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Assembly Bill No. 1407 read first time and referred to Committee on Judiciary.

Assembly Bill No. 1049 read first time, and referred to Committee on Finance.

Assembly Bill No. 612 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

Mr. President: I am directed to inform your Honorable body that the Assembly has this day adopted Assembly Concurrent Resolution No. 39—Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding water claims.

J. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Assembly Concurrent Resolution No. 39 referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

Mr. President: I am directed to inform your Honorable body that the Assembly has this day passed Assembly Bill No. 1430—An Act to amend Section 4178 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Also: Assembly Bill No. 1431—An Act to amend Section 4207 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the eighteenth class.

J. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Assembly Bills Nos. 1430 and 1431 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

Mr. President: I am directed to inform your Honorable body that the Assembly has this day adopted Assembly Constitutional Amendment No. 92—A Constitutional amendment to the people of the State of California and proposed to the Legislature of the State of California by amending Section 20 of Article V thereof, relating to the election of United States Senators.

J. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Walker, Assistant Clerk.

Assembly Constitutional Amendment No. 92 referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1339—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theater or other place of indoor amusement and fixing penalty thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1339 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Inman, Sutherland and Slater as a Committee on Free Conference regarding Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911—to meet with a like committee from the Senate.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Hinkle, Macchiarini and Slater as a Committee on Free Conference regarding Senate Bill No. 364—An Act to amend Section 1236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class—to meet with a like committee from the Senate.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a commission to determine the amount to be expended for furnishing and equipping said buildings and accepting a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

Also: Concurred in Senate Amendment to Assembly Bill No. 1289—An Act to amend Section 626½ of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Also: concurred in Senate amendment to Assembly Bill No. 1691—An Act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto, and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Also: Concurred in Senate amendment to Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state officers for the sixty-second fiscal year.

Also: Concurred in Senate amendment to Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Also: Concurred in Senate amendments to Assembly Bill No. 1780—An Act to amend the codes of Santa Cruz county to create the district surveyor and to prescribe his duties, qualifications, and compensation.

Also: Concurred in Senate amendments to Assembly Bill No. 1781—An Act to amend the codes of Santa Cruz county to create the office of county road commissioner, to prescribe his duties, qualifications, and compensation, and to provide for the appointment and removal of deputies and assistants, to fix the salaries of the county road commissioner and deputies, to provide for the purchasing and distributing of road materials and other supplies, to provide for the purchasing and distributing of road machinery and other implements, to provide for the keeping of accounts and records relating to the construction, maintenance and repairing of public roads, and to repeal all acts and parts of acts inconsistent herewith.

J. C. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1911.

Mr. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 1782—An Act to amend Section 4600 of the Political Code, relating to salaries and fees of officers of counties of the fifth class.

Also: Concurred in Senate amendments to Assembly Bill No. 1783—An Act making an appropriation to pay the expenses of certain ex-officio boards or duty officers as provided for in an Act entitled "An Act to provide for the payment by the state to counties for certain sums expended in the maintenance of certain boards or officers whose duties pertain to matters of state importance, approved March 23, 1909."

Also: Concurred in Senate amendments to assembly Bill No. 1784—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1785—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1786—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1787—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

J. C. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1911.

Mr. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 1788—An Act to amend Section 4600 of the Political Code, relating to salaries and fees of officers of counties of the fifth class.

Also: Concurred in Senate amendments to Assembly Bill No. 1789—An Act to amend an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1790—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1791—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

J. C. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1911.

Mr. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 1792—An Act to amend an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1793—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1794—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1795—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

J. C. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1911.

Mr. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 1796—An Act to amend Section 4600 of the Political Code, relating to salaries and fees of officers of counties of the fifth class.

Also: Concurred in Senate amendments to Assembly Bill No. 1797—An Act to amend an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1798—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1799—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

J. C. MALLORY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1911.

Mr. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 1800—An Act to amend an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1801—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

Also: Concurred in Senate amendments to Assembly Bill No. 1802—An Act to amend Section 3 of an Act entitled "An Act to provide for the incorporation of Cities of the Fifth Class, approved March 23, 1883, and all acts amendatory thereof and supplemental thereto," approved March 23, 1883, and to repeal Section 4 of said Act.

of highways for the State of California; to define its duties and powers; to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges and appliances therefor, to improve and reclaim water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner and to make an appropriation, to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof and by adding three new sections, to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1365—An Act to amend Sections 655, 678 and 683 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Also: Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Also: Senate Bill No. 220—An Act to amend Section 2039 of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Also: Senate Bill No. 282—An Act to amend Section 339 of the Code of Civil Procedure, relating to the time of commencing certain actions.

Also: Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1365, 218, 220, 282 and 284 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Committee Substitute for Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, near Stockton, California, and to provide for the government and management thereof, and making an appropriation therefor.

Also: Senate Bill No. 46—An Act to establish a state training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Senate Bill No. 592—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers; C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Captain Corps of Engineers, of the United States Army, and printed with the annual report of the chief of engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Also: Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 628, 46, 592 and 1772 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day passed Senate Bill No. 431, entitled:

An act to add a new section to the Code of Civil Procedure, to be numbered 1208½, relating to the publication of notice required in civil proceedings in the courts.

L. D. MALLETT, Chief Clerk of Assembly.
By THOMAS G. WOODS, Assistant Chief Clerk.

Senate Bill No. 431 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day adopted Senate Concurrent Resolution No. 20, entitled:

Senate concurrent resolution to change the time of holding an election in Santa Clara County, in the State of California, to fill the vacancy in the assembly district of said county, by a special election, and declaring the time when the returns of said election shall be canvassed.

L. D. MALLETT, Chief Clerk of Assembly.
By THOMAS G. WOODS, Assistant Chief Clerk.

Senate Concurrent Resolution No. 20 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day refused to concur in Senate amendments to Assembly Bill No. 1, entitled:

An act to amend section 1 of an act entitled "An act to provide for the appointment of Commissioners of Deeds in and for other States, Territories and countries, and prescribing their powers and duties," approved March 20, 1905, and to repeal section 2 of said act.

and requests a conference committee be appointed by the Senate.

L. D. MALLETT, Chief Clerk of Assembly.
By THOMAS G. WOODS, Assistant Chief Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

On motion of Senator Hewitt, the Senate took up for consideration Assembly amendments to Senate bills

ASSEMBLY AMENDMENT TO SENATE BILL NO. 431.

On page 6, beginning in line 20, strike out the words "Sierra Lake Forest" and insert in lieu thereof the word "place."

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 431?"

The roll was called and Assembly amendment to Senate Bill No. 431 concurred in by the following vote:

AYES—Senators Anderson, Avey, Beasley, Bones, Boynton, Bradley, Caminetti, Chan, Cogswill, Curtin, Dutton, Finnell, Hewitt, Jones, Kehoe, Mott, Reed, Sanford, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

Senate Bill No. 431 ordered to enrollment.

ASSEMBLY AMENDMENT TO COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 555.

On page 3, line 17, strike out the period after the word "shall" and insert in lieu thereof the following: ", provided, however, that any owner or owners of land upon which an embankment, now built for the purpose of protecting said land from overflow, may be required to contribute to the maintenance of said embankment, as provided in subdivision 3 of section 1 of this act, and provided further, that any person or persons, corporation or corporations, who or which have heretofore, or may hereafter, by themselves or their predecessors in interest, built or caused the same to be constructed, have always claimed title to the land upon which the same was constructed, and have always claimed title to the land upon which such land is required for an outlet or flowing said land, or part of the land now existing as a swale, and have exercised such ownership as is usual among land owners, shall be entitled to receive from the owner or owners of land benefited by the drainage of said swale, or any part thereof, such sum as may be agreed upon between them, or, in case they cannot agree, such sum as may be determined by the board of supervisors of the county in which said land is situated, upon the petition of any person interested, after ten days' notice to the owner or owners of land benefited, and a personal copy of such notice, if any be within reach, or left with any one".

The question being "Shall the Senate concur in Assembly amendment to Committee Substitute for Senate Bill No. 555?"

The roll was called and Assembly amendments to Committee Substitute for Senate Bill No. 788 concurred in by the following vote:

[illegible]

Committee Substitute for Senate Bill No. 788 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 868

[illegible]

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 868?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 868 by the following vote:

[illegible]

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1661

On page 1, line 7, of the printed bill, immediately after the word "Legislature," and before the word "shall," insert the following: "consent of the State of California,"

Also: On page 2, line 8, of the printed bill, strike out the words "State agency" and insert in lieu thereof the following: "the State agency of the State of California in the city of New York.".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1661?"

The roll was called and Assembly amendments to Senate Bill No. 1661 concurred in by the following vote:

[illegible]

Senate Bill No. 1661 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1662

[illegible]

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1662?"

The roll was called and Assembly amendments to Senate Bill No. 1662 concurred in by the following vote:

[illegible]

Senate Bill No. 1662 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up the third reading of Assembly Bills.

Assembly Bill No. 1001—An Act to amend Section 4461 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1001 passed by the following vote:

Ayes—Senators Anderson, Benson, Black, Boynton, Bunkers, Campbell, Chandler, Curtin, Finn, Gates, Gerdes, Gesmer, Hewitt, Jones, Leonard, Mott, Nolan, Rush, Sanford, Stanton, Strobridge, and Thompson—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 504—An Act to amend Section 4202 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 504 passed by the following vote:

Ayes—Senators Anderson, Avey, Benson, Bond, Boynton, Bunkers, Butler, Chandler, Cogswell, Cutten, Gates, Gerdes, Gesmer, Hewitt, Jones, Leonard, Mott, Sanford, Strobridge, Stetson, Thompson, and Tyrrell—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 79—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 79 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Benson, Bond, Bunkers, Burnett, Chandler, Cogswell, Cutten, Curtin, Gerdes, Gesmer, Hewitt, Mott, Rogers, Rush, Sanford, Strobridge, Thompson, and Tyrrell—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1129—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway, to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1124 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Bryant, Butler, Campbell, Carr, Cogswell, Curtin, Gates, Gerdes, Grant, Hewitt, Juilliard, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and to report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2056 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Juilliard, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—29.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2078 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Hewitt, Juilliard, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL

Assembly Bill No. 2109—Committee Substitute for Assembly Bill No. 1490—An Act declaring certain corporations, individuals or associations engaged directly or indirectly in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the "Public Utilities Act" of the State of California, approved December 23, 1911.

Read third time.

The question being on the passage of the Bill.

The roll was called, and Assembly Bill No. 2109, passed by the following vote:

AYES—Senators Anderson, Ard, Boynton, Breed, Brown, Burnett, Caminetti, Campbell, Carr, Caldwell, Cogswell, Curtin, Flint, Gerdes, Gerlach, Hewitt, Holohan, Inman, Lewis, Mott, Rogers, Rush, Sanford, Stetson, Strobridge, Thompson and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR WRIGHT EXCUSED FROM VOTING

During the calling of the roll, Senator Wright asked to be excused from voting, for the reason that he had not had time to familiarize himself with the subject.

On motion of Senator Campbell, Senator Wright was excused from voting.

THIRD READING OF SENATE BILL

Senate Bill No. 1770—An Act to regulate private corporations, individuals or association of individuals in granting licenses by permit thereto to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles continuously or otherwise, and which pipe lines are operated other than as common carriers; and prohibiting the construction of any more such lines for such purpose for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses, and fixing fees to be paid for and under such licenses, and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1770 passed by the following vote:

AYES—Senators Anderson, Ard, Boynton, Breed, Brown, Burnett, Caminetti, Campbell, Carr, Caldwell, Cogswell, Curtin, Flint, Gerdes, Gerlach, Hewitt, Holohan, Inman, Lewis, Mott, Rogers, Rush, Sanford, Stetson, Strobridge, Thompson and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1763—An Act to declare certain contracts, combinations, arrangements and conspiracies between common carrier railroads and pipe lines for the transportation of crude oil, and pipe lines constructed for the transportation of crude oil, petroleum or the products thereof, to be in restraint of trade and unfair practices, contrary to public policy as tending to monopoly, and requiring such pipe lines to either become common carriers and public utilities or to procure license and pay fees, and fixing penalties for violations, and authorizing certain court proceedings.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1763 passed by the following vote:

AYES—Senators Anderson, Benson, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice, given on a previous day, Senator Boynton moved to reconsider the vote whereby Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess—was passed.

CONSIDERATION CONTINUED.

On motion of Senator Boynton, the consideration of his motion to reconsider the vote whereby Senate Bill No. 1698 was passed was continued until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 182. An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Also: Senate Bill No. 589. An Act to amend Section 4021 of the Political Code, relative to elective county and township officers.

Also: Senate Bill No. 735. An Act to amend Section 412 of the Penal Code.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1669. An Act enabling the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers, of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made by John Biddle, Lieutenant Colonel, Corps of Engineers, C. H. McKinstry, Major, Corps of Engineers, and

Thomas H. Jackson, Corps of Engineers, of the United States Army, and entered with the annual reports of the Chief Engineer of the United States Army for the fiscal year ending June 30, 1913, and relating to improvements for such work approved March 3, 1913, by inserting certain specified paragraphs to pay expenses by and for.

Also: Senate Bill No. 1002—An Act to provide for the establishment, maintenance and support of elementary free schools and other institutions for the training of schoolteachers and nursing, homemaking, domestic and mechanical arts and agriculture within the State of Texas; to make provision for said institutions and to put the training, control and management of the same and of persons desiring and to [illegible] agricultural and providing for other purposes of necessary.

Also: Senate Bill No. 1003—An Act defining the meaning and duties of physicians, and regulating officers and boards of health in the matter of prevention of the spread of the disease of tuberculosis from the diseased persons and organizations.

Also: Senate Bill No. 1004—An Act to amend Section [illegible] of the Revised Civil Statutes of the State of Texas, providing for different and additional [illegible] and providing for the [illegible] of the same.

Also: Senate Bill No. 1005—An Act to amend an Act entitled "An Act to create a district for building and maintaining artificial levees, a system of [illegible] and to provide for the [illegible] of the same from time to time, [illegible] for [illegible] purposes."

Also: Senate Bill No. 1006—An Act to amend an Act entitled "An Act for the [illegible] and control of [illegible] [illegible] approved May 7, 1913, by amending Section 2 thereof.

Also: Senate Bill No. 1007—An Act to amend Section [illegible] of the Penal Code of the State of Texas, relating to [illegible].

Also: Senate Bill No. 1008—An Act to [illegible] of the Penal Code of the State of Texas, relating to [illegible].

Also: Senate Bill No. 1009—An Act to [illegible] and [illegible] of [illegible] [illegible] and providing [illegible].

Also: Senate Bill No. 1010—An Act to amend Section 2[illegible] of the Penal Code of Texas, relating to [illegible] and the same as [illegible] to [illegible].

Also: Senate Bill No. 1011—An Act to provide for the [illegible] of [illegible] [illegible] and [illegible], to create a fund therefrom, to authorize the duties of the State Board of Health, the sheriff and other public officials [illegible] and [illegible] an appropriation for the purposes of said Act.

Also: Senate Bill No. 1012—An Act to amend Section [illegible] of an Act entitled "An Act to provide for the organization, [illegible] and government of municipal corporations."

Also: Senate Bill No. 1013—An Act to amend Sections 2 and [illegible] of an Act entitled "An Act [illegible] [illegible] and [illegible] [illegible] [illegible], providing for [illegible] [illegible] [illegible]

California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by certain Act approved May 1, 1911, by repealing Section 3 of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered 136, relating to the practice of medicine and surgery in the State of California, by members of the medical staff of the department of the United States army or navy, regular or volunteers.

Read third time.

SENATOR FLINT IN THE CHAIR.

At nine o'clock and thirty minutes p.m., Senator Flint, of the Twenty-third District, in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Beban, as a special committee of one, to amend as follows:

By striking out of Section 3, lines 29 and 30, page 3, the words "city of Sacramento", and insert in lieu thereof the words "city and county of San Francisco".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 813, with instructions to amend, respectfully reports the same back, amended as per instructions.

BEBAN, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Beban, Bryant, Finn, Gerdes, Juilliard, and Regan—6.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Carr, Cogswell, Cohn, Jones, Kehoe, Mott, Owens, Sanford, Shanahan, Thompson, and Wright—19.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Bryant, as a special committee of one, to amend as follows:

By striking out of Section 13, page 13, line 8, the figures "1901", and inserting in lieu thereof the figures "1896".

Also: Strike out of section 13, page 13, line 11, the figures "1901", and insert in lieu thereof the figures "1896".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 813, with instructions to amend, respectfully reports the same back, amended as per instructions.

BRYANT, Committee.

Report read and refused adoption.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and fifty-five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

SPECIAL ORDER SET

On motion of Senator Gerdes, the further consideration of Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by certain Acts approved May 1, 1911, by repealing Section 5 of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered 5½, relating to the practice of medicine and surgery in the State of California by members of the medical staff of the department of the United States army or navy, regular or volunteers.

Also: The consideration of Senate Bill No. 430—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith;

Also: The consideration of Senate Bill No. 510—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners, and a board of registration of religious practitioners.

Also: The consideration of Senate Bill 652—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick and afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending Section 6 thereof.

Were made special orders for four o'clock p.m., May 8, 1913.

CONSIDERATION OF BILL—(OUT OF ORDER)

On motion of Senator Gerdes, the Senate took up for consideration Senate Bill No. 1088, out of order.

Senate Bill No. 1088—An Act to amend Section 4330a of the Political Code of the State of California, relating to county clerk's fees.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Gerdes moved to refer to Senator Metz, as a special committee of one, to amend as follows:

By striking out of page 2, line 25, the word "seven", and inserting in lieu thereof the word "eleven".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1000, with instructions to amend, respectfully reports the same back, amended as per instructions.

MOTT, Chairman.

Report read and adopted

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Gerdes, the Secretary was directed to issue a rush order for printing Senate Bill No. 1000.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Owens asked, and was granted, unanimous consent to take up for consideration, Senate Bill No. 1765, out of order.

Senate Bill No. 1765—An Act conveying certain tide lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF SENATE.

Pending the announcement of the vote, Senator Owens moved a call of the Senate.

Motion carried.

Time, eleven o'clock p.m.

The President pro tem directed the Sergeant-at-Arms to close the doors.

The doors were closed.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Owens.

The roll of absentees was called, and Senate Bill No. 1765 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Juilliard, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—21.

NOES—Senators Beban, Boynton, Bryant, Grant, Jones, Larkin, Mott, Regan, and Shanahan—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Thompson asked, and was granted, unanimous consent, that the Senate take up Senate Bill No. 1294 for consideration, out of order.

Senate Bill No. 1294—An Act providing for the designation of money in the state treasury as surplus money, authorizing the invest-

ment and reinvestment of such money in certain classes of bonds; directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1274 passed by the following vote:

Ayes—Senators Ames, Benet, Boynton, Brown, Bryant, Campbell, Caminetti, Carpenter, Chandler, Cogswell, Cutten, Curtis, Flint, Flosi, Gerdes, Gerlach, Gerry, Hatch, Henry, Hewitt, Holohan, Hoover, Inman, Leavitt, Leib, Lewis, Lissner, Mahan, Mathews, Mayo, Owens, Rigdon, Roseberry, Rush, Saxton, Scott, Sisson, Stanley, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright, Young, and Mr. President—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Holohan, the Senate took up the consideration of Assembly Bill No. 840, out of order.

Assembly Bill No. 840—An Act to amend Section 880 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

Read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 840 passed by the following vote:

Ayes—Senators Anderson, Ames, Bolton, Benet, Boynton, Brown, Bryant, Bolton, Campbell, Caminetti, Chandler, Cogswell, Cutten, Curtis, Flint, Gerdes, Gerlach, Gerry, Hatch, Henry, Hewitt, Holohan, Hoover, Inman, Leavitt, Leib, Lewis, Lissner, Mahan, Mathews, Mayo, Owens, Rigdon, Roseberry, Rush, Saxton, Scott, Sisson, Stanley, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright, Young, and Mr. President—42.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Gerdes, the Senate took up the consideration of Senate Bill No. 1171, for second reading, out of order.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 130a, relating to the complaint in actions for divorce.

Read third time on this day.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1171 passed by the following vote:

Ayes—Senators Anderson, Ames, Bolton, Benet, Boynton, Brown, Bryant, Bolton, Campbell, Caminetti, Chandler, Cogswell, Cutten, Curtis, Flint, Flosi, Gerdes, Gerlach, Gerry, Hatch, Henry, Hewitt, Holohan, Hoover, Inman, Leavitt, Leib, Lewis, Lissner, Mahan, Mathews, Mayo, Owens, Rigdon, Roseberry, Rush, Saxton, Scott, Sisson, Stanley, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright, Young, and Mr. President—42.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BUTLER IN THE CHAIR.

At eleven o'clock and ten minutes p.m., Senator Butler, of the Thirty-first District, in the chair.

THIRD READING OF BILLS—(RESUMED).

SENATE JOINT RESOLUTION No. 38.

Relative to the use of Yerba Buena Island, in San Francisco Bay, as a union railway terminal, requesting and directing the State Board of Harbor Commissioners to promote the undertaking, and petitioning Congress to make the necessary cession therefor.

WHEREAS, It is entirely practicable to connect Yerba Buena Island, in San Francisco Bay, with the Alameda County shore, either by a solid causeway, or by a causeway and bridge, at a cost entirely justified by the size and importance of the undertaking; and

WHEREAS, The present use of the island as a naval training station is an entirely limited one, quite out of proportion with the real value of the island when measured with its larger possible use; and

WHEREAS, The utilization of the island as a union railway terminal would reduce the running time of the ferry service from San Francisco to Alameda County by at least two thirds, and greatly expedite both passenger and freight service, which is increasing at a very rapid rate; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the State Board of Harbor Commissioners be, and they hereby are, requested and directed to promote the undertaking and to assist by all proper measures in carrying the movement to a speedy and successful conclusion; and be it further

Resolved, That the Legislature of the State of California respectfully petitions the Congress of the United States to cede Yerba Buena Island to this state for the purposes above recited, and guarantees that if the request be granted said island will be open to all on equal terms and will be conducted by the state as a public utility for the purpose of a union railway terminal; and be it further

Resolved, That our Senators and Representatives in Congress be, and they hereby are, urged and requested to use all honorable means to secure the early passage of such legislation as may be necessary for the cession or grant of said island for the purpose above outlined; and be it further

Resolved, That the Secretary of the Senate be, and he hereby is, directed to send a copy of these resolutions to the President of the United States Senate and the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress; also to the Board of Harbor Commissioners of the State of California.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 38 adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Bryant, Butler, Carr, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Jones, Juilliard, Larkins, Mott, Regan, Sanford, Shanahan, Thompson, and Wright—23.

NOES—Senators Breed, Caminetti, Cohn, Hans, Strobridge, and Tyrrell—6.

ADJOURNMENT.

At eleven o'clock and forty minutes p.m., on motion of Senator Strobridge, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
Thursday, May 8, 1913.

The Senate met at ten o'clock A.M.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Boynton, Burnett, Carpenter, Caminetti, Chamberlain, Cogswell, Cutten, Curtin, Dennett, Dillon, Flint, Gates, Gerdes, Gesford, Hans, Harris, Avey, Hatfield, Holohan, Inman, Kehoe, Leavitt, Lewis, Mott, Owens, Rigdon, Roseberry, Saunders, Shanahan, Stetson, Strobridge, Thompson, Tyrrell, and Wolfe—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Sayles.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, May 7, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1584, An Act to amend Section 4014 of the Political Code of the State of California, relating to Lieutenant Governor.

Also, Assembly Bill No. 1671—An Act to amend Section 6 of an Act entitled "An Act for the protection of the fisheries of maritime and inland waters, establishing and other agencies for modes of treating the same, for the State of California, and for the appointment of a board of marine commissioners for the district of said fisheries," approved March 14, 1907, as amended by a statute duly approved March 19, 1909, as amended by a statute duly approved May 1, 1911, and amendment relating to appointment of officers and employees, to prescribe qualifications and salaries, and adding a new section thereto to be numbered 6a.

Also, Assembly Bill No. 1677—An Act to provide for the establishment of county free wharves and for the publication and the enforcement of the same.

Also, Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State for the granting of paroles conditional to county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 28, 1909, by amending Section 1 thereof, and to repeal said Act and to provide for all jails and all prisoners imprisoned in misdemeanor, whether in county jails or in city prisons.

J. P. MALLOCH, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Assembly Bill No. 1584 read first time, and referred to Committee on County Government.

Assembly Bill No. 2071 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 890 read first time, and referred to Committee on Prisons and Reformatories.

BILLS REFERRED FOR COMPARISON.

On motion of Senator Butler, Assembly Bill No. 1053 and Senate Bill No. 652 were referred to the Committee on Engrossment and Enrollment for comparison.

MESSAGES FROM THE ASSEMBLY— RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax commencing in any year and annual on taxable property and [illegible] on the [illegible] and passed at the [illegible] session of the legislature and [illegible] is made.

Also, Assembly Bill No. 646—An Act to amend Section [illegible] of an Act entitled "An Act to provide for the transfer to the State of California by consent of individuals, firms, [illegible] of the right to preserve and protect fish [illegible] in such navigable waters as border the shores of the State, Board of Fish Commissioners to enforce the [illegible] of such rights and to license the [illegible] of said game within the [illegible] of the land to such fish [illegible] and [illegible]" approved March 23, 1907.

Also, Assembly Bill No. 321—An Act to amend Section 1667a of the Political Code of the State of California, relating to the [illegible] and [illegible] of [illegible] in towns of the first, [illegible] and second and one half classes.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 645 read first time and referred to Committee on Revenue and Taxation.

Assembly Bill No. 646 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 321 read first time, and referred to Committee on Education.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Boynton, the Senate took up the consideration of Assembly amendments to Senate bills.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 602.

On page 2, line 24, of the printed bill, strike out the word "eighteen", and insert in lieu thereof the word "fifteen".

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 602?"

The roll was called, and Assembly amendment to Senate Bill No. 602 concurred in by the following vote:

AYES—Senators Anderson, Boynton, Breed, Burnett, Campbell, Cogswell, Colton, Curtin, Dennett, Flaherty, Hans, Jeffordds, Mott, Owens, Regan, Rush, Sanford, Shoemaker, Thompson, Tyrrell, and Wright—21.

NOES—None.

Senate Bill No. 602 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 170.

AMENDMENT No. 1.

On page 1, of printed bill, in line 2 [illegible] strike out [illegible] from and including the word "thereof" in line 2 down to and including the word "sum" in line 3, and insert in lieu thereof the following: "[illegible] and survey of a proposed".

AMENDMENT No. 2.

On page 1, of the printed bill, strike out [illegible] and including the word "for" in line 3, down to and including the word "dollars", in line 4, and insert in lieu thereof the following: "[illegible] dollars for the location and survey of a proposed"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 170?"

The roll was called and Assembly amendments to Senate Bill No. 170 concurred in by the following vote:

Ayes—Senators Birdsall, Boynton, Bond, Boyce, Boyle, Chipman, Cogswell, Cutler, Elliot, Gerdes, Gerrie, Hare, Hartman, Hare, Irwin, Mason, Poole, Shoemaker, Thompson, Tyrrell, and Wright—21.

Noes—None.

Senate Bill No. 170 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 211.

On page 3, line 1, of the printed bill, strike out the word "Bill", and insert in lieu thereof the word "Act".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 211?"

The roll was called, and Assembly amendment to Senate Bill No. 211 concurred in by the following vote:

Ayes—Senators Boynton, Bond, Boyce, Boyle, Cogswell, Cutler, Elliot, Gerdes, Gerrie, Hare, Hartman, Hare, Irwin, Mason, Poole, Shoemaker, Thompson, Tyrrell, and Wright—21.

Noes—None.

Senate Bill No. 211 ordered to enrollment.

INTRODUCTION OF CONCURRENT RESOLUTIONS.

The following concurrent resolutions were introduced:

By Senator Hyatt: Senate Concurrent Resolution No. 23—Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of delinquency and delinquents; both as to cause and as to effect; and the need, if any, of amending the juvenile court law.

Resolution referred to Committee on Judiciary.

By Senator Curtin: Senate Concurrent Resolution No. 24—Relative to leave of absence for certain state officials.

Resolution referred to Committee on Rules.

By Senator Roberts: Senate Concurrent Resolution No. 25—Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

Resolution referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment does respectfully report the following:

Senate Bill No. 187—An Act authorizing boards of supervisors of any county or city and county, or the trustees or other governing body of any municipality in the State of California or counties thereof, dissolving said cities, towns or municipalities and the property of existing corporations to support of California citizens.

Also, Senate Bill No. 1161—An Act to amend Section 4478 of the Political Code of the State of California, relating to expenses and fees of officers and boards of county or municipal officers.

Also, Senate Bill No. 1162—An Act to amend Section 4478 of the Political Code of the State of California, relating to the appointment, qualifications, duties and powers of assessing officers.

Also, Senate Bill No. 487—An Act to amend Section 4291 of the Political Code

of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

Also: Senate Bill No. 483—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Also: Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help and fixing the compensation of such employees.

Also: Senate Bill No. 127—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Also: Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Also: Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Also: Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Also: Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Also: Senate Bill No. 709—An Act to amend Section 1248*a* of the Code of Civil Procedure of the State of California, relating to the removal or relocation of railroad, street or interurban railway tracks on property sought to be taken under Title VII, Part III of the Code of Civil Procedure.

Also: Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

Also: Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

And report that the same have been correctly enrolled, and presented the same to the Governor on this sixth day of May, 1913, at eleven o'clock and thirty minutes a.m.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 613—An Act to amend Section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Also: Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose.

Also: Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

Also: Senate Bill No. 1214—An Act to repeal an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Also: Senate Bill No. 404—An Act appropriating money for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Also: Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto.

Also: Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners; providing for the selection of its officers; defining its powers and duties; and making an appropriation therefor.

Also: Senate Bill No. 204—An Act to amend Section 1774 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon the streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding a new section thereto to be numbered 77*a*, relating to the doing of work and making improvements upon railroad tracks and the roadbed thereof existing upon the streets of municipalities and the proceedings relating thereto.

Also, Senate Bill No. 750—An Act appropriating money to the two commissioners of the state insurance fund, the board for the codification of general statutes and Kramer Shorthand Commission, and appropriating money to pay the cost of printing, and distributing as a portion of the printing ordered by the Board of Control, for the biennial period ending [illegible].

Also, Senate Bill No. 751—An Act to amend Section 1764 of the Political Code of the State of California, relating to the appointment of school directors to fill school districts, and to the formation of school districts lying partly in [illegible] high school districts.

Also, Senate Bill No. 752—An Act to amend Section 3 of an Act entitled "An Act to create a state board of education and commission governing the whole civil service, and supplementary thereto," approved March 17, 1913, as amended by an Act approved May 1, 1913.

Also, Senate Bill No. 753—An Act appropriating money for the erection of [illegible] protection and improvement of the old Spanish building and garden at Monterey.

Also, Assembly Bill No. 1776—An Act to amend Section 39 of an Act entitled "An Act to provide for taking and securing, recording, maintaining, or storing the evidence of the proof of any deed, mortgage, lease, other power of attorney, or conveyance, or any other instrument acknowledged, proved, or certified, or authorized to be acknowledged, proved, or certified in any manner by any law of this state, and relating to the fees to be charged and collected for that purpose," approved March 27, 1909.

Also, Senate Bill No. 1207—An Act to amend Section 904 of the Code of Civil Procedure of the State of California, relating to the procedure for notice of hearing on [illegible] assets.

Also, Senate Bill No. 1264—An Act to amend an Act entitled "An Act to create a reclamation district in the county Sacramento, [illegible] No. 1561, and providing for the control and management thereof," approved April 26, 1911.

Also, Senate Bill No. 1681—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 901, relating to [illegible] and decrees of personal [illegible].

Also, Senate Bill No. 1686—An Act to amend Section 3254 of the Civil Code of the State of California, relating to the liabilities of stockholders when they become [illegible].

Also, Senate Bill No. 687—An Act to amend Section 1227 of the Penal Code of the State of California, relating to the duties of the Superintendent of Prisons [illegible].

Also, Senate Bill No. 688—An Act to amend Section 3[illegible] of the Civil Code of the State of California relating to the enforcement of laws of deficiency and of work in [illegible].

Also, Senate Bill No. 710—An Act to amend Section 1281 of the Code of Civil Procedure of the State of California, relating to when a [illegible] in eminent domain proceedings shall [illegible] of money awarded.

Also, Senate Bill No. 711—An Act to amend Section 1[illegible] of the Code of Civil Procedure of the State of California, relating to the manner in which [illegible] shall be [illegible] by the court upon the [illegible] of proceedings under Title VII, Part III of the Code of Civil Procedure.

Also, Senate Bill No. 712—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the manner in which [illegible] may be taken under Title VII of Part III of the Code of Civil Procedure.

Also, Senate Bill No. 713—An Act to amend Section [illegible] of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court to [illegible] the modifications of the opinion, and the necessary qualifications of the referee upon a [illegible] and upon [illegible] or any [illegible] cap or cover or [illegible] water channel to be [illegible] to an [illegible] domestic [illegible].

Also, Senate Bill No. 1[illegible]—An Act to amend Section 1745 of the Political Code, relating to [illegible] of [illegible] [illegible] [illegible] [illegible].

Also, Senate Bill No. 1[illegible]—An Act to provide for the [illegible] and construction of a [illegible] [illegible] from Mokelumne Station in El Dorado County, [illegible] to or near the Hetch Hetchy Valley, [illegible] in Yosemite Valley, and [illegible] for an appropriation therefor.

And moved that the same have been carefully enrolled and presented the same to the Governor on this seventh day of May, 1913, at 5 o'clock p.m.

GRANT, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 63—An Act to amend Section 3462 of the Civil Code of the State of California, relating to the furnishing of water for [illegible] have had the same under consideration, and respectfully report the same back, with recommendation and recommend that it do pass as amended.

CARR, Chairman.

Assembly Bill No. 63 ordered on file for second reading.

WITHDRAWAL OF BILL.

Senator Mott asked, and was granted, unanimous consent to withdraw Senate Bill No. 1730—An Act directing the State Water Commission to examine and report to the Legislature on school lands as to natural resources contained therein, looking to the withholding from sale of such lands.

Senate Bill No. 1730 withdrawn, and ordered stricken from the file.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 974—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

In the absence of the author, Senate Bill No. 974 was passed on file.

Senate Bill No. 1216—An Act to amend Section 4239 of the Political Code of the State of California, relating to officers and salaries, fees and compensation thereof, in counties of the tenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1216 passed by the following vote:

AYES—Senators Boynton, Breed, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hans, Jones, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1120—An Act to amend Section 4253 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

In the absence of the author, Senate Bill No. 1120 was passed on file.

Senate Bill No. 1741—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 309*a*, relating to the lending of money by corporations organized under the laws of the State of California, to its officers, directors or stockholders.

In the absence of the author, Senate Bill No. 1741 was passed on file.

Senate Bill No. 121—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

On motion of Senator Gerdes, Senate Bill No. 121 was passed on file.

Senate Bill No. 122—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which

the business of insurance shall be transacted in this State, or in any county, city and county, city or other local subdivision thereof.

On motion of Senator Gerdes Senate Bill No. 737 was passed to

Senate Bill No. 1263—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, canneries, establishments and places of employment, to provide for the enforcement thereof.

In the absence of the author, Senate Bill No. 1263 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

On motion of Senator Sanford, Senate Constitutional Amendment No. 67 was passed on file.

Senate Bill No. 779—An Act to amend Section 3 of an Act entitled "An Act to regulate the taking of fishing, and to provide fixed seasons for the propagation, protection and preservation of fish in the waters of the State of California," approved March 15, 1909.

On motion of Senator Rush, Senate Bill No. 779 was passed on file.

Senate Bill No. 771—An Act relating to franchises and leases and to the granting, exercise and limitation of franchises authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of subways, requiring the lying of mains affecting the location of water connections under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the exercise, surrender and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

In the absence of the author, Senate Bill No. 771 was passed on file.

Senate Bill No. 459—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 22, 1907.

In the absence of the author, Senate Bill No. 459 was passed on file.

Senate Bill No. 472—An Act amending Section 1142 of the Political Code, relating to the appointment of clerks to boards and the qualifications and duties of the members of such boards.

In the absence of the author, Senate Bill No. 472 was passed on file.

Senate Bill No. 1224—An Act to provide for the acquisition, installation, construction, reconstruction, repair and maintenance by municipalities of water works, electric power works, gas works and other public works and utilities, for the assessment of the cost and expense thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assess-

ment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

In the absence of the author, Senate Bill No. 1724 was passed on file.

Senate Constitutional Amendment No. 70—Proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature, by amending Sections 1, 14, 15 and 16 of said Article IV, and by adding a new section thereto, to be numbered Section 2½.

On motion of Senator Caminetti, Senate Constitutional Amendment No. 70 was passed on file.

Senate Bill No. 1769—An Act to provide for the registration of, and filing expense accounts by, legislative lobbyists and regulating the work of such lobbyists.

In the absence of the author, Senate Bill No. 1769 was passed on file.

Senate Bill No. 1015—An Act to amend Section 628, Section 635½ and Section 636 of the Penal Code of the State of California, all relating to the protection and preservation of fish.

In the absence of the author, Senate Bill No. 1015 was passed on file.

Senate Bill No. 1762—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be known as Section 266*h* of the Penal Code.

Read third time.

On motion of Senator Gerdes, Senate Bill No. 1762 was passed on file.

Senate Bill No. 1373—An Act to add a new section to the Political Code to be known as Section 3050*a*, relating to the duty of assessors in compiling assessment books.

In the absence of the author, Senate Bill No. 1373 was passed on file.

Senate Bill No. 337—An Act to amend Section 3676 of the Political Code of the State of California, relating to the subpœna of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

On motion of Senator Sanford, Senate Bill No. 337 was passed on file.

Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered Section 597*h*, providing for the extermination of the ground squirrel.

In the absence of the author, Senate Bill No. 1396 was passed on file.

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget."

On motion of Senator Caminetti, Senate Constitutional Amendment No. 24 was passed on file.

Senate Bill No. 523—An Act to amend Section 1411 of the Civil Code of the State of California, relating to the appropriation of water.

In the absence of the author, Senate Bill No. 523 was passed on file.

Senate Joint Resolution No. 37—Relative to alien land ownership.

On motion of Senator Curtin, Senate Joint Resolution No. 37 was passed to the file of unfinished business.

Senate Bill No. 1037—An Act to amend sections five and twenty-two of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody, and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State

School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with said children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909," approved April 3, 1911, and amendments relating to the commitment of dependent or delinquent persons and to orders made by the court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1037 passed by the following vote:

Ayes—Senators Anderson, Belshe, Bleasdel, Boynton, Breed, Burnett, Caminetti, Campbell, Chandler, Cogswell, Curtin, Ellis, Finn, Flint, Gerdes, Gerlach, Hans Holland, Hurley, Inman, Jones, Leavitt, Lewis, Lyon, Mahan, Mathews, Miller, Owens, Regan, Rush, Sanford, Shanahan, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Welch, Wolfe and Wright—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1004—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making an appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1004 passed by the following vote:

Ayes—Senators Anderson, Ayer, Belshe, Boynton, Burnett, Caminetti, Campbell, Chandler, Cogswell, Curtin, Ellis, Finn, Flint, Gerdes, Gerlach, Hans Holland, Hurley, Inman, Jones, Leavitt, Lewis, Lyon, Mahan, Mathews, Miller, Owens, Regan, Rush, Sanford, Shanahan, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Welch, Wolfe and Wright—37.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1307—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1307 passed by the following vote:

Ayes—Senators Ayer, Belshe, Boynton, Bullis, Caminetti, Campbell, Carr, Cutten, Curtin, Finn, Gerdes, Gerlach, Hans, Inman, Lafferty, Leavitt, Mahan, Owens, Regan, Rush, Shanahan, Thompson, Tyrrell, Walker and Wright—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children.

In the absence of the author, Senate Constitutional Amendment No. 35 was passed on file.

Senate Joint Resolution No. 17—Relative to appointment of a committee to draft bills abolishing all offices not now held by Bull Moosers and providing for a commission of five to perform the duties formerly performed by one person.

In the absence of the author, Senate Joint Resolution No. 17 was passed on file.

Senate Bill No. 969—An Act to amend Sections 16 and 17 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senators," approved April 7, 1911, and also to amend Section 10 of an Act entitled "An Act to amend Sections 1, 3, 5, 7, 10, 12, 13, 22 and 24 of an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,'" approved December 24, 1911.

On motion of Senator Caminetti, Senate Bill No. 969 was passed on file.

Senate Bill No. 1488—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

On motion of Senator Caminetti, Senate Bill No. 1488 was passed on file.

Senate Bill No. 1596—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

On motion of Senator Caminetti, Senate Bill No. 1596 was passed on file.

Senate Bill No. 1597—An Act concerning expenses of political parties and providing for payment thereof by municipalities.

On motion of Senator Caminetti, Senate Bill No. 1597 was passed on file.

Senate Bill No. 1606—An Act providing for the payment to the several counties and cities and counties of the State of one half all expenses incurred by them respectively, for primary, general and other elections, held under the laws of the State, in years when a general election is held.

On motion of Senator Caminetti, Senate Bill No. 1606 was passed on file.

Senate Bill No. 1643—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

On motion of Senator Caminetti, Senate Bill No. 1643 was passed on file.

Senate Bill No. 1702—An Act amending the Civil Code so as to prohibit one corporation from buying, taking, acquiring or holding the shares of stock of other corporations

On motion of Senator Caminetti, Senate Bill No. 1702 was passed on file

Senate Bill No. 1703—An Act amending Section 356 of the Civil Code so as to limit the formation of corporations to one purpose.

On motion of Senator Caminetti, Senate Bill No. 1703 was passed on file

Senate Bill No. 1704—An Act amending the Civil Code so as to prohibit the issuance by a corporation of more than one kind of shares of capital stock.

On motion of Senator Caminetti, Senate Bill No. 1704 was passed on file

Senate Bill No. 1738—An Act to amend the Political Code of the State of California by adding thereto two new sections, to be known and numbered as Section 1809 and Section 1810, relating to labor unions.

On the motion of the author, Senate Bill No. 1738 was passed on file

Senate Bill No. 1739—An Act to create a state bureau of education defining its powers and duties providing certain duties and fixing penalties

On motion of Senator Gerdine, Senate Bill No. 1739 was passed on file

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 24 of Article I thereof, and relating to a property qualification to vote at elections, creating prohibitions.

On motion of Senator Hans, Senate Constitutional Amendment No. 26 was passed on file

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1 of Article II of the Constitution, in relation to the rights of suffrage.

On motion of Senator Hans, Senate Constitutional Amendment No. 27 was passed on file

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 of Article IV thereof, relating to the legislative department.

On motion of Senator Boynton, Senate Constitutional Amendment No. 28 was passed on file

Senate Bill No. 585—An Act to amend four thousand twenty-one of the Political Code, relative to electing county and township officers

Read third time on a previous day

The question being on the passage of the bill

The roll was called and Senate Bill No. 585 passed by the following vote:

AYES—Senators Anderson, Ayer, Bolton, Boynton, Breed, Caminetti, Cantwell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdine, Gregory, Johnson, Jennings, Lawlor, Mott, Owens, Rogers, Roseberry, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved

Bill ordered transmitted to the Assembly

165—48

PETITIONS.

The following petition was presented by Senator Beban:

In Board of Supervisors, city and county of San Francisco. *In re* Petition to Legislature to set aside water lots for aquatic sports. On motion of Supervisor Giannini: J. R. No. 743.

WHEREAS, The proposed extension of the Belt Railroad across the water lots of Jefferson street to the United States army transport dock, will wipe out the boat clubs at the foot of Van Ness avenue by reason of their being shut off from open water; and

WHEREAS, It is the sentiment of the majority of the people of San Francisco that a site be set aside for the use of the San Francisco yachting, swimming and boating public, such sentiment having been shown at the recent bond election for an aquatic park by the more than majority vote therefor; and

WHEREAS, In the cove at the foot of Van Ness avenue there are between two and three blocks of land hereinafter described, which being submerged and owned by the State of California and not now being used; and

WHEREAS, The State of California, through its Harbor Commission at San Francisco, has set aside certain water lots and mooring facilities in said cove aforesaid for the use of the fisherman; and

WHEREAS, Said water lots owned by the State are available for said yachting swimming and boating purposes; now, therefore, be it

Resolved by the Board of Supervisors of the City and County of San Francisco, That the State of California, through its Legislature and through the State Board of Harbor Commissioners at San Francisco, be requested to set aside for the use of yachting, swimming and boating public of San Francisco, and for the use of bona fide amateur yachting, swimming and boating clubs of San Francisco, the water lots owned by the State of California and bounded by Jefferson, Lewis, Hyde and Polk streets, San Francisco.

Adopted May 5, 1913.

AYES—Supervisors Bancroft, Caglieri, Andrew J. Gallagher, Giannini, Hayden, Hilmer, Hocks, Jennings, Koshland, Mauzy, McLeran, Murdock, Murphy, Nolan, Payot, Vogelsang—16.

STATE OF CALIFORNIA, } ss.
CITY AND COUNTY OF SAN FRANCISCO. }

I, J. S. Dunnigan, clerk of the board of supervisors of the city and county of San Francisco, do hereby certify that the annexed resolution is a full, true and correct copy of the original thereof on file in this office.

In witness whereof, I have hereunto set my hand, and affixed the official seal of the city and county this 5th day of May, 1913.

J. S. DUNNIGAN,
Clerk of the Board of Supervisors City and County of San Francisco.

[SEAL]

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1699—An Act providing for the construction by counties of canals or waterways suitable for navigation.

On motion of Senator Caminetti, Senate Bill No. 1699 was passed on file.

Senate Bill No. 1471—An Act to amend Section 635½ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the sixth district.

On motion of Senator Anderson, Senate Bill No. 1471 was passed on file.

Senate Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

On motion of Senator Carr, Senate Constitutional Amendment No. 43 was passed on file.

Senate Bill No. 306—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

On motion of Senator Campbell, Senate Bill No. 306 was passed to file.

Senate Bill No. 361—An Act fixing the compensation to be paid to county clerks and registers of voters in the several counties of cities and counties of the State of California, for services performed by them for the State in primary, general and other elections held under the laws thereof.

On motion of Senator Campbell, Senate Bill No. 361 was passed to file.

Senate Bill No. 748—An Act to amend Sections 415, 416 and 417 of the Penal Code relating to opposing exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

On motion of Senator Boynton, Senate Bill No. 748 was passed to file.

Senate Bill No. 1264—An Act to amend Section 193 of the Penal Code of California, relating to homicide and the cases in which homicide is excusable.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1264 passed by the following vote:

Ayes—Senators Anderson, Ayer, Beban, Boynton, Brown, Burnett, Burnett, Cartwright, Caminetti, Campbell, Chipman, Cogswell, Elliott, Gates, Hare, Hatfield, Hayes, Lewis, Mott, Rogers, Rush, Sanford, Shoemaker, Thompson and Wyman—24.

Noes—Senators Benson, Bradley, Curtis, Curtin, Flint, Gates, Gerdes, Jones, Owens and Tyrrell—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER

Senator Campbell gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 1264—An Act to amend Section 193 of the Penal Code of California, relating to homicide and the cases in which homicide is excusable—was this day passed.

SENATE BILL NO. 1546—[RECONSIDERED]

Senate Bill No. 1546—An Act to amend The Penal Code of the State of California by adding thereto a new section, to be numbered sixty-seven a, relating to the sale, giving away or serving of intoxicants on a legal holiday and prescribing a penalty therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1546 refused passage by the following vote:

Ayes—Senators Ayer, Beban, Boynton, Campbell, Jones and Thompson—6.

Noes—Senators Benson, Bradley, Burnett, Burnett, Cartwright, Caminetti, Chipman, Cogswell, Elliott, Flint, Gates, Gerdes, Hare, Hatfield, Lewis, Owens, Rogers, Sanford, Shoemaker, Tyrrell and Wyman—26.

Senate Bill No. 240—An Act relating to life insurance companies and prohibiting discrimination.

In the absence of the author, Senate Bill No. 240 was passed on file.

Senate Bill No. 892—An Act for the regulation and control of mutual or benefit associations organized or formed and composed of members of secret societies, lodges or councils exclusively.

In the absence of the author, Senate Bill No. 892 was passed on file.

Senate Bill No. 893—An Act to repeal Section 630 of the Political Code of the State of California, relating to insurance.

In the absence of the author, Senate Bill No. 893 was passed on file.

Senate Bill No. 894—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act for the regulation and control of fraternal benefit societies," approved May 1, 1911, by amending section five thereof.

In the absence of the author, Senate Bill No. 894 was passed on file.

Senate Bill No. 1768—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey, and to prohibit taking the same from such preserve for commercial purposes."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1768 passed by the following vote:

AYES—Senators Beban, Birdsall, Boynton, Breed, Brown, Bryant, Cannetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Juilliard, Regan, Shanahan, Strobridge, Thompson, and Wright—22.

NOES—Senator Tyrrell—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR

At eleven o'clock and fifty-five minutes a. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—RESUMED

Senate Bill No. 1669—An Act enabling the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made by John Biddle, Lieutenant Colonel Corps of Engineers, C. H. McKinstry, Major Corps of Engineers, and Thomas H. Jackson, Corps of Engineers of the United States Army, and printed with the annual report of the Chief Engineer of the United States Army for the fiscal year ending June 30, 1909, and making an appropriation for such work," approved March 10, 1909, by removing certain conditions contained in and stipulated by said Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1007 passed by the following vote:

AYES—Senators Ayer, Beban, Bledsoe, Boynton, Breed, Bryant, Burnett, Caminetti, Campbell, Chamberlain, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerlach, Gesford, Hare, Holohan, Inman, Jones, Juilliard, Lee, Leviston, Mott, Owens, Rigdon, Rolfe, Sanford, Savage, Stetson, Strobridge, Thompson, Tyrrell, Walker, Welch, Wolfe and Wright—36.

NOES—None.

Bill read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 634—An Act to amend Sections 1270 and 1274, and to repeal Section 1269, of the Penal Code of the State of California, all relating to the prosecution and prevention of fire.

On motion of Senator Caminetti, Senate Bill No. 634 was passed on file.

Senate Bill No. 951—An Act to prohibit the use of lewd, unclean, vile, vicious or other similar substances for the purpose of shooting birds in stationary locomotives or other hunting vehicles by regulation by the State of California.

On motion of Senator Flint, Senate Bill No. 951 was passed on file.

SENATE CONCURRENT RESOLUTION NO. 18.

Relative to the appointment and duty of the official reporter of the Supreme Court of the State of California, and fixing the time for such appointment.

Resolved by the Senate, the Assembly concurring, That the Supreme Court of the State of California appoint and fix at twenty dollars per day, Monday, May 12, 1913.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 18 passed by the following vote:

AYES—Senators Ayer, Beban, Bledsoe, Boynton, Breed, Bryant, Burnett, Caminetti, Campbell, Chamberlain, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerlach, Hare, Holohan, Inman, Jones, Juilliard, Lee, Leviston, Mott, Owens, Rigdon, Rolfe, Sanford, Savage, Stetson, Strobridge, Thompson, Tyrrell, Walker, Welch, Wolfe and Wright—37.

NOES—None.

[etc.] [illegible]

On motion of Senator Strobridge, the rules were suspended and the resolution ordered transmitted to the Assembly without engrossment.

[illegible] [illegible] [illegible] [illegible]

Senate Bill No. 1742—An Act to amend Section 469 of the Civil Code of the State of California, relating to members of monetary corporations.

On motion of Senator Boynton, Senate Bill No. 1742 was passed on file.

Senate Bill No. 1446—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

On motion of Senator Hare, Senate Bill No. 1446 was passed on file.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

Read third time.

On motion of Senator Caminetti, Senate Bill No. 874 was passed on file.

Senate Bill No. 938—An Act to amend Section 863 of an Act numbered 2348, entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 938 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR.

At twelve o'clock and five minutes p.m., Senator Tyrrell, of the Sixteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1009—An Act to grant to boards of health or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Finn moved a call of the Senate.

Motion carried.

Time, twelve o'clock and twenty minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—29.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At twelve o'clock and thirty minutes p.m., Senators Kehoe and Flint were brought to the bar of the Senate, and, on motion of Senator Thompson, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty minutes p.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Finn.

The roll of absentees was called and Senate Bill No. 1208 [final passage] by the following vote:

Ayes—Senators Bolce, Bunnell, Cogswell, Cohn, Gerdes, Grant, Hayes, Hewitt, Jones and Tyrrell—9.

Noes—Senators Avey, Boynton, Burnett, Burnett, Burnham, Chandler, Flint, Filcher, Mead, Tomb, Trahern, Wolfe, Wyman, Worthington, Thomas and Wright—16.

REPORT OF COMMITTEE ON ENGROSSMENT.

Senator Flint gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 1208 was this day refused passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

Mr. President: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1208, An Act to amend the penal code and to add certain new sections thereto, relating to the Western State Normal School and the Southern State Normal School, and the location of said institutions, and the transfer of the property of the Western State Normal School to the Southern State Normal School, and the location, establishment, maintenance and management of a southern branch of the California State Normal School, providing for the appointment of trustees and defining their duties and powers, providing for the purchase of lands and the erection of buildings thereon, providing for the appointment of a committee to act with the trustees of the Southern State Normal School in the selection of a site for the Southern Branch of the California State Normal School, providing for the appointment of officers and employees, providing for the payment of salaries and expenses, providing for the disposition of moneys now in the treasury belonging to the Western State Normal School, providing for the conveyance of property now belonging to the Western State Normal School, providing for the assumption of obligations now existing against the Western State Normal School, providing for the disposition of moneys now in the treasury belonging to the Southern State Normal School, providing for the payment of salaries and expenses

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 8, 1913

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 592, An Act to add a new section to the Political Code of the State of California, to be known as No. 2982a, providing for a sanitary engineer to the State Board of Health, and fixing his salary, has had the same under consideration, and respectfully report the same back and recommend that it do pass.

STROBRIDGE, Chairman

Assembly Bill No. 592 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2086, An Act to define investment companies, investment brokers, contractors and agents, to provide for the regulation, supervision, and licensing thereof; to provide penalties for the violation hereof, and making an appropriation therefor, have had the same under consideration, and respectfully report the same back, with amendments as proposed by the Committee on Judiciary, and recommend that the bill, as amended, do pass.

STROBRIDGE, Chairman

Senate Bill No. 2086 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 313, An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Also, Assembly Bill No. 2090, An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Also, Assembly Bill No. 1186, An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Also, Senate Bill No. 1777, An Act appropriating money to provide for compiling a history of California for use in the public schools.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman

Assembly Bills Nos. 313, 2090 and 1186 ordered on file for second reading.

Senate Bill No. 1777 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 642, An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain Acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be

[illegible] Assembly Bill No. 642 [illegible] Committee on Judiciary.

[illegible]

SENATE CHAMBER, SACRAMENTO, MAY 8, 1913

MR. PRESIDENT: Your Committee on Public Utilities and Corporations to which was referred Assembly Bill No. 1286—An Act to amend an Act entitled "An Act to establish and maintain a state harbor, [illegible] the boundaries and [illegible] thereof, and providing for the appointment of a board of harbor commissioners and prescribing their powers and duties, and providing for the payment of the salaries of said harbor commissioners and their employees in certain cases," approved March 16, 1909, and [illegible] thereto, and [illegible] the same, has had the same under consideration, and respectfully reports that it has been [illegible] that it be [illegible] Committee on Finance.

AVET, Chairman.

Senate Bill No. 170 [illegible] Committee on Finance.

[illegible]

SENATE CHAMBER, SACRAMENTO, MAY 8, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 1286—An Act to amend Section 1662 of the Political Code of the State of California, relative to the general powers of the boards of supervisors to allow [illegible] and expenses [illegible] the same [illegible] consideration, and respectfully report the same back, and recommend that it do pass.

AVET, Chairman.

Assembly Bill No. 66 ordered [illegible] for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, MAY 8, 1913.

MR. PRESIDENT: Your Committee on Education to whom was referred Assembly Bill No. 881—An Act to provide a reader for blind students in certain educational institutions and to make an appropriation therefor, [illegible] the same under consideration, and respectfully report the same back and recommend that it do pass.

AVET, Chairman.

Assembly Bill No. 881 ordered on the [illegible] reading.

Also:

SENATE CHAMBER, SACRAMENTO, MAY 7, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be numbered Section 1764, and relative to the location of county high schools, has had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

AVET, Chairman.

Assembly Bill No. 1287 ordered on the for second reading.

CONSIDERATION OF BILLS [illegible] ORDER.

On motion of Senator Campbell, the Senate took up the consideration of Senate Bill No. 84, out of order.

Senate Bill No. 84—An Act to amend Section 26 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to Whittier State School and the Preston State School of Industry, and manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Jones, as a special committee of one, to amend as follows:

By striking out all of the title after the words "An Act", and inserting in lieu thereof the following: "To amend the title and an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909, and as amended by an Act approved April 5, 1911."

Also: Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

SECTION 1. The title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, is hereby amended to read as follows: "An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing detention homes for said persons; providing for the punishment of those responsible for, or contributing to, the neglect, dependency or delinquency of said persons; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts."

SEC. 2. Said Act is hereby amended to read as follows:

Section 1. This Act shall be known as the "juvenile court law" and shall apply only to persons under the age of twenty-one years and not now or hereafter inmates of a state institution.

Section 2. Within the meaning of this Act the words "neglected persons" shall include any person:

(1) Who is found begging, receiving or gathering alms, whether actually begging or under pretext of selling, or offering anything for sale; or

(2) Who is found in any street, road or public place for the purpose of so begging, gathering or receiving alms; or

(3) Who, being under the age of sixteen years is found singing or playing any musical instrument, or giving any public entertainment in any street, road, or public place, or who accompanies or is used in aid of any person so doing for the purpose of begging, gathering or receiving alms whether actually begging or under the pretext of selling or offering anything for sale; or

(4) Who is found wandering and not having any home, or any settled place of abode, or any proper guardianship, or any visible means of subsistence; or

(3) Who has an agency to purchase, or who has an agency or duplicate keys of receipts of machines, which [illegible]

(4) Being an [illegible]

(5) Who [illegible] the [illegible] of machines in the [illegible] of the persons or [illegible] of those or another such [illegible] or [illegible] of the [illegible] [illegible] [illegible]

or delinquent person, and praying that the superior court deal with such person as provided in this Act. Such petition shall be verified and shall contain a statement of facts constituting such neglect, dependency or delinquency, as defined in this Act, and the names and residence if known to the petitioner, of the parents or guardians of said neglected, dependent or delinquent person. There shall be no fee for filing such petition.

SEC. 7. Upon the filing of the petition provided for in section six hereof, a citation shall issue, requiring the person or persons having the custody or control of the alleged neglected, dependent or delinquent person, or with whom such alleged neglected, dependent or delinquent person may be, to appear with said alleged neglected, dependent or delinquent person at a time and place stated in the citation. Service of such citation must be made at least twenty-four hours before the time stated therein for such appearance. The parents or guardians of said alleged neglected, dependent or delinquent person, if residing within the county in which the court sits, and if their places of residence be known to the petitioner, or if there be neither parent nor guardian so residing, or if their places of residence be not known to the petitioner, then some relative of said alleged neglected, dependent or delinquent person, if any there be residing within said county, and if his residence and relationship to such alleged neglected, dependent or delinquent person be known to petitioner, shall be notified of the proceedings by service of citation requiring him or them to appear at the time and place stated in such citation. In any case the judge may appoint some suitable person to act in behalf of said alleged neglected, dependent or delinquent person, and may order such further notice of the proceedings to be given as he may deem proper. If any person, cited as herein provided, shall fail, without reasonable cause, to appear and abide by the order of the court, or to bring said alleged neglected, dependent or delinquent person, if so required in the citation, such failure shall constitute a contempt of said court and may be punished as provided for in other cases of contempt of court. In case such citation can not be served or the party served fails to obey the same, and in any case in which it shall be made to appear to the court that such citation will probably be ineffective, a warrant of arrest shall issue on the order of the court, either against the parent or guardian, or the person having the custody of said alleged neglected, dependent or delinquent person, or with whom the said alleged neglected, dependent or delinquent person may be, or against the said alleged neglected, dependent or delinquent person himself, or any or all said persons; or if there be no person to be served with citation as above provided, a warrant of arrest may be issued against the said alleged neglected, dependent or delinquent person immediately. On the return of the citation or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Until the final disposition of any case, the said alleged neglected, dependent or delinquent person may be retained in the possession of the person having charge of said person, or may be kept upon the order of the court, in some suitable place, provided by the county, or may be held otherwise as the court may direct.

SEC. 8. When any alleged neglected person under the age of twenty-one years shall be found by said court or judge to be a neglected person within the meaning of this Act, the court may make an order placing said neglected person, for such time as the court may deem fit, but not beyond the time when such neglected person shall reach the age of twenty-one years, in the care of some reputable person of good moral character, or in the care of some association, society or corporation willing to receive him, embracing in its objects the purpose of caring for or obtaining homes for neglected persons, or to the care of the probation officer or other person to remain in the home of said neglected person, or other home approved by the court; *provided, however*, that no such neglected person shall be placed in the care of any family home, detention home or institution, where such person will be brought into association with delinquent persons, or dependent persons who have been adjudged dependent because of wilful misconduct, immorality or depravity on the part of such dependent persons; *but further provided*, that persons heretofore declared dependent upon grounds which in this Act constitute neglect shall for such purposes be treated as neglected persons. No person adjudged to be a neglected person shall be eligible for adoption in accordance with Section 224 of the Civil Code of the State of California, unless the judge of the juvenile court has declared such child to be eligible for adoption, and such parent or parents have been present in court on the day when such declaration of such eligibility for adoption has been made, or have duly cited and have failed to appear in court, or, in case the party serving such citation, after due and diligent search, has been unable to find such parent or parents and to make service upon them of such citation, then after publication of such citation as is provided for the publication of summons in section four hundred and thirteen of the Code of Civil Procedure and failure of the parties thus cited to appear. Whenever the judge of the juvenile court shall make an order of placement of a neglected person, or of commitment of a dependent or delinquent person, said judge shall also make a finding as to whether or not such person is an orphan, half-orphan, or abandoned child, and shall certify the same to the auditor of the county in which the court making such finding is situated.

tion over the neglected, dependent or delinquent person when so directed by the court, to furnish the court information and assistance whenever required, and, from time to time, to advise and recommend to the court any change or modification of the order made in the case of a neglected, dependent or delinquent person as may be for the best interests of such person. Upon request of the probation officer, any member of the probation committee shall investigate the case of any alleged neglected, dependent or delinquent person coming under the provisions of this Act, and render a report thereon to the probation officer. The probation committee shall also have the control and management of the internal affairs of any detention home or branch detention home heretofore or hereafter established by the county board of supervisors; and it shall be the duty of said board of supervisors to provide for the payment of such employees as may be needed in the efficient management of such detention home or branch detention home or homes.

SEC. 12. Members of the probation committee shall serve without compensation, but shall be allowed their reasonable traveling expenses as approved by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasury for the specified amount of such expenses. All orders by the juvenile court judge upon the county treasury shall be filed in duplicate with the county board of supervisors.

SEC. 13. There shall be appointed, as hereinafter provided, a probation officer in every county, and he may appoint as many deputies as he may desire: *provided, however*, that such deputies shall not have authority to act until their appointment shall have been approved by a majority vote of the probation committee, and by the judge of the juvenile court. The term of office of such deputies shall expire with the expiration of the term of office of the probation officer making such appointments, but either the judge or the probation officer, with the consent of the judge, may at any time in his discretion, revoke and terminate any such appointment. Such deputies, except as hereinafter provided, shall serve without compensation. Every probation officer and every assistant probation officer receiving an official salary shall, at the time that he files his oath of office, file with the county clerk of the county his official bond approved by the judge of the juvenile court. The judge of the juvenile court shall have authority by an order entered in the minutes of said court to determine and fix the amount of bonds of the probation officer of the county and of his assistants. If said bonds, or any of them, are furnished by any surety company licensed to transact business in the State of California, the premium thereon shall be paid out of the county treasury.

SEC. 14. The offices of probation officer and assistant probation officer are hereby created. The probation officers and assistant probation officers to serve hereunder in any county shall be nominated by the probation committee in such manner as the judge of the juvenile court in the respective counties shall direct; and the appointment of such probation officers and assistant probation officers shall then be made by the judge of the respective juvenile courts. The term of office of the probation officers and assistant probation officers shall be two years from the date of their said appointments. All probation officers and assistant probation officers receiving a salary of seventy-five dollars or more per month shall devote their entire time and attention to the duties of their offices, and no such probation officer or assistant probation officer, while holding such office and receiving salary therefor, shall be a candidate or seek the nomination for any other public office or employment, and no person shall be appointed to and receive the salary attached to such office of either probation officer or assistant probation officer who is related to the judge of the juvenile court or to a member of the probation committee of such county, by consanguinity or affinity, within the third degree, computed according to the rules of law. Such probation officers and assistant probation officers may at any time be removed by the judge of the juvenile court for good cause; *provided*, that no such probation officer or assistant probation officer shall be removed unless he has been furnished with a specific statement in writing of the reasons for such removal, said statement to be approved and signed by the judge of the juvenile court and by a majority of the probation committee.

SEC. 14*a*. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen assistant probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as probation officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as bookkeeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

Sec. 144. In counties or cities having 17 city council cities there shall be one prosecuting attorney and six assistant prosecuting attorneys. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand and seventy-five dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum; each of the assistant prosecuting attorneys, one thousand and seventy-five dollars per annum each.

Sec. 145. In counties of the third class there shall be one prosecuting attorney and eight assistant prosecuting attorneys. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 146. In counties of the fourth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 147. In counties of the fifth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 148. In counties of the sixth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 149. In counties of the seventh class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 150. In counties of the eighth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 151. In counties of the ninth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 152. In counties of the tenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 153. In counties of the eleventh class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 154. In counties of the twelfth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 155. In counties of the thirteenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 156. In counties of the fourteenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 157. In counties of the fifteenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 158. In counties of the sixteenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 159. In counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 160. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 161. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 162. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 163. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 164. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 165. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 166. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 167. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 168. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 169. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

Sec. 170. In each of the counties of the seventeenth class there shall be one prosecuting attorney and one assistant prosecuting attorney. The salaries of said officers shall be as follows: Prosecuting attorney, one thousand dollars per annum; one assistant prosecuting attorney, one thousand and seventy-five dollars per annum.

class there shall be one probation officer whose salary shall be thirty-five dollars per month.

SEC. 14q. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 14r. In each of the counties of the forty-fourth, fiftieth and fifty-fifth class there shall be one probation officer whose salary shall be ten dollars per month.

SEC. 14s. In each of the counties of the fifty-seventh and fifty-eighth class there shall be one probation officer whose salary shall be five dollars per month.

SEC. 15. The salaries of all probation officers and assistant probation officers shall be paid out of the county treasury of the county for which they are appointed, respectively, in the same manner as the salaries of the county officers. The probation officers and assistant probation officers and deputy probation officers in all counties of the state shall be allowed such necessary incidental expenses incurred in the performance of their duties as required by any laws of the State of California as may be authorized by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specific amount of such expenses. The probation officer and the clerk of the juvenile court shall each keep a classified list of expenses and file a duplicate copy with the county board of supervisors.

SEC. 16. It shall be the duty of the clerk of any court before which an alleged neglected, dependent or delinquent person is brought under the provisions of this Act, before hearing, to notify the probation officer of the county thereof.

SEC. 17. The probation officer shall inquire into the antecedents, character, family history, environment and cause of neglect, dependency or delinquency of every alleged neglected, dependent or delinquent person brought before the juvenile court, and shall make his report in writing to the judge thereof; it shall also be the duty of said probation officer, to be present in court in order to represent the interests of the neglected, dependent or delinquent person when the case is heard, and to furnish to the court such information and assistance as it may require and to make such report at such time; and to take charge of said neglected, dependent or delinquent person before and after the hearing as may be ordered. Whenever any person is declared neglected, dependent or delinquent under the provisions of this Act, and is placed under probation in another county than that in which such order is made, the entire case may be transferred to the juvenile court of the county wherein said person is placed on probation and the court of that county shall thereafter have jurisdiction of said cause. The expense of the transfer of the neglected, dependent or delinquent person aforesaid to be borne by the county in which the order is made. Every probation officer assistant probation officer and deputy probation officer shall have the powers of a peace officer. At any time the probation officer may bring any neglected, dependent or delinquent person placed in or committed to his care before the court for such further or other action as the court may deem proper. Before any neglected person is replaced, or any dependent or delinquent person is recommitted, the probation officer shall inquire into the reasons assigned for such action and shall be present in court in order to represent the interests of such person. Every probation officer shall have the powers of a school attendance officer, in such portions of the county, in which such probation officer has been appointed, as are not otherwise provided with a school attendance officer, and shall exercise such powers when not inconsistent with his other duties. Every probation officer, within fifteen days after the thirtieth day of June, and within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document a report to the judge of the juvenile court of the county in which such probation officer is appointed, and shall furnish to the county board of supervisors and to the secretary of the state board of charities and corrections of this state a copy thereof. Such report without giving names shall state separately the exact number of neglected, dependent and delinquent persons, segregating male and female, who have been committed by such juvenile court to the care and custody of such probation officer, and the exact number of such persons who are wards of such juvenile court, but of whose cases other disposition has been made, as such number exists deducting all cases dismissed, or where such person has passed the age of twenty-one years upon such thirtieth day of June and such thirty-first day of December, segregating such persons as having been adjudged by such juvenile court to be neglected, dependent or delinquent, as the case may be, in 1903, 1904, 1905, and so on, up to and including the calendar year in which such report is made and filed. Any of the duties of a probation officer may be performed by an assistant or deputy probation officer, and shall be so performed whenever directed by the probation officer; and it shall be the duty of the probation officer to see that his assistant and deputy probation officers perform their duties.

SEC. 18. Whenever a deposition or complaint shall be filed in any court other than a superior court, charging a person with a crime and it shall be suggested to the judge, justice or recorder before whom such person is brought that the person charged was at the time said offense was alleged to have been committed under the

should be committed to a state penitentiary, such person shall be returned to the custody of the sheriff of the county in which such crime was committed, and thereafter proceedings shall be had upon the indictment or information commencing at the point at which proceedings were arrested, and said person shall be tried for the offense alleged in the information, and if convicted shall be sent to the penitentiary for such time as the court may determine, or otherwise dealt with in accordance with the law for dealing with persons convicted of a felony. If no request is made by the defendant for proceedings under this statute, or if the defendant desires a trial by jury, or if the judge declines to consent to the application of the defendant for proceedings under this statute, said cause shall proceed in the ordinary manner up to the verdict of guilty or not guilty as the case may be. If said person is convicted, the court may thereafter receive such evidence as may be offered, touching the question as to whether or not said person should be dealt with as a delinquent in the manner hereinbefore provided in case of the application and consent of the accused before trial, and may make such order of probation or commitment to said state schools, and may from time to time modify said probation orders, as is herein provided in the case of persons adjudged delinquent. If such person during the period of his commitment to said state institution, proves to be incorrigible or not amenable to the discipline of such institution, and it shall be deemed advisable in the judgment of the trustees of such institution that said person be sent to the penitentiary, then said person shall be returned to the superior court in which the verdict was rendered, **for sentence, and thereupon the court shall pronounce judgment.**

SEC. 21. In the case of a person alleged to be neglected, dependent or delinquent within the meaning of this Act, the juvenile court may, pending the hearing, at any time before the person is adjudged neglected, dependent or delinquent, or after he is finally disposed of, order that said person be detained in any detention home, provided for that purpose by any county or it may be otherwise temporarily provided for as the court may seem fit in any manner provided herein for the care of a person after **the determination of his neglect, dependency or delinquency.**

SEC. 22. If the court find a person to be neglected, dependent or delinquent, then the court may commit such person to the care and custody of the probation officer and may allow the said person to remain in the home of such person, subject to the visitation of a probation officer, and such person shall report to the probation officer as often as may be required, and be subject to be returned to the court for further proceedings whenever such action may appear necessary or desirable, or the court may commit the person to the care and custody of the probation officer, to be placed in a suitable family home subject to the supervision of said probation officer and the further order of the court, or it may order the probation officer to board out the person in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of said person until suitable provision may be made for said person in a home without such payment or the court may commit said person for such time until such person arrives at the age of twenty-one years as to the court may seem fit, to the care and custody of some association, society or corporation that will receive him, embracing within its objects the care of dependent or delinquent children, or the court may commit said person to a state school as hereinbefore provided, or to such other state institution as may be authorized by law to receive him: *provided further*, that should the legislative body of the county provide a suitable place for the detention of neglected, dependent or delinquent persons which they are hereby authorized and required to do, such dependent or delinquent persons may be committed thereto after the adjudication of neglect, dependency or delinquency for a definite period to be specified in such order, at the end of which time said person shall be brought before the court for further order of court. The court may thereafter set aside, change or modify said order and provide for a further detention in said place. The court shall retain the jurisdiction of any person who is found to be dependent or delinquent until such person attains his majority, or if a girl, until she attains the age of twenty-one years, unless she is married with the consent of the court, or until said court is satisfied that said person has fully reformed and that further direction and supervision under the provisions of this Act are necessary for said person's reformation. If a boy, said person may be committed by said court to the Whittier State School or the Preston School of Industry at any time during his minority for the period of his minority. If a girl, she may be committed to the said Whittier State School at any time before she is twenty-one years of age until she is twenty-one years of age. Such person may be committed to any other institution now or hereafter provided by the state for such persons. Upon the return of said person to the custody of the juvenile court, if said person be accused of felony, it shall be the duty of the judge of said court to sit as a committing magistrate and hold the preliminary examination of such person, and if upon said hearing he shall determine that there is probable cause to believe that the said person has committed the offense charged in the petition theretofore filed in court, he shall hold such person to answer to the superior court, and thereupon, the usual proceedings shall be had for the trial of said case in the superior court after the filing of the information in pursuance to said order of said judge sitting as a committing magistrate, and said person shall be tried by court and jury in the usual manner for the trial of a felony;

payment, out of the general fund of the county, or city and county, of suitable salaries for such superintendent and matron, and such other employees, such superintendent, matron and other employees to be appointed by said legislative body, upon the nomination of the probation committee and approval of the judge of the juvenile court. The superintendent of the detention home shall keep a classified list of expenses, and file a duplicate copy with the county board of supervisors. The superintendent, matron or other employees of such detention home may, at any time, be removed by the probation committee, in its discretion.

SEC. 28. Any person who shall commit any act or omit the performance of any duty, which act or omission causes or tends to cause, encourage or contribute to the neglect, dependency or delinquency of any person under the age of twenty one years, as defined by any law of this state, or any person who shall, by any act or omission, threats or commands or persuasion, endeavor to induce any such person, under twenty one years of age to do or to perform any act or follow any course of conduct, or to so live as would cause or manifestly tend to cause any such person to become, or to remain a neglected, dependent or delinquent person, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and the superior court, sitting as juvenile court, shall have original jurisdiction of all such misdemeanors. If said person is placed on probation, the probation period may be for such time as in the judgment of the court is necessary for the reformation of said person, or the protection of said person to whose neglect, dependency or delinquency said person has contributed, not exceeding three years.

SEC. 29. This Act shall be liberally construed to the end that its purpose may be carried out, to wit: That the care, custody and discipline of a neglected, dependent or delinquent person as defined in this Act shall approximate as nearly as may be that which should be given by his parents, and in all cases where it can be properly done, the neglected, dependent or delinquent person as defined in this Act shall be placed in an approved family, with people of the same or similar religious belief, and become a member of the family, by legal adoption or otherwise, or if placed in the care of an association, society, corporation, school or institution, then with people of the same or similar religious belief, unless placed in or committed to a non-sectarian or state institution. No neglected, dependent or delinquent person as defined in this Act shall be taken from the custody of his parent or legal guardian, without the consent of such parent or guardian, unless the court shall find such parent or guardian to be incapable of providing, or to have failed or neglected to provide proper maintenance, training and education for said person or unless his parent or legal guardian is found by the court to be unfit, and in no case unless the parent or guardian has been duly notified to be present in court before or at the time of placement or commitment or recommitment, or unless said person if dependent or delinquent has been tried on probation in said custody, and has failed to reform. In this Act words used in any gender shall include all other genders and the word "county" shall include "city and county," the plural shall include the singular and the singular shall include the plural. Each section of this Act shall be construed separately and any decision rendered as to the constitutionality or legality thereof shall not affect any other section of the Act.

SEC. 30. An appeal to the district court of appeal shall lie from any decision and judgment of the juvenile court. The party appealing shall serve on the opposite party and file a notice of such appeal within fifteen days from the day of rendition of the judgment from which the appeal is taken. Findings of facts shall be made by the court whenever demanded by either of the parties at the time of the trial. In case the party appealing, questions the sufficiency of the evidence to warrant the findings made by the court, such evidence shall be incorporated in a bill of exceptions prepared by the appellant within fifteen days after the notice of appeal shall have been served on the opposite party and filed as aforesaid. The opposite party shall within ten days prepare and serve on appellant proposed amendments to such bill of exceptions, which amendment shall be settled by the judge within five days thereafter. Within ten days after the settlement of said bill of exceptions, the appellant shall engross the same and serve a copy on the opposite party and also on the attorney general, and file the original thereof together with the proof of service as herein required endorsed thereon, with the clerk of the juvenile court who shall immediately transmit the same to the court to which the appeal is taken, with his certificate that such bill of exceptions is correctly engrossed. An assignment of error that the decision of the juvenile court is contrary to law shall be sufficient to present both a sufficiency of the facts found to sustain the judgment and a sufficiency of the evidence to justify the findings. Appeals from the juvenile court shall have precedence in the court to which such appeal is taken over all other cases. The prosecution in appeal of such cases shall be governed as to costs and as to all other matters not herein provided for by the statutes governing appeals in criminal causes.

SEC. 31. This Act shall supersede all provisions of the Act entitled "An Act to establish a state reform school for juvenile offenders, and to make an appropriation therefor," approved March 11, 1889, and all amendments thereto, and all provisions

of the Act entitled "An Act to establish a school of industry, to provide for the maintenance and government of same and to define its boundaries therein," approved March 11, 1909, and all amendments thereto, relating to the duties of commissioners in the disbursement thereof, and shall do what seemed to be all matters concerning the management of said institution generally.

SEC. 11. An Act entitled "An Act defining and providing for the support, government and limitations of dependent and delinquent children, amending the powers and duties of boards with respect thereto, providing for the appointment of executive officers, and prescribing their duties and powers, providing for the apprehension of children doing acts for which they are punishable by law, providing for the appointment of boards to investigate the qualifications of applications to adopt children under the Act, and prescribing the duties of such boards and providing when proceedings under the Act shall be commenced," approved March 16, 1903, as last amended by the amendments thereto approved March 20, 1905, and March 17, 1907, are hereby repealed; provided, however, that all orders and judgments made heretofore under said Act and upon the Act of which the Act is amendatory, shall continue in full force and effect, and that the same shall remain enforceable as all children heretofore declared dependent or delinquent and now confined shall be released only in the same manner as if such orders had been made under the provisions of this Act, and all proceedings now pending upon this Act or upon the Act of which this Act is amendatory shall be continued under the provisions of this Act as enacted prior to such amendment. All offenses hereafter committed against the provisions of the Act of which this Act is amendatory shall be punishable pursuant to such Act and nothing herein contained shall be deemed to interfere with such laws as to terms of office. All children now on probation from juvenile court shall remain on probation for the period fixed in the judgment and if anything may be required to be done by the court in the premises, it may be done by the judge of the superior court as the successor to said juvenile court. Where no specified fine and forfeiture shall be fixed with in the said statutes as herein provided for a positive offering delinquency.

Motion carried.

REPORT OF SPECIAL COMMITTEE ON ENGROSSING.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 94 with instructions to amend, respectfully reports the same back amended as per amendment.

JONES, Committee.

Report read and adopted.

Bill ordered to grossed and re-engrossed.

REPORT OF ENROLLING AND RE-ENGROSSING.

On motion of Senator Campbell, the Secretary was directed to make a rush order for printing Senate Bill No. 94.

REPORT OF ENROLLING COMMITTEE—[SIXTY-SIX DAYS].

The following report of enrolling committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Enrolling and Re-engrossing, to which was referred Assembly Bill No. 171—An Act to amend an Act to provide a uniform system of county and township government (approved April 1, 1907) by amending Section 25% thereof.

Also, Assembly Bill No. 1000—An Act to amend Section 1203 of the Penal Code of the State of California, relating to evidence and fees of officers in counties of the fourth class.

Also, Assembly Bill No. 1021—An Act to amend Section 4278 of the Penal Code of the State of California, relating to the compensation of officers of counties of the first class.

Also, Assembly Bill No. 1040—An Act to amend Section 4274 of the Penal Code of the State of California, relating to salaries and fees of officers in counties of the third class.

Have had the same under consideration and respectfully report the same back, and recommend that they do pass.

REED, Chairman.

Assembly Bills Nos. 177, 1000, 612 and 1040 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1390 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1131 ordered on file for second reading.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

LEAVE OF ABSENCE.

Senator Owens was, on his own motion, granted leave of absence for the remainder of this day, and also for Friday, May 9, 1913.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Bryant, the Senate took up the consideration of Senate Bill No. 1776, out of order.

Senate Bill No. 1776—An Act amending Section 602*a* of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1776 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Bryant, Caminetti, Campbell, Curtin, Finn, Flint, Gates, Gerdes, Grant, Juilliard, Kehoe, Larkins, Shanahan, Strobridge, Thompson, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Strobridge, the Senate took up the consideration of Senate Bill No. 1126, out of order.

Senate Bill No. 1126—An Act to establish a state censor commis-

sion to cause posting notices filed and to regulate the use thereof in the State of California.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1426 passed by the following vote:

Ayes—Senators Anderson, Avey, Chaney, Cogswell, Boyd, Bulkley, Caminetti, Campbell, Curtin, Elliott, Gerdes, Gerrie, Inman, Leavens, Main, Owens, Rush, Sanford, Thomkins, Wolfrom, Thompson, and Wright—23.

Noes—Senators Curtin and Ryan—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR WRIGHT IN THE CHAIR.

At two o'clock and twenty minutes p.m., Senator Wright, of the Fortieth District, in the chair.

SECOND READING OF BILLS.

On motion of Senator Gerdes, the Senate took up the consideration of the second reading of Assembly bills.

Assembly Bill No. 1986—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma in Imperial County.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

Strike out the words "Fort Yuma", in the title, and insert in lieu thereof the word "Elsinore".

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 6, of the printed bill, after the word "for", strike out the words "Fort Yuma", and insert in lieu thereof the word "Banning".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1947—An Act appropriating money for erecting a hospital building on site near the ferry building in the city and county of San Francisco, arranging for its upkeep by said city and county.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, Section 1, line 7, after the word "Commissioners", strike out the comma and the remainder of the sentence and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 283—An Act to provide for locating, surveying and maintaining a state highway from Pescadero, in the county of San Mateo, to the Santa Cruz county line, to connect with a road to the California Redwood Park, and making an appropriation therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter waste, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College, and making appropriations therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1741—An Act to provide for removing obstructions in Pitt River above the mouth of Hat Creek so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1996—An Act to authorize the State Board of Health to prepare and distribute free of cost, anti-rabic virus and other preparations and appliances for the prevention of disease; and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology, and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November, in the year one thousand nine hundred and ten, which is provided in sec-

tion thereof of article thirteen of the Constitution of this State, and as provided in an Act of the thirty-ninth session of the Legislature, entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to persons and taxation."

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1643—An Act making an appropriation for the location, survey, construction and improving of a state highway from Reno to the Nevada state line, along the Truckee River, in Nevada County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2016—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1131—An Act to amend section 2262 of the Political Code of the State of California, relating to the salary of the State Librarian.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1914—An Act creating a revolving fund for the purchase of ballot paper, providing for use and appropriating money therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1317—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same, and making an appropriation for that purpose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 470—An Act to provide for the building and construction of self-propelling steel boat and dredge for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 471—An Act to provide for the work of the flood improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1425—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals and to provide moneys therefrom for game and fish preservation and restoration," approved March 22, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1436—An Act to amend Section 632a of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2 of the title, strike out the word "seven", and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, strike out the word "seven", and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and to erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the costs and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electrical current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 4, line 34, strike out the words and figures "seventy-five thousand (75,000)", and insert in lieu thereof the words and figures "fifty thousand (50,000)".

Amendment adopted.

AMENDMENT No. 2.

On page 6, line 6, strike out the words "said commission", and insert in lieu thereof the words "the department of engineering".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building in the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1141—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1145—An Act to provide for the issuance and sale of state bonds, to be known as "State Fair grounds bonds," to provide a fund for the improvement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State, appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended, creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of moneys for such purposes, making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1160—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 5446, relating to service of civil process on all corporations or firms other than steam, county, municipal, or district corporations doing business in more than one county in this State.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1162—An Act to amend Section 414 of the Political Code of California, relating to the employees of the Secretary of State, and providing a salary for the same.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1173—An Act to amend Section 10 of the Political Code of California, relating to holidays.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1659—An Act to amend Sections 4 and 11 of an Act entitled "An Act to regulate and license the conducting and operating of employment agencies and to provide a revenue therefrom, for the enforcement of the provisions of this Act and other Acts relating to employment agents and employment agencies," approved March 6, 1909.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1875—An Act to amend Section 4291 of the Political Code of the State of California, relating to fees and salaries of county officers.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 16, between the semicolon and the word "provided", insert the following: "*provided, further*, that the sheriff shall be entitled to receive and retain for his own use five dollars per diem for conveying prisoners to and from the state prisons, and for conveying persons to and from the insane asylums, or other state institutions not otherwise provided for by law, all expenses necessarily incurred in conveying insane persons to and from the insane asylums and in conveying prisoners to and from the state prisons, or other state institutions, his expenses shall be allowed by the board of control and collected from the state. The court shall also allow the sheriff his necessary expenses in keeping and preserving property seized on attachment or executions, to be paid out of the fees collected in the action. The sheriff may retain for his own use the mileage for service of papers or process issued by any court of the state;".

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 36 and 37, strike out the words "provided that all", and insert in lieu thereof a period and the word "all".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 4, between the words "states" and "shall", insert the following: "now existing or hereafter enacted".

Amendment adopted.

AMENDMENT No. 4.

On page 3, between lines 6 and 7, insert the following:

"SEC. 2. Nothing herein shall be construed to repeal any provision of law not hereby expressly repealed".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 7, strike out the numeral "2", and insert in lieu thereof the numeral "3".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1027—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 2, line 4, strike out all of line 4, and in lieu thereof insert the following:

"7. The assessor, three thousand five hundred dollars per annum and his actual and necessary traveling expenses, when engaged in assessing the property of his county; *provided*, that such traveling expenses shall not, in any one year, exceed the sum of three hundred dollars."

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 14 to 17, strike out all of lines 14 to 17, inclusive, and in lieu thereof insert the following:

"12. The county surveyor, one thousand five hundred dollars per annum, he to furnish all necessary instruments; but transportation charges for field work shall be allowed him. He shall not be required to perform county work more than two thirds of the working days in any month, except on payment of fees now allowed by law."

Amendment adopted.

AMENDMENT No. 3

On page 3 lines 17 to 24 strike out [illegible] of lines 17 to 24 inclusive, and in lieu thereof insert the following: "shall be held biennially. The board of supervisors shall, during each year, prepare and tabulate the statistics of the several townships of the county for the purpose of ascertaining the assessment of taxes and other officers mentioned in this section, in preparing an estimate [illegible]

13. Each supervisor, regular township attorney and justice of the peace [illegible] to vote as supervisors, members of the board of [illegible] and [illegible]

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1066.—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

During second reading of the bill the following amendments were offered by the committee:

AMENDMENT No. 1

Amend the title of the printed bill as follows: In line 2 of the title strike out the words "of the" immediately after the word "procedure", and insert the following: "of the State of California".

Amendment adopted.

AMENDMENT No. 2

On page 1, line 7, of the printed bill, immediately after the word "procedure" and before the word "is", insert the following: "of the State of California".

Amendment adopted.

AMENDMENT No. 3

On page 1, line 9 of the printed bill, strike out the following: "pursuant to subdivision 2 of".

Amendment adopted.

AMENDMENT No. 4

On page 2, line 4 of the printed bill, strike out the semicolon (;) immediately after the word "thereof" and insert in lieu thereof a comma (,) and add the following: "and subdivision thereof of Section".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 211.—An Act to establish a tax on gifts, legacies, inheritances, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of taxes created by this Act and for suits to quiet title against claims of liens arising hereunder, to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for the collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder, to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection, and to direct the disposition of its proceeds" approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts

of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts or parts of Acts in conflict with this Act," approved April 7, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1582—An Act to amend an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911.

Bill read second time, and ordered on file for third reading.

QUESTION OF PERSONAL PRIVILEGE.

Senator Avey arose to a question of personal privilege, and addressed the Senate as follows:

MR. PRESIDENT: During my entire legislative experience I have never before spoken to a question of personal privilege. After the close of my present term I expect never to enter these legislative halls again in an official capacity.

It is with a heavy heart that I arise to speak at this time.

On yesterday for more than an hour in company with a representative from Redlands, I discussed with Mr. E. D. Roberts the conditions existing in San Bernardino County and the causes which led to the introduction at this session of the Legislature of Senate Bill No. 1764. Mr. Roberts admitted that inequalities and injustices exist in San Bernardino County in the administration of our governmental affairs and stated that he sympathized with the people of Redlands in the treatment they had received and are receiving.

We were of the opinion and are still of the opinion that these injustices and inequalities result in part from the tremendous size and the topography of the county, while Mr. Roberts contended that they were entirely due to the character of the county government.

He earnestly requested that we would not press the bill, stating that he would fight for a square deal for Redlands and all parts of the county in the several matters discussed, and that he believed this could be brought about without county division.

Among the many injustices that we discussed, it was stated that a certain mountain road had been promised to the people of Redlands six years ago and nothing had been done toward fulfilling the promise; that within the last thirty days Redlands had agreed to raise five to ten thousand dollars toward the construction of this road, provided the county would fulfill its promise. Mr. Roberts asked if we would be willing to withdraw bill No. 1764 if the county would accept the money raised by Redlands and complete the road. My reply was, that we would not, and I further stated, as I have stated many times before, that in justice either the county should or should not build that road and what we were fighting for was a square deal for Redlands.

Mr. Roberts then asked me if I would give him until afternoon. My reply was that I would not press the bill until that time.

This is the conversation to which Mr. Roberts referred in his communication to the members of this body under date of May 7th, as verified by the gentleman from Redlands who was present and took part in the discussion.

In view of these facts, I rise at this time to state that the statement of Mr. Roberts in his communication is, to say the least, a very serious distortion of the facts when he states that the "author of the bill offered to withdraw the bill providing the San Bernardino County Board of Supervisors would spend $17,800 on a road into the mountains from Redlands to a private resort."

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 364—An Act to amend Section 4226 of the Political Code—report that we have met a like committee of the Assembly, consisting of Assemblymen Hinkle, Shearer and Moorhouse, and we report that the Free Conference Committee agreed upon and recommend the following amendments to Senate Bill No. 364:

AMENDMENT NO. 1.

On page 5, line 12, strike out the words "seven hundred" and also the words "and fifty", and insert in lieu thereof the following: "one thousand and twenty"

AMENDMENT NO. 2.

On page 5, line 17, after the word "annum", insert the following: "and traveling expenses incurred in the discharge of his official duties not exceeding three hundred dollars per annum".

Assembly No. 1.

On page 2, line 2, after the word "of" the words "three hundred and fifty" are stricken out and the words "two thousand" are inserted.

Assembly No. 2.

On page 2, line 16, strike out the words "in addition to the other" and all of lines 17 and 18, and insert in lieu thereof the following: "three thousand dollars per annum, in full of all compensation in lieu of any and all other sums."

JOSEPH
CULLEN
WRIGHT
Senate Committee

HISCOCK,
SHEARER,
MOSKOWITZ
Assembly Committee.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

Ayes—Senators Anderson, Bolton, Brainard, Burnham, Brown, Burlew, Campbell, Cobb, Cromwell, Agnew, Griffith, Hewitt, Hinman, Hulbert, Lauterbach, Mayer, Mazet, Reed, Stanford, Stoddard, Thompson, Wagner, Wright—20.

Nays—None.

CONSIDERATION OF THIRD READING—THREE BILLS ON CALENDAR NO. 1.

Assembly Bill No. 1516—An Act to make an appropriation for maintenance of the Adams state highway.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Bonn, Bolton, Brainard, Brown, Burlew, Burnham, Campbell, Cromwell, Cobb, Curran, Elsberg, Fiaschi, Gates, Griffith, Hewitt, Hinman, Hulbert, Lauterbach, Mayer, Mazet, Reed, Stanford, Stoddard, Stoddard, Thompson, Wagner, Wright—26.

Nays—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1516 passed by the following vote:

Ayes—Senators Anderson, Bolton, Brainard, Burnham, Brown, Burlew, Campbell, Cromwell, Agnew, Griffith, Hewitt, Hinman, Hulbert, Lauterbach, Mayer, Mazet, Reed, Stanford, Stoddard, Stoddard, Thompson, Wagner, Wright—20.

Nays—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg, appointing a commission in connection therewith, and making an appropriation therefor.

Read third time.

Section 6, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1629 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2095— Committee Substitute for Assembly Bills Nos. 212, 436, 1152)—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines, and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Gates, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 26, strike out the word and figure "[1] mile", and insert in lieu thereof the following: "[ ] miles' (inserting in the blank space preceding the word 'miles' the rate of speed prescribed by law)."

AMENDMENT No. 2.

On page 5, line 24, after the word "motor", insert the word "vehicle".

AMENDMENT No. 3.

On page 6, line 1, strike out the word "therefor", and insert in lieu thereof the word "thereof".

AMENDMENT No. 4.

On page 7, line 12, strike out the word "herein", and insert in lieu thereof the word "therein".

AMENDMENT No. 5.

On page 8, line 17, strike out the word "therefore", and insert in lieu thereof the word "therefor".

AMENDMENT No. 6.

On page 9, line 4, strike out the comma following the word "name", and insert in lieu thereof the word "and".

Motion carried.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: Your [illegible] to whom was referred Assembly Bill No. 2088, [illegible] to amend [illegible] to the same [illegible] as per [illegible].

GATES, Chairman.

Report read and adopted.

Bill ordered to print.

Assembly Bill No. 2088—An Act to provide for a general system based upon investigation as to merit, efficiency and fitness for appointment to and holding [illegible] of office and employment under state authority, and, in that behalf, to create a state civil service commission and to make an appropriation therefor.

On motion of Senator Boynton, Assembly Bill No. 2088 was passed on file.

Assembly Bill No. 11—An Act to make an appropriation for the further construction and improvement of the "Alpine State Highway."

Read third time.

Section 4, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called and the urgency section passed by the following vote:

AYES—Senators Anderson, Ayer, Bennett, Birdsall, Boynton, Brown, Bryant, Burke, Caminetti, Campbell, Colton, Curtin, Finn, Flint, Gaylor, Gerdes, Hans, Harris, Leonard, Lukens, Mott, Rose, Stetson, Thompson, Tyrrell, and Wright—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 11 passed by the following vote:

AYES—Senators Anderson, Ayer, Bean, Bennett, Birdsall, Boynton, Bunkers, Brown, Burke, Caminetti, Campbell, Colton, Curtin, Finn, Flint, Gaylor, Gerdes, Hans, Harris, Leonard, Lukens, Mott, Rose, Stetson, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1227—An Act to amend Sections 72 and 73 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1257 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Mott, Regan, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 944—An Act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same, for the holding of agricultural fairs, exhibitions and displays, creating a commission to select the location or site for such fairs, exhibitions or expositions, appropriating money to pay the expenses of such commission, and repealing all Acts and parts of Acts in conflict with this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 944 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1572 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Curtin, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1360 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Mott, Rush, Shanahan, Strobridge, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1464 passed by the following vote:

Ayes—Senators Anderson, Ayer, Benson, Birdsall, Boynton, Breed, Burnett, Caminetti, Campbell, Cogswell, Cole, Curtin, Fink, Flint, Gaffey, Gerdes, Hans, Harris, Jones, Leonard, Rolfe, Short, Rogers, Scott, Shoemaker, Strobridge, Tyrrell, and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1132—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1132 passed by the following vote:

Ayes—Senators Anderson, Ayer, Benson, Birdsall, Boynton, Breed, Caminetti, Campbell, Cole, Cogswell, Curtin, Curtis, Fink, Flint, Gaffey, Hans, Harris, Jones, Leonard, Rolfe, Short, Rogers, Scott, Shoemaker, Strobridge, Tyrrell, and Wright—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the possession and preservation of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1442 passed by the following vote:

Ayes—Senators Anderson, Ayer, Benson, Birdsall, Boynton, Breed, Burnett, Caminetti, Campbell, Cole, Cogswell, Curtin, Curtis, Fink, Flint, Gaffey, Gerdes, Hans, Harris, Jones, Leonard, Rolfe, Short, Rogers, Scott, Shoemaker, Strobridge, Tyrrell, and Wright—31.

Noes—Senator Kehoe—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At three o'clock p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(CONCLUDED).

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be numbered 1670, providing for the granting of letters of administration upon the estates of persons presumed to be dead, by reason of

absence from the State for seven years; and for the administration of the estates of such absent persons.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 372 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

On motion of Senator Thompson, Assembly Bill No. 1110 was passed on file.

Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 701 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Juilliard, Kehoe, Mott, Owens, Regan, Rush, Sanford, Shanahan, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, and Strobridge—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BENSON IN THE CHAIR.

At three o'clock and five minutes p.m., Senator Benson, of the Twenty-seventh District, in the chair.

THIRD READING OF BILLS—(RESUMED)

Assembly Bill No. 1125—An Act to amend Section 583 of the Code of Civil procedure, relative to the dismissal of actions in certain cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1125 passed by the following vote:

Ayes—Senators Avey, Boynton, Bunkers, Burnham, Burnett, Caldwell, Colton, Cronkite, Finn, Flint, Gaston, Gerdes, Hans, Hewitt, Holohan, Inman, Rigdon, Rush, Sanford, Shearman, Strobridge, and Tyrrell—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 70—An Act to amend Section 597c of the Civil Code of the State of California, relating to the organization of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Bunkers, Burnham, Burnett, Caldwell, Cronkite, Cogswell, Colton, Curtin, Finn, Flint, Gerdes, Gaston, Gates, Hans, Hewitt, Holohan, Inman, Lanagan, Rigdon, Rush, Sanford, Shearman, Strobridge, and Tyrrell—27.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 70 passed by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Bunkers, Burnham, Burnett, Busby, Cogswell, Cronkite, Caldwell, Colton, Curtin, Finn, Flint, Gerdes, Gaston, Gates, Hans, Hewitt, Holohan, Inman, Lanagan, Rigdon, Rush, Sanford, Shearman, Strobridge, and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 86 and 87 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1191 passed by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Bunkers, Burnham, Burnett, Cogswell, Cronkite, Caldwell, Colton, Curtin, Finn, Flint, Gerdes, Gaston, Gates, Hans, Holohan, Inman, Lanagan, Rigdon, Rush, Sanford, Shearman, Strobridge, and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to forms of judgments and notice thereof to be given to litigants.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Campbell, as a special committee of one, to amend as follows:

By striking out of section 1, line 3, page 2, the words "at least", and inserting in lieu thereof the word "within".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 1765, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Committee.

Report read and adopted.

Bill ordered to print.

RUSH ORDER TO PRINTER.

On motion of Senator Flint, the Secretary was directed to issue a rush order for printing Assembly Bill No. 1765.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 2032—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2032 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Caminetti, Assembly Bill No. 43 was passed on file.

Assembly Bill No. 655—An Act to amend Section 157 of the Code of Civil Procedure of the State of California, relating to the qualification of superior judges.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 455 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bread, Brown, Burke, Caminetti, Campbell, Carr, Chapman, Cogswell, Curtin, Finn, Flint, Gerdes, Gerlach, Hewitt, Jennings, Kehoe, Lardner, Main, Rogers, Scott, Sanford, Shoemaker, Stetson, Strobridge, Thompson and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1102—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure approved March 11, 1872, by amending Section 1170 thereof, and by adding three new sections thereto, to be numbered and designated as Section 1240a, 1240b, and 1240c thereof, relating to proceedings in justices' courts."

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1102 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bunkers, Burnett, Burke, Caminetti, Campbell, Cogswell, Curtin, Finn, Flint, Gerdes, Gerlach, Hewitt, Jennings, Kehoe, Lardner, Sanford, Shoemaker, Strobridge, Thompson and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1481—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 1060, relating to the recovery of damages by a husband, wife, child, parent, guardian, or employer from any person or persons accepting or taking or assisting in any way in accepting or taking of moneys or other things of value in any game of chance prohibited by the laws of this State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1481 passed by the following vote:

Ayes—Senators Anderson, Avey, Bunkers, Boynton, Bread, Burnett, Burke, Caminetti, Campbell, Carr, Curtin, Finn, Flint, Gerdes, Gerlach, Hewitt, Jennings, Kehoe, LaMme, Main, Sanford, Shoemaker and Wright—23.

Noes—Senator Rogers—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT WALLACE IN THE CHAIR.

At three o'clock and thirty-five minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

PRIVILEGE OF THE FLOOR OF SENATE CHAMBER.

On request of Senator Bread, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. W. H. L. Hynes, of Oakland.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 652—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery, and adding a new section thereto, to be numbered 6*a*.

Also: Senate Bill No. 1090—An Act providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers and duties and the means and methods to be used in making rates, making provision for the payment of its expenses and making an appropriation therefor.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery, and adding a new section thereto, to be numbered 6*a*.

Also—Senate Bill No. 652—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery, and adding a new section thereto, to be numbered 6*a*.

Have had the same under consideration, and respectfully report that Assembly Bill No. 1053 is identical with Senate Bill No. 652, and recommend that Senate Bill No. 652 be withdrawn.

GRANT, Chairman.

Assembly Bill No. 1053 ordered on file for second reading.

Senate Bill No. 652 ordered on file.

CONSIDERATION OF SPECIAL ORDERS.

Senate Bill No. 1752—An Act making it unlawful to sell or traffic in intoxicating liquors within the State of California without a license or permit, limiting the number of such licenses or permits which may be granted and further regulating the traffic in such liquor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1752 refused passage by the following vote:

AYES—Senators Anderson, Cannetti, Campbell, Cohn, Curtin, Kehoe, Larkins, Mott, and Sanford—9.

NOES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of

California, and for the appointment of a board of medical examiners to the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by repealing Section 4 of said last amendment and enacting a new section in the place and stead thereof which new section shall be numbered 13½, relating to the practice of medicine and surgery in the State of California, by members of the medical staff of the department of the United States army or navy, regular or volunteers.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Avey moved to refer the Senator Thomas, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

On page 2, line 20, of the amended bill, strike out the words and figures "January 1, 1915" and insert in lieu thereof the following words and figures "July 1, 1915."

AMENDMENT No. 2.

On page 3, line 13, of the printed bill, after the word "Provided," insert the words "however, that."

AMENDMENT No. 3.

On page 3, line 16, of the printed bill, strike out the word "three," and insert in lieu thereof the word "twelve."

AMENDMENT No. 4.

On page 3, line 20, of the printed bill, strike out the comma following the word "Act" and insert the following: "authorized hereby at the time of the doing of which indictment and offense are provided in this Act."

Motion carried.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

Mr. President: Your [illegible] of which he [illegible] Senate Bill No. 813, with [illegible] thereto, [illegible] the same [illegible] as [illegible].

PENNOYER, Committee.

Report read and adopted.

Bill ordered to print and re-engrossed.

RUSH ORDER TO SENATE.

On motion of Senator Avey, the Secretary was directed to issue a rush order for printing Senate Bill No. 813.

CONSIDERATION OF SPECIAL ORDER — CONTINUED.

On motion of Senator Avey, the further consideration of Senate Bill No. 813 and other bills included in the special order was ordered continued, to proceed until eight o'clock and thirty minutes p.m. of this day.

REPORT OF STANDING COMMITTEE — OUT OF ORDER.

The following report of standing committee was received and read:

AN INVESTIGATION OF BOARD.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

Mr. President: Your Committee on [illegible] of Bills, to which was referred the request of Senator Wright to introduce a bill entitled "An Act authorizing the State Treasurer, [illegible] the Governor and the Board of Control, to enter into agreements to pay [illegible] on the sale of certain lands of the State

of California, and appropriating money for such purpose have had the same under consideration, and respectfully report the same back, and recommend that such request be granted.

BOYNTON, Chairman.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced:

By Senator Wright:

Senate Bill No. 1782—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Bill read first time, and referred to Committee on Finance.

MOTION TO RECONSIDER.

Senator Juilliard moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks, and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of the State—was passed, be continued until next legislative day.

Motion carried.

COMMUNICATION.

Senator Juilliard presented the following communication, which was ordered printed in the Journal:

OFFICE OF STATE BOARD OF EQUALIZATION,
STATE OF CALIFORNIA, SACRAMENTO, May 7, 1913.

Hon. L. W. Juilliard, Senate Chamber, Sacramento, Cal.

DEAR SIR: In response to your inquiry regarding the probable effect upon franchise tax assessments of the enactment of Assembly Bill No. 1198, we submit you herewith a list of actual computations based upon statements made this year by corporations of various classes. In the first column is given the amount of tax which has been figured out for this year by the State Board of Equalization proceeding on the rule which this board has followed during the last three assessment years, and in the second column are given the amounts of tax, figured upon the same statements, which it would be compulsory for the board to impose if Assembly Bill No. 1198 were the law at the present time. These corporations have not been selected for the purpose of making an argument either for or against the bill, but are taken practically at random, and we believe the illustrations furnished make a very fair test of what the effect of the bill would be in operation. We have omitted

the nature of the several assessments, but the different kinds of property [illegible] are engaged in any attack, and after the business in which they are concerned.

A fifth party, outside any party to that difference, complains that he is affected very differently by the assessments of the two as [illegible] such [illegible] the great lack of uniformity in appraisals of the various assets for the most striking characteristic. Other complaints could be cited, some [illegible] and others would have been quite [illegible]. A careful study [illegible] would be necessary to make such a showing [illegible] and [illegible] questions, [illegible] assessments, [illegible] assessment [illegible] would have [illegible] to your Committee [illegible] would have [illegible] such [illegible] unanimously [illegible]. That [illegible] which [illegible] understanding [illegible] the [illegible] that the [illegible] present [illegible] assessment [illegible] to the [illegible] which [illegible] which [illegible] Board of Equalization [illegible] has undertaken to [illegible] to [illegible] assessing [illegible] [illegible] [illegible]

Nature and place of business	Tax old method	Tax new method
Merchandising, Riverside	$10 00	$122 00
Real estate brokers, Alhambra	35 00	1,667 00
Dry goods, Sacramento	800 00	1,460 00
Leather, Stockton	250 00	1,350 00
Butchers, Stockton	40 00	451 00
General merchandise, Salinas	35 00	1,027 00
Mining, Shasta	400 00	8,290 00
Real estate, Pasadena	15 00	58 00
Real estate (holding), Eureka	15 00	-- --
General contractors, El Centro	75 00	186 00
Retail shoes, Pasadena	25 00	80 00
Shoes, San Jose	10 00	49 00
Concrete machinery, Los Angeles	20 00	130 00
Produce, Los Angeles	20 00	81 00
Department store, Long Beach	85 00	325 00
Dealing in real estate, San Francisco	20 00	-- --
Stock raising, Hayward	35 00	-- --
Undertaker, Auburn	15 00	41 00
Millinery, San Francisco	20 00	158 00
General merchandise, Selma	75 00	657 00
Holding company, San Francisco	350 00	2,396 00
Warehousing, San Francisco	150 00	1,400 00
Dry goods, Sacramento	200 00	1,050 00
Manufacturing rope, etc., San Francisco	200 00	1,723 00
Building materials, San Francisco	85 00	575 00
Mining, Mariposa County	40 00	800 00
Fruit and grain, Vacaville	30 00	-- --
Corset manufacturers, San Francisco	150 00	320 00
Mining, Ventura County	25 00	1,466 00
Gold dredging, Shasta County	125 00	3,186 00
Land, Long Beach	550 00	4,410 00
Automobile, Alhambra	15 00	124 00
Subdividing real estate, Alhambra	40 00	341 00
Laundry, Alhambra	15 00	123 00
Farming and live stock, Amador County	100 00	555 00
Hardware, paint, etc., Lemoore	10 00	47 00
Shipping, San Francisco	20 00	413 00
Holding and owning land, San Jose	125 00	950 00
Farming and stock (butchers), office: San Francisco	10,295 00	-- --
Building and real estate, Los Angeles	700 00	-- --
Real estate, farming, etc., office: San Francisco	2,800 00	-- --
Lumber, Humboldt County	1,200 00	1,127 00
Retail druggists, San Francisco	40 00	198 00
Sanitarium, Woodland	10 00	37 00
Real estate, San Francisco	40 00	297 00
Farming implements, Fresno	50 00	368 00
Meat jobbers, Los Angeles	30 00	84 00
Renting property, Berkeley	20 00	180 00
Lumber, Visalia	200 00	1,600 00
Retail dry goods, Oroville	15 00	145 00
Oils (refining oil company), office: San Francisco	762 00	5,147 00
Oils (oil development), Ventura County	20 00	144 00
Oils (oil lands), Santa Ana	40 00	285 00
Oils, Kings County	20 00	69 00
Oils, Kern County	20 00	176 00
Oils, Los Angeles	325 00	1,109 00
Oils, Fresno County	25 00	236 00
Oils, Kern County	50 00	395 00
Oils, Los Angeles and Kern counties	1,950 00	7,434 00
	$24,447 00	$67,109 00

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory

committee to confer with the State Engineer and the State Board of Control concerning water rights—how and the same under consideration, and respectfully report the same back, and recommend that it do pass.

RIGDALL, Chairman.

Assembly Concurrent Resolution No. 11 referred on the

on the

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1090—An Act to amend Section 1208 of the Political Code of the State of California, relating to the number of votes which shall be cast under certain facts, and respectfully report the same back with amendments and recommend that it do pass as amended.

HEWITT, Chairman.

Assembly Bill No. 1091 referred on the last second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1091—An Act to amend Section 1208 of the Political Code, relating to the qualifications of electors.

Also: Assembly Bill No. 1090—An Act to amend section 1201 of the Political Code, relating to affidavits of registration.

Also: Assembly Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1208a.

Also: Assembly Bill No. 1087—An act to amend Section 1213 of the Political Code, relating to affidavits of registration.

Also: Assembly Bill No. 1088—An Act to amend Section 1194 of the Political Code, relating to the conduct of municipal elections.

Have had the same under consideration, and respectfully report the same back with recommendation that they do pass as amended.

HEWITT, Chairman.

Assembly Bills Nos. 1005, 1007, 1097, 991 and 1008 ordered on the for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Elections to which was referred Assembly Bill No. 805—An Act to amend Sections 3 and 14 of and to add a new section to the Political Code relating to the voting of absentee electors, to define their duties and penalties for the voting of unqualified votes, prescribing the duties of boards of election regarding the same, and providing for the publication of notice of the provisions of this act, and making an appropriation therefor, and declaring that this act is necessary for the immediate preservation of the public peace, health and safety, and that it shall take effect immediately, and providing that the provisions of this act shall not apply to any election held within thirty days after the passage of this act, respectfully report the same back with recommendation that the same be amended as follows: Strike out Section 3 thereof, and insert in lieu thereof the following: Section 3. No person shall be entitled to vote as an absentee elector at any election unless he shall, not more than twenty days nor less than five days before the day of such election, make and subscribe before the county clerk of the county in which he resides, or before a notary public, an affidavit in writing, which affidavit shall be substantially in the following form, to wit: [Here insert affidavit.] Have had the same under consideration, and respectfully report the same back with recommendation that they do pass as amended.

HEWITT, Chairman.

Assembly Bill No. 875 ordered on the for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Elections to which was referred Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending Section 26 of Article V thereof, relating to the removal of County Officers, respectfully report the same back with recommendation that it do pass as amended.

HEWITT, Chairman.

Assembly Concurrent Resolution No. 12 ordered on the

LEAVE OF ABSENCE.

Senator Gerdes was, on his own motion, granted leave of absence for the remainder of this day and Friday, May 9, 1913.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At four o'clock and fifty-five minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1193—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Assembly Bill No. 1193 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1903—An Act to amend Section 4309 of the Political Code, relating to justices of the peace fees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Assembly Bill No. 1903 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth—have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Assembly Bill No. 1494 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

THOMPSON, Chairman.

Assembly Bill No. 645 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

THOMPSON, Chairman.

Assembly Bill No. 1875 ordered on file for second reading.

MOTION TO RECALL BILL.

Senator Kehoe moved that Assembly Bill No. 642 be recalled from the Committee on Judiciary.

RECESS TAKEN TO 3:00 O'CLOCK

At five o'clock and ten minutes p.m., Senator Cosgrove of the Thirty-fourth District, in the chair

MOTION WITHDRAWN

Senator Kehoe withdrew his motion to recall Assembly Bill No. 641 from the Committee on Judiciary.

LEAVE OF ABSENCE

Senator Campbell was, on his own motion, granted leave of absence for the remainder of this day.

Senator Sanford was, on his own motion, granted leave of absence for the remainder of this day.

SENATE RESUMES IN THE CHAIR

At five o'clock and forty minutes p.m., Senator Thompson, of the Forty-fifth District, in the chair

SECOND READING OF BILLS

On motion of Senator Wright, the Senate took up the consideration of the second reading of Senate bills

Senate Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relative to the duty of county officers.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 911—An Act to amend Section 4040a of the Political Code of the State of California, relative to the publishing of the annual statistical report.

Bill read second time, ordered engrossed and on file for third reading.

Assembly Bill No. 1198 ordered on the file for second reading.

Senate Bill No. 949—An Act to amend Section 4307g of the Political Code of the State of California, relating to witness fees.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1371—An Act to add a new section to the Political Code to be known as Section 4031c, relative to the traveling expenses of county officers.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1372—An Act to add a new section to the Political Code to be known as Section 4324, relating to the deposit of money with county treasurers.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1374—An Act to provide for supplying county officers with information concerning bills pending before the Legislature.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1376—An Act to add a new section to the Political Code to be known as Section 3663a, relating to the duties of county surveyors.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1377—An Act to add a new section to the Political Code, to be known as Section 3696b, relating to the duties of assessors in preparing assessment books and to the contents of such books.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1461—An Act to amend Section 4056b of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of the counties and of supervisorial districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1751—An Act to amend Section 5 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to invest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1273—An Act to create a commission, to be known and designated as the commission of unemployment, for the purpose of investigating and reporting to the Legislature at the forty-first session, conditions and remedies in relation to unemployment and kindred subjects, defining its powers and duties, and making an appropriation for the expenses of said commission.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Amend Senate Bill No. 1273 by striking out of the title the following: "To create a commission, to be known and designated as the commission of unemployment, for the purpose of investigating and reporting", and insert in lieu thereof the following: "To require the bureau of labor statistics to investigate and report"

Amendment adopted.

AMENDMENT No. 2.

Also: Strike out of the title the words "defining its powers and duties, and making an appropriation for the expenses of such commission"

Amendment adopted.

AMENDMENT No. 3.

Also: Strike out all of Section 1.

Amendment adopted.

AMENDMENT No. 4.

Also: Renumber Section 2 so as to read Section 1.

Amendment adopted.

AMENDMENT No. 5.

Also: On page 1, line 11, strike out the words "such commission", and insert in lieu thereof the words "the bureau of labor statistics".

Amendment adopted.

AMENDMENT No. 6.

Also: On page 2, renumber Section 3 so as to read Section 2.

Amendment adopted.

AMENDMENT No. 7

Amend, On page 2, line 1, strike out the words "their possession", and insert in lieu thereof the words "the limits of said premises"

Amendment adopted.

AMENDMENT No. 8

Amend Substitute Section 4 so as to read Section 3.

Amendment adopted.

AMENDMENT No. 9

Amend, On page 2, line 17, strike out the word "commission", and insert in lieu thereof the words "bureau of state museum"

Amendment adopted.

AMENDMENT No. 10

Amend, On page 3, line 17, strike out the word "commission", and insert in lieu thereof the words "bureau of state museum"

Amendment adopted.

AMENDMENT No. 11

Amend, On page 3, line 20, strike out the word "commission", and insert in lieu thereof the words, "bureau of state museum"

Amendment adopted.

AMENDMENT No. 12

Amend Senate Bill Sections 3 and 5 as follows:

Amendment adopted.

Bill read second time, ordered engrossed and on the question of third reading

Senate Bill No. 56—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California, during the year 1915, and making an appropriation therefor.

Bill read second time, ordered engrossed and on the question of third reading

Senate Bill No. 199—An Act to provide for the compilation and printing of the legislative and judicial laws of the State of California in pamphlet form.

Bill read second time, ordered engrossed and on the question of third reading

Senate Bill No. 1771—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and betterment of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State, appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended, creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for said purposes, making an appropriation for the expenses of preparing said bonds, and providing for the submission of this Act to a vote of the people.

Bill read second time, ordered engrossed and on the question of third reading

Senate Bill No. 188—An Act to create a commission to be known and designated as the commission on supervisors and persons, for

the purpose of investigating and reporting to the forty-first session of the Legislature, conditions and remedies in relation to superannuation, dependency due to old age or invalidity, retirement, pension and relief provisions, and kindred subjects; defining its powers and duties and making an appropriation for the expenses of such commission.

Bill read second time, ordered engrossed and on file for third reading.

RECESS.

At five o'clock and fifty minutes p.m., on motion of Senator Curtin, the acting President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Breed, the Senate took up for consideration Senate Bill No. 946, out of order.

Senate Bill No. 946—An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts,' approved March 22, 1905, Statutes of 1905, page 777 thereof," approved March 3, 1909, by amending Section 6 thereof.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

Time, eight o'clock and twenty minutes p.m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Gates, Gerdes, Grant, Jones, Kehoe, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eight o'clock and twenty-five minutes p.m., Senators Lyon, Flint and Hewitt were brought to the bar of the Senate, and, on motion of

Senator Thompson, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eight o'clock and twenty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Bissel.

The roll of absentees was called, and Senate Bill No. 940 passed by the following vote:

AYES—Senators Anderson, Aret, Benson, Bissel, Bryant, Byrd, Bynum, Butler, Comstock, Connell, Cole, Flint, Gates, Grant, Harris, Jones, Kehoe, Jackson, Linn, Mott, Reed, Thompson, Tyrrell and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Bryant asked, and was granted, unanimous consent to take up for consideration Senate Bill No. 1090, out of order.

Senate Bill No. 1090—An Act providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers and duties and the duties and methods to be used in making rates, making provision for the payment of its expense and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1090 passed by the following vote:

AYES—Senators Anderson, Aret, Benson, Bissel, Bryant, Byrd, Bynum, Butler, Comstock, Cole, Flint, Gates, Grant, Harris, Jones, Kehoe, Jackson, Linn, Mott, Reed, Stanchfield, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Anderson asked, and was granted, unanimous consent to withdraw Senate Bill No. 1132—An Act to provide for an irrigation commission and for the organization and supervision thereby of irrigation districts; for the organization and government of such irrigation districts, for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

Senate Bill No. 1132 withdrawn, and ordered stricken from the file.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Senator Kehoe asked, and was granted, unanimous consent that the Senate take up Senate Bills Nos. 240, 892, 893 and 894 for consideration, out of order.

Senate Bill No. 240—An Act relating to life insurance companies and prohibiting discrimination.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 240 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cogswell, Cohn, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Shanahan, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 892—An Act for the regulation and control of mutual or benefit associations organized or formed and composed of members of secret societies, lodges or councils exclusively.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 892 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Mott, Rush, Shanahan, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 893—An Act to repeal Section 630 of the Political Code of the State of California, relating to insurance.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 893 passed by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cogswell, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Larkins, Mott, Rush, Shanahan, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 894—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act for the regulation and control of fraternal benefit societies," approved May 1, 1911, by amending section five thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 894 passed by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cogswell, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Rush, Shanahan, Thompson, Tyrrell, and Wright—21.

NOES—Senator Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILLS.

Senator Wright asked, and was granted, unanimous consent to withdraw Senate Bill No. 473—An Act providing for the submitting to the electors of the State of California the question of calling a convention to revise the Constitution of the State.

Senate Bill No. 421 withdrawn, and ordered stricken from the file.

Senator Flint asked, and was granted, unanimous consent to withdraw Senate Bill No. 695—An Act to provide for the licensing, inspecting and regulating of pawnbrokers and keepers of loan offices, and certain gambling houses, and houses for the purpose, and sale of, without by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of the Act.

Senate Bill No. 682 withdrawn, and ordered stricken from the file.

Senator Flint asked, and was granted, unanimous consent to withdraw Senate Bill No. 444—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposal of children.

Senate Bill No. 181 withdrawn, and ordered stricken from the file.

Senator Thompson asked, and was granted, unanimous consent to withdraw Senate Bill No. 307—An Act to amend Section 2117 of the Political Code, relating to the disposition of moneys received from the sale, rental, and royalties of lands of the reclamation districts.

Senate Bill No. 91 withdrawn, and ordered stricken from the file.

Senator Curtin asked, and was granted, unanimous consent to withdraw Senate Bill No. 709—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any steam or street railway or railroad over highways or streets in the incorporated limits, or any portion thereof, by the adjustment or highway commissioners of the county," approved March 23, 1903, and providing duties of supervisors in connection with bridges or viaducts on such highways or streets as may cross streams and to prevent such boards of supervisors to contribute in case of grade with railroads or highways and providing the manner in which the cost and expense thereof shall be paid.

Senate Bill No. 792 withdrawn, and ordered stricken from the file.

Senator Hans asked, and was granted, unanimous consent to withdraw Senate Bill No. 1042—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 584, relating to the protection of the.

Senate Bill No. 1432 withdrawn, and ordered stricken from the file.

Senator Curtin asked, and was granted, unanimous consent to withdraw Senate Bill No. 844—An Act to amend Section 1240 of the Code of Civil Procedure of California, relating to eminent domain.

Senate Bill No. 849 withdrawn, and ordered stricken from the file.

Senator Avey asked, and was granted, unanimous consent to withdraw Senate Bill No. 778—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2048, relating to county government.

Senate Bill No. 208 withdrawn, and ordered stricken from the file.

Senator Rogers asked, and was granted, unanimous consent to withdraw Senate Bill No. 1520—An Act regulating the hours of employment

of females in all departments, institutions, establishments and employments of any kind whatever under the management, control or supervision of, or receiving aid from, the state, or any county, city and county, district, or public corporation of any kind; and providing penalties for the violation thereof.

Senate Bill No. 1559 withdrawn, and ordered stricken from the file.

Senator Strobridge asked, and was granted, unanimous consent to withdraw Senate Bill No. 1053—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April, 1872.

Senate Bill No. 1003 withdrawn, and ordered stricken from the file.

Senator Avey asked, and was granted, unanimous consent to withdraw Senate Bill No. 1043—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending section six of said Act by striking out therefrom the provisions heretofore contained therein for the issuance of a certificate to any person who has practiced a special branch of medicine and surgery for the period of thirty-five years, fifteen years of which time shall have been within the State of California, and by inserting therein a further requirement that any applicant to practice medicine and surgery, osteopathy, or other systems or modes of treating the sick or afflicted, whose application to practice shall be subsequent to the first day of January, 1915, shall prove to the satisfaction of the board that, at the time such applicant matriculated with the legally chartered college, the diploma from which he files with his application as in said Act provided, he did then possess the requirements as to preliminary education and qualifications in no particular less than those prescribed at such time by the Association of American Medical Colleges for the matriculation of students of colleges which are members of said association.

Senate Bill No. 1043 withdrawn, and ordered stricken from the file.

Senator Regan asked, and was granted, unanimous consent to withdraw Senate Bill No. 1324—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

Senate Bill No. 1324 withdrawn, and ordered stricken from the file.

Senator Bryant asked, and was granted, unanimous consent to withdraw Senate Bill No. 322—An Act to repeal an Act entitled "An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars or boats of railroad and steamship companies," approved March 23, 1901.

Senate Bill No. 322 withdrawn, and ordered stricken from the file.

Senator Hewitt asked, and was granted, unanimous consent to withdraw Committee Substitute for Senate Bill No. 1253—An Act declaring persons, firms or corporations operating pipe lines for the transporta-

tion of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

Committee Substitute for Senate Bill No. 1254 withdrawn, and ordered stricken from the file.

Senator Bryant asked and was granted unanimous consent to withdraw Senate Bill No. 1320—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2004, relating to disputes between employers and employes concerning terms and conditions of employment.

Senate Bill No. 1320 withdrawn and ordered stricken from the file.

[illegible]

On motion of Senator Birdsall, the Senate took up the consideration of Senate Bill No. 974 for third reading, out of order.

Senate Bill No. 974—An Act to provide for the medical treatment of residents afflicted with tuberculosis, to create a fund therefor, to prescribe the duties of the State Board of Health in regard and other public officials with relation thereto, and making an appropriation for the purposes of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 974 passed by the following vote:

Ayes—Senators Anderson, Ard, Avey, Beban, Birdsall, Bonnheim, Boynton, Bryant, Burke, Caminetti, Campbell, Cogswell, Cutten, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Mahe, Roseberry, Rominger, Rush, Saylor and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

The President pro tem. announced the appointment of Senator Jones as a member of the Committee on Engrossed and Enrolled Bills, Senator Cassidy resigned.

[illegible]

At eight o'clock and fifty minutes p. m., Senator Simpson of the Second District in the chair.

Senator Anderson asked for, and was granted, unanimous consent to withdraw Senate Bill No. 1120—An Act to amend Section 4702 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Senate Bill No. 1120 withdrawn, and ordered stricken from the file.

[illegible]

On motion of Senator Hans, the Senate took up the consideration of Senate Bill No. 1337, out of order.

Senate Bill No. 1337—An Act to regulate and license the vocation of

hunting wild game birds and animals and to provide therefrom revenue for game preservation and restoration.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1337 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Butler, Caminetti, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Kehoe, Mott, Rush, Shanahan, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Hans, the Senate took up the consideration of Assembly Bill No. 1433 for second reading, out of order.

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 3, after the word "who", insert the words "at any time buys, sells or possesses any trout less than twelve inches in length, every person who,"

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 14, after the word "day", insert the words "more than fifty".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 21, strike out the words "in game district three."

Amendment adopted.

AMENDMENT No. 4.

On page 2, lines 25 and 26, insert a semicolon after the word "take", and strike out the words "in game district three."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 26, strike out the words "trout cannot be taken", and insert in lieu thereof the following: "it shall be unlawful to take, catch or kill trout".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 27, after the word "of" insert the words "Blackwood Creek or Taylor Creek or within 500 feet of the mouth of any other".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 27, strike out the word "any".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 36, after the word "who", insert the words "takes, catches, kills."

Amendment adopted.

AMENDMENT No. 8

On page 3, line 32, after the word "shall", insert the word "cause".

Amendment adopted.

AMENDMENT No. 9.

On page 3, lines 37, 38 and 39, [illegible] strike out the words "issue passed at the [illegible] election, or not to the [illegible] and insert in lieu thereof the words "[illegible]".

Amendment adopted.

AMENDMENT No. 10

On page 4, line 27, strike out the period after the word "[illegible]" and insert a semicolon and the words "a petition of a [illegible]".

Amendment adopted.

AMENDMENT No. 11

On page 5, line 36 and 37, strike out the words "[illegible] and [illegible]" and insert in lieu thereof the words "[illegible]".

Amendment adopted.

AMENDMENT No. 12

On page 6 of the original bill, strike out [illegible] and insert in lieu thereof the following: [illegible] the time of [illegible] shall [illegible] the [illegible] [illegible] [illegible]

tion, supervision and licensing thereof; to provide penalties for the violation hereof; and making an appropriation therefor.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

Strike out the title from the printed bill, and in lieu thereof insert the following: "An act to define investment companies, investment brokers and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of corporate commissioner and making an appropriation therefor."

Amendment adopted.

AMENDMENT No. 2.

On page 2, between the lines 28 and 29, insert the following: "nor to mutual water companies and irrigation districts"

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 35, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 4.

On page 3, lines 1 and 2, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 6, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 19, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 7.

On page 3, lines 22 and 23, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 24, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 30, strike out the words "Superintendent of Banks", and in lieu thereof insert "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 33, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 11.

On page 3, lines 34 and 35, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commission of Corporations".

Amendment adopted.

Amendment No. 12

On page 4, line 4, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 13

On page 4, line 5, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 14

On page 4, line 11, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 15

On page 4, line 20 strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 16

On page 4, lines 25 and 26 strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 17

On page 4, line 28, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 18

On page 4, lines 33 and 34, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 19

On page 4, line 36, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 20

On page 5, line 2 and 3, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 21

On page 5, line 6, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 22

On page 5, line 14, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 23

On page 5, line 18, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

Amendment No. 24

On page 5, line 24, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 25.

On page 5, line 35, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 26.

On page 5, line 37, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 27.

On page 6, line 2, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 28.

On page 6, line 7, strike out the words "Superintendent of Banks", and in lieu thereof insert "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 29.

On page 6, line 11, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 30.

On page 6, line 13, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 31.

On page 6, line 15, strike out the words Superintendent of Banks", and in lieu thereof insert "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 32.

On page 6, line 19, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 33.

On page 6, line 20, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 34.

On page 6, lines 25 and 26, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations."

Amendment adopted.

AMENDMENT No. 35.

On page 6, line 31, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 36.

On page 6, lines 33 and 34, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 37.

On page 6, line 35, strike out the words "Superintendent of Banks", and insert in lieu thereof the words "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 35

On page 7, lines 19 and 20, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 36

On page 7, line 24, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 37

On page 7, line 26, and 28, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 38

On page 7, line 29, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 39

On page 7, line 30, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 40

On page 7, line 31, and 32, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 41

On page 7, line 33, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 42

On page 8, line 2, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 43

On page 8, line 3, strike out the words "Superintendent of Banks" and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 44

On page 8, line 4, between the words "shall" and "expend", insert the following: "on the written order of the Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 45

On page 8, line 6, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 46

On page 8, line 7, strike out the words "Superintendent of Banks", and in lieu thereof insert "Commissioner of Corporations".

Amendment adopted.

AMENDMENT NO. 47

On page 8, lines 13 and 14, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 51.

On page 8, lines 18 and 19, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 52.

On page 8, lines 35 and 36, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 53.

On page 9, line 2, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 54.

On page 9, lines 8 and 9, strike out the words "Superintendent of Banks", and insert in lieu thereof "Commissioner of Corporations".

Amendment adopted.

AMENDMENT No. 55.

On pages 9 and 10, strike out all of Sections 16, 17, 18, 19, 20, 21 and 22, and insert in lieu thereof the following:

SEC. 16. There is hereby created a state corporation department. The chief officer of such department shall be the commissioner of corporations. He shall be appointed by the governor and hold office at the pleasure of the governor. He shall receive an annual salary of five thousand dollars, to be paid monthly out of the state treasury upon a warrant of the controller. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of ten thousand dollars with corporate security or two or more sureties, to be approved by the governor of the state, for the faithful discharge of the duties of his office.

SEC. 17. The commissioner of corporations shall employ such clerks and deputies as he may need to discharge in proper manner the duties imposed upon him by law. Neither the commissioner of corporations nor any of his clerks or deputies shall be interested in any investment company, or investment broker, as director, stockholder, officer, member, agent or employee. Such clerks and deputies shall perform such duties as the commissioner of corporations shall assign to them. He shall fix the compensation of such clerks and deputies which compensation shall be paid monthly on the certificate of the commissioner of corporations and on the warrant of the controller out of the state treasury; *provided, however*, that the total expenditures provided for in this Act shall not exceed fifty thousand dollars per annum. Each deputy shall within fifteen days after his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state.

SEC. 18. The commissioner of corporations shall have his office in the city of Sacramento, and he shall from time to time obtain the necessary furniture, stationery, fuel, light and other proper conveniences for the transaction of the business of the state corporation department, expenses of which shall be paid out of the state treasury on the certificate of the commissioner of corporations and the warrant of the controller.

SEC. 19. A fund is hereby created to be known as the "corporation commission fund" and out of said fund shall be paid all the expenses incurred in and about the conduct of the business of the corporation department, including the salary of the commissioner and his clerks and deputies, traveling expenses, furnishing rooms and rent. All moneys collected or received by the commissioner of corporations under and by virtue of the provisions of this Act shall be delivered by him to the treasurer of the state, who shall deposit the same to the credit of said corporation commission fund. And all such fund so deposited or such part thereof as may be necessary for the purposes of this Act are hereby appropriated to the use of the corporation commission fund for the purposes of this Act. It shall be the duty of the commissioner of corporations semiannually to certify under oath to the state treasurer and secretary of state the total amount of receipts and expenditures of the state corporation department for the six months preceding. All fees and payments of every description required by this Act to be paid to the commissioner of corporations shall be paid by him to the state treasurer on the first day of each week following their receipt by the commissioner of corporations.

SEC. 20. The commissioner of corporations shall adopt a seal with the words "Commissioner of Corporations, State of California," and such other device as the

commencement of proceedings may have required, having no notice to such authorities, the jurisdiction of the court, subject only to such appeal from its decision as may be provided by law.

SEC. 10. Every officer empowered by the commencement of proceedings and every citizen duly certified of the commencement thereof, shall be bound to take notice of the lower thereby vested for all purposes in and relative to proceedings subject and to exercise accordingly all jurisdiction and authority which is so given.

SEC. 11. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 12. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 13. The sum of ten thousand dollars is hereby appropriated out of the general fund in the state treasury not otherwise appropriated for the purpose of carrying this Act into effect.

SEC. 14. This Act shall take effect October 1, 1911.

Amendment adopted.

The following amendments were offered by Senator Heald:

AMENDMENT NO. 1

On page 4, lines 27 and 28, strike out the words "their own and children's" and insert in lieu thereof the following: "real residence before course of hospitalization"

Amendment adopted.

AMENDMENT NO. 2

On page 5, line 1, after the word "to" strike out the words "real estate or any other right of property whatever", and insert in lieu thereof the following: "hereditary estate, estate or emolument".

Amendment adopted.

AMENDMENT NO. 3

On page 5, line 11, change the punctuation after the word "Act" from a period to a semicolon, and add the following: "and it shall further be unlawful for any [illegible] corporation, institution, society or association, or any officer, agent or employee thereof, for any agent of an [illegible] to [illegible] any such contract, [illegible] or [illegible] on account of the [illegible] of any person under such contract, [illegible] or [illegible] of corporations or any kind to [illegible] without authority in the [illegible] or [illegible] of such corporation, or any [illegible] to any [illegible] or [illegible] to such [illegible] company or [illegible] herewith."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSING AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, May 8, 1911

MR. PRESIDENT: Your Committee on Engrossing and Enrollment have examined the following:

Senate Bill No. 1288—An Act to amend Section 3 of an Act entitled "An Act for providing the classification and compensation of stenographers employed or employed clerks and laborers and regulating the traffic therein, providing penalties, establishing a state bureau for [illegible] and fixing and making an appropriation therefor" approved March 10, 1911.

Also, Senate Bill No. 1289—An Act to establish a state school to train persons for practical service in governmental work of this county and state and to make an appropriation therefor.

Also, Senate Bill No. 1324—An Act to add a new section to the Civil Code of the State of California to be numbered [illegible] hundred [illegible], relating to the liability of persons and guardians for the negligence of their minor children or wards.

And report that the same have been correctly engrossed.

GRANT, Chairman

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1212—An Act to amend Section 245 of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

Also: Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

And report that the same have been correctly engrossed.

GRANT, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

HEWITT, Chairman.

Assembly Constitutional Amendment No. 19 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California, relating to the assessment of utilities of incorporation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Assembly Bill No. 1710 ordered on file for second reading.

CONSIDERATION OF BILLS—OUT OF ORDER.

On motion of Senator Hans, the Senate took up the consideration of Assembly Bill No. 1879, out of order.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California relating to the protection of fish and game.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Hans moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

On page 3, line 26, after the word "six", strike out the words "between the sixteenth day of September and the fifteenth day of August, inclusive, of the year following", and insert in lieu thereof the words "at any time during the five years from and after the fifteenth day of August, 1913".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: Your special committee of one to whom was referred Assembly Bill No. 1879, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and adopted.

Bill ordered to print.

REPORT OF STANDING COMMITTEE.—(OUT OF ORDER.)

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Municipal Affairs, to whom was referred Assembly Bill No. 743—An Act to amend the title of Inspector of Mines, fixing the duties and powers pertaining to the appointment of a deputy and fixing the compensation of both; requiring and providing for the necessary stationery, supplies and other necessary expenditures made by the above to be paid quarterly upon duly verified bills and providing for the payment of the same; requiring certain reports and providing for the publication of the same; requiring the Inspector of Mines, during the recess of the Legislature, to make a report of the condition of the mines in the State, and providing for the publication of the same; requiring certain reports to be made to the Inspector of Mines by the owners, agents or managers of mines, and providing for the publication of the same; providing for the appointment of mine foremen and assistant mine foremen; providing for the examination of persons applying for certificates as mine foremen and assistant mine foremen; providing for the issuance of certificates of competency to mine foremen and assistant mine foremen; providing for the revocation of certificates of competency issued to mine foremen and assistant mine foremen; providing for the appointment of a board of examiners for mine foremen and assistant mine foremen; providing for the compensation of said board of examiners; providing for the payment of the compensation of said board of examiners; providing for the payment of the expenses of said board of examiners; providing for the appointment of a secretary to said board of examiners; providing for the compensation of said secretary; providing for the payment of the compensation of said secretary; providing for the payment of the expenses of said secretary; providing for the appointment of a stenographer to said board of examiners; providing for the compensation of said stenographer; providing for the payment of the compensation of said stenographer; providing for the payment of the expenses of said stenographer; providing for the appointment of a clerk to said board of examiners; providing for the compensation of said clerk; providing for the payment of the compensation of said clerk; providing for the payment of the expenses of said clerk; providing for the appointment of a chief mine foreman; providing for the compensation of said chief mine foreman; providing for the payment of the compensation of said chief mine foreman; providing for the payment of the expenses of said chief mine foreman; providing for the appointment of a chief assistant mine foreman; providing for the compensation of said chief assistant mine foreman; providing for the payment of the compensation of said chief assistant mine foreman; providing for the payment of the expenses of said chief assistant mine foreman; providing for the appointment of assistant mine foremen; providing for the compensation of said assistant mine foremen; providing for the payment of the compensation of said assistant mine foremen; providing for the payment of the expenses of said assistant mine foremen; providing for the appointment of a chief of the division of mines; providing for the compensation of said chief of the division of mines; providing for the payment of the compensation of said chief of the division of mines; providing for the payment of the expenses of said chief of the division of mines; providing for the appointment of a chief clerk to said chief of the division of mines; providing for the compensation of said chief clerk; providing for the payment of the compensation of said chief clerk; providing for the payment of the expenses of said chief clerk; providing for the appointment of a stenographer to said chief of the division of mines; providing for the compensation of said stenographer; providing for the payment of the compensation of said stenographer; providing for the payment of the expenses of said stenographer; providing for the appointment of a clerk to said chief of the division of mines; providing for the compensation of said clerk; providing for the payment of the compensation of said clerk; providing for the payment of the expenses of said clerk; providing for the appointment of deputy mine inspectors; providing for the compensation of said deputy mine inspectors; providing for the payment of the compensation of said deputy mine inspectors; providing for the payment of the expenses of said deputy mine inspectors; providing for the appointment of a secretary to said deputy mine inspectors; providing for the compensation of said secretary; providing for the payment of the compensation of said secretary; providing for the payment of the expenses of said secretary; providing for the appointment of a stenographer to said deputy mine inspectors; providing for the compensation of said stenographer; providing for the payment of the compensation of said stenographer; providing for the payment of the expenses of said stenographer; providing for the appointment of a clerk to said deputy mine inspectors

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Regan moved to refer Assembly Bill No. 752 to Senator Connelly, as a special committee of one, to amend as follows:

AMENDMENT No. 1.

Amend the title of the printed bill by striking out all of said title after the first line thereof, and inserting in lieu thereof the following:

"To regulate mines and underground workings for the protection and safety of workmen, providing for the inspection of mines and underground workings by the industrial accident commission; authorizing and directing said commission to appoint two inspectors of mines, prescribing their powers, duties, compensation, and authorizing certain expenditures for the purposes of this Act; fixing penalties and providing for a conflict with the provisions of this Act and being a penalty for the violation thereof."

AMENDMENT No. 2.

On page 3, strike out lines 1 and 2 and insert in lieu thereof the following:

"Section 1. As soon as practicable after the taking effect of this Act it shall be the duty of the industrial accident commission to appoint two persons who shall act as inspectors of mines for the State of California. One of said appointees shall be known as chief inspector of mines, and one of them as assistant inspector of mines, and each of them shall be a person who is experienced in the operation of mines in both of these capacities and who possesses the general type of the inspector of mines. It shall be the duty of said inspectors to perform whatever duty may be imposed upon them by the industrial accident commission in addition to the duties imposed upon them under the provisions of this Act."

AMENDMENT No. 3.

On page 3, line 3, after the word "The", insert the word "chief".

AMENDMENT No. 4.

On page 3, line 8, after the word "expenses", add the following: "such expenses, however, not to exceed the sum of three hundred dollars ($300.00) per annum, but such sum not to include necessary allowances for printing and traveling expenses".

AMENDMENT No. 5.

On page 3, line 8, strike out the words "he shall have one deputy to be known as"; and on line 9, strike out the word "deputy", and insert in lieu thereof the word "assistant", and also on same line strike out the word "who".

AMENDMENT No. 6.

On page 3, commencing with the word "Said", on line 12, strike out the remainder of said line and all of lines 13 to 23, inclusive, and also on line 24 down to and including the period after the word "same", and insert in lieu thereof the following:

"Said compensation and other expenses shall be paid monthly out of moneys appropriated for the use of or subject to control of the industrial accident commission, upon the same warrant as the salaries and expenses of other employees of the said commission are paid".

AMENDMENT No. 7.

On page 3, line 25, after the comma following the word "duties", strike out the words: "as such inspector of mines, he", and insert in lieu thereof the following: "the chief inspector of mines".

AMENDMENT No. 8.

On page 3, line 29, strike out the word "deputy" and insert in lieu thereof the word "assistant", and on page 4, line 1, and the beginning of the line and before the word "his", insert the word "accepting".

AMENDMENT No. 9.

On page 4, strike out lines 4 and 5, and insert in lieu thereof the following: "and each inspector of mines shall be a practical man, having had actual ex-".

AMENDMENT No. 10.

On page 4, lines 8 and 9, strike out the following: "as such inspector, or deputy inspector, as herein provided", and insert in lieu thereof the following: "as an inspector under the provisions of this Act".

AMENDMENT No. 11.

On page 4, between lines 35 and 36, insert the following: "Any information relative to ore bodies, sheets or deposits of ore, or the method, course or character of

[illegible] [illegible] [illegible] [

both," and insert in lieu thereof the words "of mines"; also, in line 34, after the word "shall", insert the following: ", on the order of the industrial accident commission,".

AMENDMENT No. 27.

On page 7, lines 35 and 36, strike out the words "inspector, or his deputy, shall" and insert in lieu thereof the following: "inspector of mines shall if possible".

AMENDMENT No. 28.

On page 8, line 4, strike out the words "or deputy inspector", and insert in lieu thereof the words "of mines".

AMENDMENT No. 29.

On page 8, line 8, strike out the word "verified", and insert in lieu thereof the words "subscribed to".

AMENDMENT No. 30.

On page 8, lines 11, 12 and 13, strike out the words ", which statements shall be verified, and such verified statements shall be placed in the hands of the inspector, or deputy inspector," and insert in lieu thereof the following: "in like manner and placed in the hands of the inspector of mines,".

AMENDMENT No. 31.

On page 8, line 14, strike out the words "any deputy", and insert in lieu thereof the word "the".

AMENDMENT No. 32.

On page 8, line 17, strike out the word "inspector", and insert in lieu thereof the words "industrial accident commission."

AMENDMENT No. 33.

On page 8, strike out lines 19, 20 and 21, and insert in lieu thereof the following: "SEC. 10. The chief inspector of mines shall, on the first Monday of December of each year, file with the industrial accident commission a report to be printed with the report of said commission and which shall contain the following:".

AMENDMENT No. 34.

On page 8, line 24, after the word "killed", strike out the remainder of the line and insert in lieu thereof the following: ", seriously injured, and slightly injured."

AMENDMENT No. 35.

On page 8, line 30, strike out the word "inspector", and insert in lieu thereof the following: "industrial accident commission."

AMENDMENT No. 36.

On page 9, line 12, after the word "notices" insert the words "or orders".

AMENDMENT No. 37.

On page 9, lines 13 and 14, strike out the words "the report received from mine owners and deputy inspector", and insert in lieu thereof the following: "all reports received".

AMENDMENT No. 38.

On page 9, strike out all of lines 24 to 31, inclusive, comprising Section 12 of the printed bill.

AMENDMENT No. 39.

On page 9, line 32, strike out the figures "13", and insert in lieu thereof the figures "12".

AMENDMENT No. 40.

On page 9, strike out the word "estimated", in line 36, and strike out all of line 37, also, strike out on page 10, line 1, the word "hours", and insert in lieu thereof the following: "temporary requirement of such mine in accordance with rules prescribed by the industrial accident commission."

AMENDMENT No. 41.

On page 10, line 6, strike out the words and figures "not less than 300 feet distant", and insert in lieu thereof the following: "at a reasonable and safe distance".

AMENDMENT No. 42

AMENDMENT No. 43

AMENDMENT No. 44

AMENDMENT No. 45

AMENDMENT No. 46

AMENDMENT No. 47

AMENDMENT No. 48

AMENDMENT No. 49

AMENDMENT No. 50

AMENDMENT No. 51

AMENDMENT No. 52

AMENDMENT No. 53

AMENDMENT No. 54

AMENDMENT No. 55

limiting in any wise the further regulation and inspection of mines and underground workings, or impairing the powers of the industrial accident commission in that behalf, otherwise than as herein provided."

AMENDMENT No. 56.

On page 11, line 4, Section 19, strike out the number "200", and insert in lieu thereof the number "300".

AMENDMENT No. 57.

Add a new section, to be numbered 38, and to read as follows:

"SEC. 38. The sum of seven hundred fifty dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated to carry out the provisions of this enactment for the sixty-fifth and sixty-sixth fiscal years."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your special committee of the Senate appointed to examine Assembly Bill No. 752, with instructions to amend, respectfully reports the same back, amended as per instructions.

CAMPBELL, Chairman.

Report read and adopted.

Bill ordered to print.

PRESIDENT PRO TEM. ANNOUNCES IN THE CHAIR.

At nine o'clock and thirty-five minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY—Bill Engrossed.

On motion of Senator Hewitt the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1066—An Act [illegible] the salary, maintenance [illegible] of patients at [illegible] and poor persons [illegible] orphans and [illegible] fathers and fathers of illegitimate persons therefor; authorizing and empowering the [illegible] of those persons in the county and state institutions [illegible] prisoners [illegible] to be known as a "children's relief fund" and as a "maintenance fund"; making appropriations for a campaign to secure private benefactions, [illegible] otherwise, and relating [illegible] of the Supreme Court and [illegible] visits [illegible]

Also: Assembly Bill No. 1066—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

Also: Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 15, 1005, 2122 and 1437 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad [illegible] and sleeping car companies from allowing "tips" to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad [illegible] and sleeping car companies from receiving same.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2039 read first time, and referred to Committee on Judiciary.

Also—

Assembly Chamber, Sacramento, May 8, 1911.

[illegible]

Assembly Bills Nos. [illegible] and [illegible] read first time, and referred to Committee on Finance.

Assembly Bill No. [illegible] read first time, and referred to Committee on [illegible].

Also,

Assembly Chamber, Sacramento, May 8, 1911.

[illegible]

Assembly Bill No. [illegible] read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. [illegible] and [illegible] read first time, and referred to Committee on [illegible].

Also—

Assembly Chamber, Sacramento, May 8, 1911.

[illegible] relief fund" and as a "scholarship fund"; making appropriations for a [illegible]

without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds—for further consideration.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

BILL RECALLED FROM COMMITTEE.

Senator Wright moved that Assembly Bill No. 15 be recalled from the Committee on Finance.

Motion carried.

BILL RETURNED TO ASSEMBLY.

Senator Wright moved that Assembly Bill No. 15 be returned to the Assembly as requested.

Motion carried.

Assembly Bill No. 15 ordered returned to Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1484—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment for the violation thereof.

Also: Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an assembly hall at the Stockton State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1484 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 227 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 27—Approving four certain amendments to the charter of the city of Vallejo, in the county of Solano, State of California, voted for and ratified by the qualified electors of the said city of Vallejo, at the general municipal election held therein on the 15th day of April, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Concurrent Resolution No. 27 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 466—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 466 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Concurrent Resolution No. [illegible] relative to [illegible] that the State Board of Equalization shall determine the per cent to be added to the assessed valuation of the property in the several counties of the State for the equalization of [illegible] county assessors, in accordance with the provisions of Section 19 of Article XIII of the Constitution of the State of California, and providing for the payment of such sum by the State, which is objected to, and in the manner stated, and asking the Senate to concur in the passage of such resolution and ordering it to be returned to the Assembly.

Also, that the Assembly has passed Senate Bill No. [illegible] entitled "An Act to provide for the establishment of [illegible] and [illegible] thereof, and [illegible] and [illegible] of the Constitution of the State of California," approved [illegible].

Also: Senate Bill No. 254. An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 27, 1893, and all Acts amendatory thereof and supplemental thereto or conflict herewith.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 254.

On page 3, line 10, beginning with the word "the", strike out the balance of Section 4.

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 254?"

The roll was called and Assembly amendment to Senate Bill No. 254 concurred in by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Jones, Lane, Mott, Rolph, Rush, Saunders, Thompson, and Wright—25.

NOES—None.

Senate Bill No. 254 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 809.

AMENDMENT No. 1.

Amend title by striking out the period after the word "California", and adding thereto the following: "relating to the salaries of superior court judges".

Amendment adopted.

AMENDMENT No. 2.

In line 10, after the comma following the word "Fresno", insert the following: "Imperial, Humboldt, San Mateo,".

Amendment adopted.

AMENDMENT No. 3.

In line 11, after the comma following the word "Santa Cruz", strike out the words "San Mateo,".

Amendment adopted.

AMENDMENT No. 4.

In line 13, after the comma following the word "Tulare", strike out the word "Humboldt,".

Amendment adopted.

AMENDMENT No. 5.

In line 15, after the comma following the word "Glenn", add the following: "Yolo, Trinity and ".

Amendment adopted.

AMENDMENT No. 6.

In line 15, after the word "Tulare", and ending in line 16, strike out the words "and Imperial".

Amendment adopted.

AMENDMENT NO. 1

In line 10 after the semicolon insert the word "unless"; insert an hyphen between the words "or" and "otherwise".

Amendment adopted.

The question being: "Shall the House concur in Assembly amendments to Senate Bill No. 800?"

The roll was called and Assembly amendments to Senate Bill No. 800 concurred in by the following vote:

[illegible]

Senate Bill No. 800 ordered to enrollment.

[illegible]

[illegible]

Mr. Chairman: I am directed to inform your honorable body that the Assembly has this day passed the Senate or the Assembly as the case may be] Concurrent Senate Bill No. 800, An act to amend section [illegible] of the Penal Code, relating to [illegible] of the Senate that the Assembly has this day passed

[illegible]

Senate Bill No. 800 ordered to enrollment.

[illegible]

The following joint resolution was introduced:

By Senator Curtis: Senate Joint Resolution No. 11 - Declaring the President of the United States to possess the confidence of the people, the gratitude of an [illegible] Congress, for his [illegible] of Bill No. 10, be held during the session of the Thirty-fourth Legislature.

Resolution referred to Committee on [illegible].

[illegible]

On motion of Senator [illegible], the Senate took up the unfinished business, being Senate Bill No. [illegible] out of order.

Senate Bill No. [illegible] - An act [illegible] to provide for [illegible] a county of California for the use of the [illegible].

Bill read [illegible], ordered engrossed and on the [illegible] reading.

[illegible]

On motion of Senator [illegible], the Senate took up the consideration of Assembly Bill No. [illegible] out of order.

Assembly Bill No. [illegible] - An act to amend section [illegible] of the Political Code, relating to [illegible].

Bill read second time and ordered on the [illegible] reading.

[illegible]

The following report of standing committee was received and read:

[illegible]

Mr. Chairman: Your committee on Engrossed and Enrolled Bills reported the following:

Senate Bill No. [illegible] - An act to amend the [illegible] of [illegible] by [illegible], and the [illegible] of [illegible], [illegible] [illegible] of

other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act.

Also: Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

And report that the same have been correctly engrossed.

GRANT, Chairman.

SENATOR CARR IN THE CHAIR

At ten o'clock and five minutes p. m., Senator Carr, of the Thirty-sixth District, in the chair.

CONSIDERATION OF SPECIAL ORDERS.

Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by repealing Section 3 of said last amendment and enacting a new section in the place and stead thereof which new section shall be numbered 136, relating to the practice of medicine and surgery in the State of California, by members of the medical staff of the department of the United States army and navy, regular or volunteers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 813 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Bryant, Burnett, Caminetti, Campbell, Carr, Cogswell, Cutten, Curtin, Flint, Gates, Jones, Leavitt, Main, Strobridge, Thompson, and Wyman—20.

NOES—Senators Beban, Brown, Bryson, Finn, Hans, Regan, Rush, and Shanahan—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 510—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners, and a board of registration of religious practitioners.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 310 refused passage by the following vote:

AYES—Senators Bryant, Chipman, Colton, Curtin, Flint, Rendel, Lawlor and Regan—8.

NOES—Senators Anderson, Avey, Boyce, Brown, Brownell, Burnett, Bush, Caminetti, Cogswell, Finn, Gates, Hare, Jones, Leviensaler, Main, Roseberry, Stetson and Thompson—18.

NOTICE OF MOTION TO RECONSIDER.

Senator Colton gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 310 was this day refused passage.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate Bill No. 878, An Act making an appropriation for enforcing legal provisions regarding the sanitation of processed foodstuffs, animal foods, of the State, and authorizing the expenditure of a portion of the appropriation made by section [illegible] of the Statutes of 1913, entitled "An Act making appropriations for the support of the State government for the fiscal years beginning the first day of July, A. D. 1913, and ending the thirtieth day of June, A. D. 1915, and for the payment of deficiencies in the appropriations for the fiscal years ending June 30, 1912, and June 30, 1913, and for other purposes," and the Assembly Amendments thereto, has had the same under consideration, and is prepared to report that the Committee recommends that the Senate concur in the Assembly Amendments thereto, and that said bill do pass as amended.

JONES,
FLINT,
CAMINETTI,
Senate Committee on Engrossed Bills.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President pro tem. announced the appointment of Senators Hewitt, Gray and Wright as a committee on free conference to meet with a like committee from the Assembly to consider Senate Bill No. 878.

CONSIDERATION OF SENATE AMENDMENTS (CONTINUED).

Senate Bill No. 642—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick and afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending Section 4 thereof.

On motion of Senator Curtin, Senate Bill No. 642 was ordered to the file of unfinished business.

Senate Bill No. 878—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending Section 7 of said Act.

In the absence of the author Senate Bill No. 878 was passed to the file.

Senate Bill No. 443—An Act authorizing and regulating the practice of chiropractic in the State of California, creating a state board of chiropractic examiners, providing for the appointment of the same; defining its powers, duties and emoluments, to provide for the examina-

tion and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

On motion of Senator Gates, Senate Bill No. 430 was ordered to the file of unfinished business.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At eleven o'clock and thirty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Senator Cogswell asked, and was granted, unanimous consent that the Senate take up Senate Bills Nos. 1212 and 1213 for consideration, out of order.

Senate Bill No. 1212—An Act to amend Section 245 of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1212 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Bigelow, Boynton, Breed, Brown, Caminetti, Campbell, Curtin, Finn, Flint, Gates, Hans, Hewitt, Jones, Juilliard, Kehoe, Rush, Thompson, and Wright—22.

Noes—Senators Boggs and Strobridge—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1213 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Bigelow, Boynton, Breed, Brown, Caminetti, Campbell, Cogswell, Curtin, Finn, Flint, Gates, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Rush, Thompson, and Wright—24.

Noes—Senators Boggs and Breed—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Boynton moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 1698—An Act providing for the publication of a legislative bulletin during the constitutional recess—was passed, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Finn moved to reconsider the vote whereby Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an indus-

trial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this Act.—(new).

[illegible] —read out.

Senator Finn moved that the further consideration of the motion to reconsider the vote whereby Amendment No. 2 was passed be made a special order for two o'clock p.m. on Friday, May 9, 1913.

Motion carried.

[illegible] presented to the Senate

At about o'clock and fifty minutes p.m., Senator Thompson, of the Thirty-fifth district, to the chair.

[illegible] from the assembly—[illegible]

The message of Speaker Shumway, the following message from the Assembly was taken up and read:

[illegible] Will it not

Mr. President, I am directed to inform your honorable body that the Assembly has this day adopted [illegible] of the Assembly to reconsider the vote of the [illegible] and fixing the hour for said reconsideration.

[illegible]

Senate Concurrent Resolution No. 10 ordered to be engrossed.

[illegible]

The following resolution was introduced:

By Senator Dolliver:

Resolved, That the Senate consent to accept [illegible] tendered by the Governor of the Panama-Pacific International Exposition [illegible] and that a committee of [illegible] be appointed by the President of the Senate to act with a like committee appointed by the Speaker of the Assembly to receive the said [illegible] and to report to the Senate at the earliest practicable time the action of the Legislature thereon.

Resolution read and adopted.

[illegible] on Judiciary.

Senator Dolliver asked, and was granted, unanimous consent to withdraw Senate Bill No. 1017, An Act to establish a tax on gifts, inheritances, bequests, devises, successions and transfers to provide for the collection, and to direct the disposition of the proceeds; to provide for the enforcement of liens created by this Act and for suits to collect taxes against claims of liens against decedents; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for the collection, and to direct the disposition of the proceeds; to provide for the enforcement of liens created by this Act and for suits to collect the

against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act." approved April 7, 1911.

Senate Bill No. 1617 withdrawn, and ordered stricken from the file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

GATES, Chairman.

Senate Bill No. 1778 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1390—An Act to amend Section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 1390 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 1812—An Act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HEWITT, Chairman.

Assembly Bill No. 1812 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also providing for the Secretary of State determining the order of placing all questions, propositions, proposed laws and constitutional amendments on the ballot and providing for the preparation of the designation or ballot title by the Attorney General and by a board of title commissioners, created by this Act, if objection be made to the ballot title prepared by the Attorney General, by which all such questions, propositions, proposed laws and constitutional amendments shall be designated on the ballot and providing the procedure therefor.

Mr. Anderson [Pet.] to Sen. Bill No. 1361. An Act to amend Section 1204 of the Political Code of the State of California, relating to the appointment of guardians of the estates of minors, and to the appointment of guardians, proportioning said appointments as to the number of wards to the parents and creating a fund for the purpose of educating wards, as to the duty and custody of said guardians, providing fines and punishment therefor.

Which said amendment was read, considered, and unanimously agreed to. Same was then and ordered that they do pass.

HOWITT, Chairman.

Assembly Bills Nos. 1210 and 1211 ordered to file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Elections, to whom was referred Assembly Bill No. 1360, An Act to amend sections 1096 and 1097 of the Political Code of the State of California relating to the registration of voters.

Also: Assembly Bill No. 1361, An Act to provide for the submission to the qualified electors of the several counties of the State of California the question whether or not there shall be a Convention held for the purpose of framing a new Constitution for the State of California, and providing for the election of delegates to such Convention, and to make an appropriation to pay the expenses of said election and of such Convention, and to repeal an Act entitled "An Act to provide for the submission to the qualified electors of the several counties of the State of California the question whether or not there shall be a Convention held for the purpose of framing a new Constitution for the State of California, and providing for the election of delegates to such Convention, and to make an appropriation to pay the expenses of said election and of such Convention," approved March 16, 1911, have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

HOWITT, Chairman.

Assembly Bills Nos. 1360 and 1361 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Elections, to whom was referred Assembly Bill No. 1214—An Act to amend sections 1096 and 1097 of the Political Code of the State of California relating to the registration of voters, have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

HOWITT, Chairman.

Assembly Bills Nos. 1214 and 1220 ordered on file for second reading.

CONSIDERATION OF BILLS—SECOND READING

On motion of Senator Boynton, the Senate took up the consideration of Senate Bills Nos. 1178 and 1280, and Assembly Bills Nos. 1812, 839, 464, 1230, 1815, 1814 and 1130, for second reading out of order.

Senate Bill No. 1178—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain lands of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

Bill read second time, and re-referred to Committee on Finance.

Senate Bill No. 1280—An Act to amend Section 4267 of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

During second reading of the bill, the following amendment was offered by the committee:

Strike out all of lines 4 to 14, inclusive, on page 3, and all of page 4, and in lieu thereof insert the following:

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"4267. In counties of the thirty-eighth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

1. The county clerk, three thousand dollars per annum; and the said county clerk may appoint one deputy county clerk, which said office of deputy county clerk is hereby created. The salary of such deputy county clerk is hereby fixed at twelve hundred dollars per annum, such salary to be paid at the same time and in the same manner as the salary of county officers is paid.

2. The sheriff, four thousand dollars per annum, and actual traveling expenses incurred in the pursuit or arrest of criminals, either in or out of his county.

3. The recorder, one thousand five hundred dollars per annum, and the said recorder may appoint one deputy recorder, which said office of deputy recorder is hereby created. The salary of such deputy recorder is hereby fixed at one thousand two hundred dollars per annum, such salary to be paid at the same time and in the same manner as the salary of county officers is paid.

4. The auditor, one thousand dollars per annum.

5. The treasurer, one thousand five hundred dollars per annum.

6. The tax collector, one thousand dollars per annum, which shall be in full for all services as tax collector and as license collector.

7. The assessor, two thousand five hundred dollars per annum. The said assessor may appoint one deputy assessor, which said office of deputy assessor is hereby created, who shall serve as such only during five months of each calendar year. Said deputy assessor shall receive a salary of one hundred dollars per month and expenses, payable during the period of such service, at the same time and in the same manner as the salary of county officers is paid.

The said assessor may appoint one additional deputy assessor, who shall be designated as a "field deputy assessor," which said office of "field deputy assessor" is hereby created, who shall serve as such only during five months of each calendar year. Said "field deputy assessor" shall receive a salary of one hundred dollars per month and actual necessary expenses payable during the period of such service, at the same time and in the same manner as the salary of county officers is paid.

8. The district attorney, two thousand dollars per annum. Said district attorney may appoint one clerk to the district attorney, which said office of clerk to the district attorney is hereby created. Said clerk to the district attorney shall receive a salary of fifty dollars per month, payable at the same time and in the same manner as the salary of county officers is paid.

9. The coroner, nine hundred dollars per annum, and his actual traveling and other expenses while performing the duties of his office.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, one thousand eight hundred dollars per annum, and actual traveling expenses when visiting the schools of his county.

12. The surveyor, twelve hundred dollars per annum, and in addition thereto, he shall receive his actual traveling and other necessary expenses incurred by him while engaged in work for the county.

13. In counties of this class the township officers shall receive the following compensation, to wit:

In townships having a population of three thousand or more, justices of the peace and constables shall each receive a monthly salary of sixty dollars per month.

In townships having a population of fifteen hundred and less than three thousand, the justices of the peace and constables shall each receive a monthly salary of forty-five dollars per month.

In townships having a population of eight hundred and less than fifteen hundred, the justices of the peace and constables shall each receive a monthly salary of thirty-five dollars per month.

In townships having a population of five hundred and less than eight hundred, the justices of the peace and constables shall each receive a monthly salary of twenty dollars per month.

In townships having a population of less than five hundred, the justices of the peace and constables shall each receive a monthly salary of ten dollars per month.

The above-named salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases: *provided*, that in addition to the salary herein allowed each constable shall be paid out of the treasury of the county for traveling expenses outside of his township, for service of a warrant of arrest or any other paper in a criminal case, such fees as they are now or may be hereafter allowed by law, for transporting prisoners to the county jail, the actual expense of such transportation; *and provided, further*, that for the purpose of this subdivision, the population of the several townships shall be ascertained by multiplying the number of registered voters at the last general election by three. But said justices of the peace and constables may retain for their use the fees allowed by law in civil cases.

14. Each member of the board of supervisors, twelve hundred dollars per annum and mileage while acting as road commissioner, twenty-five cents per mile one way;

[illegible]

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Assembly Bill No. 1912—An Act to provide for and regulate primary elections, and providing for methods whereby electors of political parties may express their choice of such persons seeking for United States senator, and providing a method for showing the relations of political parties to state conventions and for nominating the delegates of political parties to national conventions, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 3, 5, 7, 9, 10, 12, 13, 22, 23, and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

During second reading of the bill the following amendments were offered by the committee:

[illegible] No. 1.

In the title to the amendment, line [illegible] of the word [illegible]

Amendment adopted.

Amendment No. 2.

On page 1, line 2 of printed bill, [illegible] [illegible] [illegible]

Amendment adopted.

Amendment No. 3.

On page 2, line 3, of printed bill, [illegible] [illegible]

Amendment adopted.

Amendment No. 4.

On page 2, line 5, of printed bill, strike out the word "voters" [illegible]

Amendment adopted.

Amendment No. 5.

On page 6, of printed bill, [illegible] of line 13.

Amendment adopted.

Amendment No. 6.

On page 10, lines 29 and 30, of printed bill, [illegible] [illegible]

Amendment adopted.

Amendment No. 7.

On page 10, line 37, of printed bill, [illegible] [illegible]

Amendment adopted.

Amendment No. 8.

On page 14, line 10, of printed bill, [illegible] [illegible]

Amendment adopted.

Amendment No. 9.

On page 14, line 28, of printed bill, [illegible] [illegible]

Amendment adopted.

AMENDMENT No. 10.

On page 14, line 30, of printed bill, omit the words "of his party and that".

Amendment adopted.

AMENDMENT No. 11.

On page 14, lines 31, 32 and 33 of printed bill, omit all after the semicolon in line 31, to and including the comma in line 33.

Amendment adopted.

AMENDMENT No. 12.

On page 14, line 37, of printed bill, omit all after the period and omit all of the first seven lines on page 15.

Amendment adopted.

AMENDMENT No. 13.

On page 20, line 25, of printed bill, omit the word "represent" and insert in lieu thereof the word "represents".

Amendment adopted.

AMENDMENT No. 14.

On page 26, line 20, of printed bill, before the word "wholly" insert the words, "throughout but".

Amendment adopted.

AMENDMENT No. 15.

On page 26, lines 25 and 26 of printed bill, omit the comma and the words "which order shall be the order of names upon the ballots", and insert in lieu thereof the following: "for the first supervisorial district; and thereafter for each supervisorial district, the name appearing first for each such office in the last preceding supervisorial district shall be placed last, the order of the other names remaining unchanged".

Amendment adopted.

AMENDMENT No. 16.

On page 26, lines 26 and 27, of printed bill, omit the words "is no more than one assembly district" and insert in lieu thereof the following: "are no more than five assembly districts".

Amendment adopted.

AMENDMENT No. 17.

On page 26, lines 27 and 28 of printed bill, omit the words "is more than one assembly district", and insert in lieu thereof the following: "are more than five assembly districts".

Amendment adopted.

AMENDMENT No. 18.

On page 30, line 17, of printed bill, omit the word "seven" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT No. 19.

On page 37, line 5, of printed bill, omit the word "day" and insert in lieu thereof the word "Thursday".

Amendment adopted.

AMENDMENT No. 20.

On page 37, line 36, of printed bill, omit the word "ballots" and insert in lieu thereof the word "ballot".

Amendment adopted.

AMENDMENT No. 21.

On page 38, line 16 of printed bill, omit the word "chairman" and insert in lieu thereof the word "chairmen".

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

On page 27, line 2 of the [illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible]

Amendment adopted.

Amendment No. [illegible]

[illegible] word "however" and the [illegible]

[illegible]

etc.

etc. etc.

and provided further.

Amendment adopted.

AMENDMENT No. 32

On page 14, line 37, of the printed bill, insert the following: "Nothing in this Act contained shall be construed to limit the rights of any person to become the candidate of more than one political party for the same office upon compliance with the requirements of this Act, but no person shall be entitled to become a candidate for more than one office at the same election."

Amendment adopted.

AMENDMENT No. 33.

On page 2, line 2, of the printed bill omit the period and insert in lieu thereof the words "or to elect members of a party central committee or delegates to a party convention."

Amendment adopted.

AMENDMENT No. 34.

On page 6, line 26, of the printed bill, omit the word "fourteen," and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 34½.

On page 6, line 28, of the printed bill omit the words "thirty-five" and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT No. 35.

On page 10, line 20, of the printed bill, omit the period and insert a comma [illegible] the words "provided, that prior to primary elections which [illegible] August primary elections or May presidential primary elections, signatures may be obtained not more than forty and not less than twenty days prior to such election."

Amendment adopted.

AMENDMENT No. 36.

On page 12, line 27, of the printed bill, omit the words "of the candidate."

Amendment adopted.

AMENDMENT No. 37.

On page 13, line 27, of the printed bill, omit the word "upon."

Amendment adopted.

AMENDMENT No. 38.

On page 37, line 33, of the printed bill, omit the word "upon."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 456. An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section as amended; also providing for the Secretary of State determining the order of placing all questions, propositions, proposed laws and constitutional amendments on the ballot and providing for the preparation of the designation or ballot title by the Attorney General and by a board of two commissioners, created by this Act, if objection is made to the ballot title prepared by the Attorney General, by whom all such questions, propositions, proposed laws and constitutional amendments shall be designated on the ballot and providing the procedure therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 451. An Act to amend Section 1195a of the Political Code of the State of California relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote

of the people and providing for the designation on the ballot of the name which appears on the ballot.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1240—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for association to their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911 known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 9, of the printed engrossed bill, strike out the words "Section 3 of"

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, of the printed engrossed bill, strike out the words "Sections 3, 6 and 7 of"

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

During second reading of the bill, the following amendment was offered by the committee:

On page 2 of the printed engrossed bill, strike out all of lines 2 and 3, and insert in lieu thereof the following: "employed by the county, city and county, incorporated city or town in which an election is held within twenty days preceding such election."

Amendment adopted.

Bill read second time and ordered to print and third reading.

MOTION TO RECONSIDER.

Pursuant to Rule notice given on a previous day, Senator Jones moved to reconsider the vote whereby Senate Bill No. 1174—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1054, relating to what persons are eligible to the office of notice of the peace—was passed.

SPECIAL ORDER SET.

Senator Jones moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1773 was passed be made a special order for eleven o'clock a.m. on Friday, May 9, 1913.

Motion carried.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Boynton, the Senate took up the consideration of Assembly Bill No. 1875 for second reading, out of order.

Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT NO. 1.

Amend the title of the printed bill as follows: Strike out all of the title after line 1 thereof, and insert in lieu thereof the following: "to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the constitution of this state, for the municipal taxes of such cities, and for the equalization and correction of such assessments by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the non-payment of such taxes, and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this Act."

Amendment adopted.

AMENDMENT NO. 2.

Strike out all of the printed bill after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. The duties of the officers of any city governed under a freeholders' charter framed, ratified and approved in accordance with the provisions of the constitution of this state, with respect to the assessment of property in such city for the municipal taxes thereof, to the equalization and correction of such assessment, to the collection, payment and enforcement of such taxes, including delinquent taxes, and to the redemption of such property from sale or other penalty for the non-payment of such municipal taxes, shall be performed by officers of the county in which such city is situated, when such performance is required of them as in this Act provided.

SEC. 2. Whenever the charter of any city mentioned in section one of this Act, or any amendment to such charter, or any ordinance of such city authorized by and adopted under such charter or amendment thereto, shall provide that the duties of the council, or other legislative body, assessor, tax collector or other officers of such city with respect to the assessment of property in such city for the municipal taxes thereof, to the equalization and correction of such assessment, to the collection, payment and enforcement of such taxes, including delinquent taxes, and to the redemption of such property from sale or other penalty for nonpayment of the municipal taxes of such city, shall be performed by certain designated officers of the county in which such city is situated, as set forth in such charter, or amendment thereto, or in such ordinance, it shall be the duty of such county officers so designated to perform such duties in accordance with the provisions of this Act; *provided, however*, that the several county officers so designated to perform such duties for such city shall be officers who respectively perform duties of the same character as the officers of such city, whose duties are to be performed by such county officers.

SEC. 3. Upon the taking effect of any such charter, charter amendment or ordinance of such city, providing that the duties of the officers of such city with respect to the matters mentioned in section two of this Act shall be performed by the officers of the county in which such city is situated, a copy thereof, certified by

county taxes, and real property so sold may be redeemed within the same time and upon the same terms as property sold for the non-payment of county taxes; and whenever any real property situate in such city has been sold for taxes and has been redeemed, the money paid for such redemption shall be apportioned by the county auditor to, and shall be paid to such city in the proportion which the tax due such city bears to the total tax for which such real property was sold; *provided, however*, that upon the taking effect of any charter, charter amendment, or ordinance to the effect mentioned in section two of this Act, all taxes of such city that shall have been levied prior thereto, including delinquent taxes, shall be collected, the payment thereof enforced in the same manner and upon the same penalties, and property may be sold for the non-payment thereof and may be redeemed from such sale in the same manner and under the same conditions as provided by the laws in force in said city at the time of the taking effect of such charter, charter amendment or ordinance; and such officers of such city as may be provided under the charter or ordinance thereof, shall collect and enforce the payment of such taxes, including delinquent taxes, and do any and all things that may be necessary in the sale of property for the non-payment of such taxes and in the redemption thereof from such sale.

SEC. 6. Whenever any charter provision, or any ordinance of the character mentioned in section two of this Act shall be repealed, the duties authorized by such charter provision or ordinance so repealed to be performed by officers of the county in which such city is situated, shall thereupon cease to be performed by such officers; *provided, however*, that upon such repeal, all taxes of said city that shall have been levied prior thereto, including delinquent taxes, shall, as in this Act provided, be collected, the payment thereof enforced in the same manner and upon the same penalties, and property may be sold for the non-payment thereof and may be redeemed from such sale, in the same manner and under the same conditions as provided by laws applicable to the collection and enforcement of the payment of county taxes, including delinquent taxes, and to the sale and redemption from the sale of property sold for the non-payment of county taxes; and the officers of such county shall have all the powers and perform all the duties relative thereto as may be provided by law in the case of county taxes and the sale and redemption from sale of property for the non-payment thereof.

SEC. 7. The amount of compensation to be charged by and paid to any county for the performance of services contemplated by the provisions of this Act, for and on behalf of any city in such county, shall be fixed by agreement between the board of supervisors of such county and the legislative body of such city; *provided, however*, that such compensation shall in no event exceed one half of one per cent of all moneys collected for such city as in this Act provided. The board of supervisors shall, by an order spread upon its minutes, direct that the county tax collector and the county treasurer shall deduct from all taxes or moneys in their hands, collected for or on behalf of such city, and before the payment thereof to the treasurer of such city as in this Act provided, the percentage thereof to be charged by such county for the services mentioned in this Act, and such percentage so deducted shall be paid into or transferred to such fund of the county and in such manner as the board of supervisors shall direct.

SEC. 8. This Act shall in no wise affect any other Act or Acts providing that duties of officers of cities may be performed by county officers; and if any such Act or Acts provide for or apply to the performance by county officers of the duties of officers of cities governed under freeholders' charters, this Act is intended to, and does provide an alternative method by which the duties of the officers of any such city with respect to the matters mentioned in section two of this Act may be performed by officers of the county in which such city is situated.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Boynton, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape in certain buildings; to provide for enforcing this Act; to provide an appropriation for the same covering certain state buildings; and providing penalties for the violation thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1770 ordered on file for second reading.

Also

ASSEMBLY CHAMBER, ALBANY, May 8, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 39, [illegible] (the proposed [illegible] Amendment) was under the auspices of the Indiana Democratic Editorial Association.

I. R. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WOLFE, Assistant Clerk.

Assembly Concurrent Resolution No. 39 endorsed on file.

ADJOURNMENT.

At twelve o'clock p.m., on motion of Senator Sheehan, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, May 9, 1913.

The Senate met at ten o'clock a.m., Hon. A. E. Burlison, President pro tem. of the Senate, in the chair.

The roll was called and the following answered to their names:

Senators Allen, Arnold, Avery, Bayne, Bennett, Brown, Burlison, Burrell, Cassidy, Cobb, Coggeshall, Conger, Cooper, Cornwall, Cotten, Crosby, Dayton, Dillon, Dowling, Downing, Duhamel, Emerson, Fancher, Foley, Frawley, Gibbs, Gilchrist, Gill, Gledhill, Grady, Green, Griffin, Hamilton, Hanna, Hastings, Hewitt, Hinman, Holmes, Horton, Howard, Hull, Jones, Kellogg, Knapp, Lack, Lamb, Lanning, Lauterbach, Lawson, Lewis, Loomis, Low, Mackay, Malby, Marshall, Mayer, McCarthy, McClelland, McCullough, McElroy, McKinney, Meade, Mills, Mullan, Nicoll, Nixon, Parker, Pasquale, Patterson, Pierce, Pollock, Reed, Rhoads, Robinson, Rogers, Rush, Sage, Sanford, Schoeneck, Sheehan, Slater, Smith, Stanchfield, Stivers, Thompson, Tibbetts, Tremaine, Tronsdale, Vedder, Wagner, Walker, Wallace, Wells, Whipple, Wicks, Wilcox, Wilsey, Wilson, Wood and Young—61.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. Lloyd Nagler.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 8, 1913, the further reading was dispensed with, on motion of Senator Rush.

APPROVAL OF JOURNALS.

The Journals of Monday, April 14, 1913; Tuesday, April 15, 1913; Wednesday, April 16, 1913; Thursday, April 17, 1913; Friday, April 18, 1913, and Saturday, April 19, 1913, were corrected and, on motion of Senator Hanna, approved.

Also: The Journals of Monday, April 21, 1913; Tuesday, April 22, 1913; Wednesday, April 23, 1913; Thursday, April 24, 1913; Friday, April 25, 1913, and Saturday, April 26, 1913, were corrected and, on motion of Senator Hanna, were approved.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, ALBANY, May 8, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1290, An Act providing for the manner of

calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution and by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting, fails or refuses so to do.

Also: Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, other game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign-born resident of this State and providing punishment therefor, and providing for disposition of such shotguns or rifles.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bill No. 1190 read first time, and referred to Committee on Corporations.

Assembly Bill No. 2069 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 866—An Act to amend Sections 368, 639 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Also: Committee Substitute for Senate Bill No. 376—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Also: Committee Substitute for Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 21, 22, 23, and adding thereto two new sections, to be numbered 23*a* and 24*a*, all relating to revenue and taxation.

Also: Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 866 and 617, Committee Substitute for Senate Bill No. 376, and Committee Substitute for Senate Bill No. 1088, ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Also: Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

Also: Committee Substitute for Senate Bill No. 742—An Act to amend Sections 2, 3, 10, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and adding a new section to said Act, to be known as Section 12½, relating to reassessments.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 250, 303 and Committee Substitute for House Bill No. 542 ordered to enrollment.

Also:

SENATE CHAMBER, [illegible], May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the [illegible] has [illegible] Senate Bill No. 304, entitled [illegible] and [illegible] of the Penal Code of the State of California, relating to [illegible] and [illegible] and providing for the [illegible] and sale of [illegible] for [illegible] and for the [illegible] of [illegible] to pay [illegible] and other [illegible].

Also: Senate Bill No. 305—An Act to amend Section 1807 of the Code of Civil Procedure of the State of California relating to [illegible] and [illegible].

Also: Senate Bill No. 306—An Act to amend Section 1908 of the Code of Civil Procedure of the State of California, relating to the [illegible] in which an [illegible] under Title VII of Part III of the Code of Civil Procedure may be [illegible].

Also: Senate Bill No. 307—An Act to provide for the [illegible] prosecution and [illegible] of [illegible] and [illegible] of minors who are [illegible] [illegible] and to [illegible] [illegible] [illegible], [illegible] [illegible] and [illegible] [illegible], and for the [illegible] of the costs and [illegible] [illegible] [illegible] and [illegible] [illegible] [illegible]

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Also: Senate Bill No. 1779—An Act making an appropriation to pay the cost of printing, publishing and distributing state text books free to the school children of the State, in accordance with the provisions of the Constitution.

Also: Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 1778, 1779 and 1649 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Also: Senate Bill No. 958—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the powers of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

Also: Assembly Bill No. 2122—An Act making an appropriation for the legislative printing fund.

Also: Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1437, 2122 and 227 ordered on file for second reading.

Senate Bill No. 958 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 527—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College, and making appropriations therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the bill as amended do pass.

STROBRIDGE, Chairman.

Senate Bill No. 527 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

Also: Assembly Bill No. 594—An Act making an appropriation for the location and survey of a proposed highway to connect the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Also: Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and pre-

Assembly Bills Nos. 1350, 1204, 1254 and 1406 ordered on file for second reading.

MORNING CALL IS DISPENSED WITH.

At one o'clock and 50 two minutes p.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

MESSAGE FROM ASSEMBLY.

The following communication was read:

SACRAMENTO, CAL., May 9, 1911.

Hon. A. J. Wallace, President of the Senate.

I hereby request the resignation as a member of the Senate Committee on the Judiciary and Legislative, and respectfully request that the Senate excuse me from further duty.

M. S. LYON.

On motion of Senator Boynton, the resignation of Senator Lyon was accepted.

APPOINTMENT ON STANDING COMMITTEE.

The President announced the appointment of Senator Flint as a member of the Committee on Engrossed and Enrolled, vice Senator Lyon, resigned.

RECESS.

At two o'clock and twenty minutes p.m., on motion of Senator Stanford, the President declared the Senate at recess until two o'clock and twenty-five minutes p.m.

AFTER RECESS.

At two o'clock and twenty-five minutes p.m., the Senate reassembled. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILL—[NOW OR NEVER].

On motion of Senator Rattan, the Senate took up the consideration of Assembly Bill No. 1063 for second reading out of order.

Assembly Bill No. 1063.—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners to fix the status of said legislation," approved March 14, 1907, as amended by a certain Act approved March 19, 1907, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants in practice medicine and surgery.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title, after the word "amend", strike out "section six", and insert in lieu thereof the following: "sections six, seven and twelve".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, of the title, strike out the words ", and adding"; also strike out line 12, of the title, and insert a period (.).

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 2, after the word "follow", strike out balance of said line, also lines 3 to 34, on page 3, inclusive, down to and including the word "qualifications", in line 34.

Amendment adopted.

AMENDMENT No. 4.

On page 6, line 27, after the word "another", strike out balance of the bill and insert the following:

SEC. 2. Section seven of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, is hereby amended to read as follows:

Section 7. Each applicant on making application shall pay to the secretary of the board a fee of twenty five dollars, which shall be paid to the treasurer of the board by said secretary. In case the applicant's credentials are insufficient, or in case he does not desire to take the examination, the sum of ten dollars will be retained, the remainder of the fee being returnable on application. Said board shall accept and register on the payment of a fee of fifty dollars and without an examination of the applicant, issue a certificate as in this Act provided, to any person holding a license which shall have been issued to him or her by the medical or osteopathic examining boards of the District of Columbia, or any state or territory of the United States; *provided, however*, that the legal requirements of said medical examining boards, and the applicant's preliminary and medical educational qualifications shall have been at the time of issuing such license or certificate, in no degree or particular less than those required by the laws of this state.

SEC. 3. Section twelve of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, is hereby amended to read as follows:

Section 12. All fees and fines collected on behalf of the board of medical examiners and all receipts of every kind and nature shall be reported at the beginning of each month, for the month preceding to the state controller, and at the same time the entire amount of such collections shall be paid into the state treasury, and shall be credited to a fund to be known as the board of medical examiners contingent fund, which fund is hereby created. Such contingent fund shall be for the uses of the board of medical examiners and out of it shall be paid all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this Act. An amount not to exceed two hundred dollars may be drawn from the contingent fund herein created, to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control and controller. The board shall have power to employ legal counsel and clerical assistance and to fix the salaries. It shall fix the salary of the secretary at a sum not to exceed twelve hundred dollars per annum, and also it shall fix the compensation to be paid to other members of the board, not to exceed ten dollars per diem each, for each and every day of actual service in the discharge of official duties; and said board may, in its discretion, add to said sums necessary traveling expenses.

Amendment adopted.

Bill ordered to print and third reading.

[illegible]

On motion of Senator Butler, the Secretary was directed to issue a rush order for printing Assembly Bill No. 1062.

[illegible]

The following report of standing committee was received and read:

[illegible]

SELECT COMMITTEE, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Assembly Bill No. 1062, An act to provide through the State Board of Control and Custodian for the distribution of the contingent and support of deficiency fund appropriations, and to provide for the collection, segregation and distribution of collateral and other inheritance taxation, the moneys thus accumulated or segregated for their collection and distribution and for the refunding of certain moneys and making an appropriation therefor and the moneys paid in consequence thereof, and making an appropriation therefor, and the moneys paid in consequence thereof, and making an appropriation therefor, and the moneys paid in consequence thereof, and making an appropriation therefor,

The roll was called, and Senate Bill No. 1777 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Butler, Caminetti, Campbell, Cogswell, Cohn, Gates, Grant, Hans, Juilliard, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1385—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, to provide for the enforcement thereof.

Read third time.

On motion of Senator Lyon, Senate Bill No. 1385 was passed on file.

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1 of Article III thereof, and repealing Article IV and Article VI thereof, all relating to the distribution of the powers of government.

Senate Bill No. 499—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

In the absence of the author, Senate Bill No. 499 was passed on file.

Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 182 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Hans, Jones, Juilliard, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25

NOES—Senator Avey—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 472—An Act amending Section 1142 of the Political Code, relating to the appointment of election boards and the qualifications and duties of the members of such boards.

In the absence of the author, Senate Bill No. 472 was passed on file.

Senate Bill No. 1769—An Act to provide for the registration of, and filing expense accounts by, legislative lobbyists and regulating the work of such lobbyists.

In the absence of the author, Senate Bill No. 1769 was passed on file.

Senate Bill No. 1762—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be known as Section 266*h* of the Penal Code.

In the absence of the author, Senate Bill No. 1762 was passed on file.

Senate Bill No. 1373—An Act to add a new section to the Political

Code, to be known as Section 3006a, relating to the date of assessors in compiling assessment books.

In the absence of the author, Senate Bill No. 1059 was passed on the

Senate Bill No. 1096.—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 2478, providing for the extermination of the ground squirrel.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1096 passed by the following vote:

AYES: Senators Anderson, Boynton, Boyd, Burnett, Caminetti, Campbell, Chan, Cosgrave, Flint, Flint, Gerdes, Gerdes, Hewitt, Hubbard, Leale, Mott, Sanford, Shillenberger, Thompson, Tyrrell, and Wolfrom—21.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1220.—An Act to provide for a trial by jury in certain cases of sentence of death.

On motion of Senator Tyrrell, Senate Bill No. 1220 was ordered to the file of unfinished business.

Senate Bill No. 524.—An Act to amend section 1411 of the Civil Code of the State of California, relating to the appropriation of water.

On motion of Senator Hewitt, Senate Bill No. 524 was passed on file.

Senate Bill No. 441.—An Act to preserve for use within the State electricity generated by water power from the waters of the lakes, rivers, creeks, and streams of this State, and to prevent the transmission out of the State of electricity so generated.

On motion of Senator Hewitt, Senate Bill No. 441 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT NO. 45.

A resolution proposing to the people of the State of California an amendment to the Constitution of this State, by adding a new section to Article XIII thereof, to be numbered section 14, Article XIII, relating to the compensation of employees and boards and commissions employed for the assessment and assessments of taxes subject to local taxation, or equalization.

The Legislature of the State of California, at its regular session, commencing on the ninth day of January, 1913, two thirds of all the members elected to each of the two houses of said Legislature voting to favor thereof, hereby proposes to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be numbered as Section 14, and to read as follows:

Sec. 14. All boards, state, county and municipal, and departments established by law, engaged upon assessments or assessment equalization, or appointed to perform duties which functionally are part of the work of assessment or equalization, or engaged in any proceeding in relation to the same, and all officers or employees of such boards and departments, and all persons employed by such boards, officers or departments, and all persons employed by any assessor, county board of equalization, or state board of equalization, in connection with such assessment or equalization, shall be appointed, employed and their compensation fixed, as provided by law.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 45 adopted by the following vote:

AYES—Senators Anderson, Boynton, Boyd, Burnett, Burnett, Caminetti, Campbell, Chan, Cosgrave, Crump, Crump, Flint, Gerdes, Gerdes, Hans, Hewitt, Jones, Anderson, Lawrence, Leale, Mott, Sanford, Shillenberger, Tyrrell, and Wolfrom—27.

NOES—None.

Senate Constitutional Amendment No. 35 ordered engrossed, and transmitted to the Assembly.

Senate Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XI thereof a new section, to be numbered Section 19*a*, relating to the extension of any public utilities and the making of connections between existing railroad and other means of transportation and communication.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 65 refused adoption by the following vote:

AYES—Senators Caminetti, Campbell, Cohn, Finn, Gates, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Rush, Sanford, Shanahan, Tyrrell, and Wright—16.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Butler, Carr, Cogswell, Flint, Jones, Larkins, Mott, and Thompson—14.

Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 29 of Article IV thereof, in relation to a "state budget."

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Caminetti moved a call of the Senate.

Motion carried.

Time, eleven o'clock and twenty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Avey, Beban, Benson, Boynton, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Tyrrell, and Wright—28.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and forty-five minutes a.m., Senators Anderson, Birdsall and Thompson were brought to the bar of the Senate, and, on motion of Senator Brown, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-five minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Caminetti.

The roll of absentees was called, and Senate Constitutional Amendment No. 24 refused adoption by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Gates, Grant, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Regan, Sanford, and Wright—23.

NOES—Senators Benson, Birdsall, Boynton, Flint, Hans, Rush, Shanahan, Thompson, and Tyrrell—9.

THIRD READING OF BILLS—SENATE BILL NO. 227.

Senate Bill No. 227—An Act to amend Section 3710 of the Political Code of the State of California, relating to the subpœna of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 227 passed by the following vote:

Ayes—Senators Anderson, Avey, Birdsall, Boynton, Brandt, Breed, Caminetti, Campbell, Chan, Chipman, Cobb, Conley, Finn, Flint, Gerdes, Hewitt, Holohan, Lane, Leale, Leavitt, Lewis, Mott, Nolan, Rush, Sanford, Stetson, Strobridge, Tyrrell, Wallace, Ward, Wolfe, Young—34.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 70—A resolution to propose to the people of the State of California amendments to the Constitution of the State of California, by amending Sections 7, 14, 15 and 19 of Article IV thereof, and by adding a new section to said article to be numbered Section 24, all relating to sessions of the Legislature.

The question being on the adoption of the constitutional amendment.

The roll was called and Senate Constitutional Amendment No. 70 refused adoption by the following vote:

Ayes—Senators Breed, Caminetti, Campbell, Chan, Finn, Gerdes, Holohan, Sanford, Stetson and Wallace—10.

Noes—Senators Avey, Boynton, Birdsall, Chipman, Brandt, Conley, Cobb, Flint, Hewitt, Lane, Leale, Leavitt, Lewis, Mott, Nolan, Rush, Strobridge, Tyrrell, Ward, Wolfe, Young and Anderson—24.

CONSIDERATION OF SPECIAL ORDER.

The President laid before the Senate the special order—the consideration of the motion of Senator Jones to reconsider the vote whereby Senate Bill No. 1775—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1021, relating to what persons are eligible to the office of justice of the peace—was passed.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Senate Bill No. 1775 was passed reconsidered by the following vote:

Ayes—Senators Avey, Birdsall, Boynton, Brandt, Caminetti, Campbell, Cobb, Conley, Flint, Finn, Gerdes, Hewitt, Holohan, Jones, Lane, Mott, Nolan, Rush, Sanford—21.

Noes—Senators Anderson, Chan, Breed, Flint, Leavitt, Lewis, Stetson, Strobridge, Tyrrell, Wallace, Ward, Wolfe, Young—13.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1775 refused passage by the following vote:

Ayes—Senators Anderson, Avey, Breed, Boynton, Chan, Flint, Gerdes, Conley, Hewitt, Holohan, Lane, Leavitt, Lewis, Mott, Nolan, Strobridge, and Wolfe—17.

Noes—Senators Brandt, Birdsall, Caminetti, Campbell, Chipman, Cobb, Finn, Jones, Leale, Rush, Sanford, Stetson, Tyrrell, Wallace, Ward, Young—17.

WITHDRAWAL OF NOTICE OF MOTION TO RECONSIDER.

Senator Campbell withdrew his notice that he would move to reconsider the vote whereby Senate Bill No. 1364—An Act to amend Section 195 of the Penal Code of California, relating to homicide and the cases in which homicide is excusable—was passed.

Senate Bill No. 1364 ordered transmitted to the Assembly.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, and other public works and utilities for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1724 passed by the following vote:

AYES—Senators Avey, Belcher, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Lyon, Mott, Regan, Rush, Sanford, Thompson, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, May 9, 1913

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1756—An Act to authorize cities, cities and counties and other municipal corporations operating water works to make rates and charges for water supplied by any such city, city and county or other municipal corporation a lien on property, and to provide for the enforcement of such lien.

Also: Senate Bill No. 1000—An Act to amend Section 1306a of the Political Code of the State of California, relating to county clerk's fees.

And report that the same have been correctly re-engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1386—An Act to provide through the State Board of Charities and Corrections for the investigation of the conditions and causes of insanity, vice and crime in this State, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals, and making an appropriation therefor.

Also: Senate Bill No. 1733—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Also: Senate Bill No. 686—An Act to create a commission, to be known and designated as the commission on superannuation and pensions, for the purpose of investigating and reporting to the forty-first session of the Legislature, conditions and remedies in relation to superannuation, dependency due to old age or invalidity, retirement, pension and relief provisions and kindred subjects; defining its powers and duties and making an appropriation for the expenses of such commission.

Also, Senate Bill No. 1007.—An Act to repeal Section 4693 of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of levying funds for making additions to, improving or repairing courthouses and for collecting and disbursing the compensation of assessors and of assessors' deputies.

Also, Senate Bill No. 1008.—An Act to add a new section to the Political Code, to be numbered 3649, relating to the fees of witnesses in proceeding instituted before and by the committee of public safety.

Also, Senate Bill No. 1009.—An Act to add a new section to the Political Code to be known as Section 3649a, relating to the fees of county surveyors.

Also, Senate Bill No. 1010.—An Act to provide for supplying county jailers with information concerning state wanted persons and fugitives.

Also, Senate Bill No. 1011.—An Act to add a new section to the Political Code to be known as Section 4246, relating to the duties of attorney with county commissioners.

Also, Senate Bill No. 1012.—An Act to add a new section to the Political Code to be known as Section 4246a, relating to the compensation of county officers.

Also, Senate Bill No. 1013.—An Act to amend Section 4246a of the Political Code of the State of California, relating to witness fees.

Also, Senate Bill No. 1014.—An Act to amend Section 4246a of the Political Code of the State of California, relating to the compensation of the several appointive officers.

Also, Senate Joint Resolution No. 30.—Relative to the use of Yerba Buena Island in San Francisco Bay, as a prison service institute, requesting and directing the State Board of Harbor Commissioners to prepare the necessary plans, and petitioning Congress to make the necessary cession thereto.

Also, Senate Joint Resolution No. 31.—Relative to expenditure of city funds heretofore loaned to the State of California under homestead law.

Also, Senate Bill No. 1015.—An Act to amend Section 4246 of the Political Code of the State of California, relating to counties of the eighth class.

Also, Senate Bill No. 1016.—An Act to provide for the issuance and sale of state bonds to be known as "state land colonies bonds," to provide a fund for the acquisition of additional lands for the colonization and settlement of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the acquisition of said buildings and the grounds, improvement and beautification of said State Fair grounds as a complete plant for the exhibition and promotion of the resources and products of this State; appropriating the proceeds thereof for such purposes and providing for the payment of said bonds and the interest thereon; creating a sinking and interest fund for the payment of interest of said bonds and the redemption thereof, making an appropriation therefor, and providing for the submission of this Act to a vote of the people.

Also, Senate Bill No. 1017.—An Act to amend Section 3 of an Act entitled "An Act entitled "An Act to secure to the Native Indians the Privileges which Americans, the Descendants of Half the Globe to the State of California, as a race of them as Natty Citizens, Living in the Country Done with the Improvements and Cultivating Thereon, the Same Rights as were Done for Civilized Native Indians and Natives and to provide for the government thereof for the State."

Also, Senate Bill No. 1018.—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California during the year 1915, and making an appropriation therefor.

Also, Senate Bill No. 1019.—An Act to amend Section 4246 of the Political Code of the State of California, relating to the fees of county officers.

Also, Senate Bill No. 1020.—An Act to provide for the examination and licensing of the irrigation well contractors from of the State of California to prescribe fees, and repeal those the same have been severally repealed.

GRANT, Chairman.

To Enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

Mr. President: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to Section 12, Article XIII of the Constitution of the State of California, relating to the taxation of public utilities by municipal corporations, have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

GATES, Chairman.

Senate Concurrent Resolution No. 33 ordered on the

THIRD READING OF BILLS—RESUMED.

Senate Joint Resolution No. 17.—Relating to appointment of a committee to draft bills abolishing all offices not now held by Full

Messers and providing for a commission of five to perform the duties formerly performed by one person.

Resolution read.

Senator Thompson moved that further consideration of the motion be indefinitely postponed.

The President put the question.

POINT OF ORDER.

Senator Shanahan raised the point of order that debate on the motion had not been had.

DECISION ON POINT OF ORDER.

The President announced his decision and ruled the point of order well taken.

MOTION WITHDRAWN.

Senator Thompson withdrew the motion to postpone indefinitely.

JOINT RESOLUTION LAID ON THE TABLE.

Senator Thompson moved that Senate Joint Resolution No. 17 be laid on the table.

The question being on the motion.

The roll was called and Senate Joint Resolution No. 17 ordered laid on the table by the following vote:

AYES—Senators Ayer, Boynton, Breed, Brown, Butler, Carr, Caswell, Finn, Flint, Gates, Hare, Jones, Lewis, Mott, Rogers, Rush, Strobridge, Thompson, and Wright—19.

NOES—Senators Chamberlain, Cogswell, Grant, Leonard, Sanford, and Shanahan—6.

THIRD READING OF BILLS—[RESUMED].

Senate Bill No. 735—An Act to amend Sections 412, 413 and 413½ of the Penal Code, relating to sparring exhibitions and prize fights and the laying of bets or wagers upon the result thereof.

On motion of Senator Brown, Senate Bill No. 735 was passed on file.

Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1524 passed by the following vote:

AYES—Senators Ayer, Boynton, Breed, Brown, Butler, Campbell, Carr, Caswell, Finn, Flint, Gates, Grant, Hare, Jones, Leonard, Lewis, Mott, Rush, Shanahan, Thompson, and Wright—23.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Boynton, the hour of recess was extended until one o'clock and thirty minutes p.m.

PRESENCE OF NEW SENATOR TO BE NOTED

At twelve o'clock and thirty-five seconds p.m., Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

SENATE BILLS ON SECOND READING

Senate Bill No. 1281—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor to the easterncost to the board of State Harbor Commissioners of wharves, piers, state cultmet upon tidelands and appurtenances and necessary dredging and filling in connection therewith in the city and county of San Francisco, to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of $5,000 for the expense of printing said bonds, and to provide for the submission of this Act to a vote of the people.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1281 passed by the following vote:

Ayes—Senators Anderson, Ayer, Beban, Boynton, Breed, Cameron, Campbell, Carpenter, Chan, Finn, Gates, Hans, Hewitt, Holland, Lane, Mott, Rolfe, Seale, Stanford, Stromberg, Swing and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21 and 23a of Article IV thereof, relating to the legislative department.

The question being on the adoption of the constitutional amendment.

The roll was called and Senate Constitutional Amendment No. 74 refused adoption by the following vote:

Ayes—Senators Anderson, Ayer, Beban, Boynton, Breed, Cameron, Campbell, Chan, Finn, Gates, Hans, Hewitt, Holland, Lane, Rolfe, Seale and Stromberg—16.

Noes—Senators Swing, Carpenter, Mott, Stanford, Wright—5.

Senate Bill No. 1288—An Act to amend an Act approved March 13, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, misbranded or poisonous foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor."

On motion of Senator Boynton, Senate Bill No. 1288 was passed on file.

Senate Bill No. 815—An Act to amend Section 4247 of the Political Code of the State of California, relating to counties of the eighth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 815 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Juilliard, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1742—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1742 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Curtin, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1440—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

On motion of Senator Hans, Senate Bill No. 1440 was ordered to the file of unfinished business.

Senate Bill No. 874—An Act concerning campaign expenses of political parties and providing for payment thereof by the State.

On motion of Senator Caminetti, Senate Bill No. 874 was passed on file.

Senate Bill No. 1461—An Act to amend Section 4056*b* of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of the counties and of supervisorial districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1461 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Lyon, Mott, Regan, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28

NOES—Senator Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1731 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bledsoe, Burnett, Burnis, Burson, Caminetti, Campbell, Carr, Chapman, Cohn, Curtis, Elliott, Finn, Gerdes, Gerrie, Gerry, Gerstle, Irwin, Lastfogel, Leavitt, Lewis, Rush, Sanford, Shoemaker, Stetson, Tyrrell, and Wright—28.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1734.—An Act to amend Section 3 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to locate the Home in the State of California, to a tract of land in Napa County, known as the 'Upper' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1734 passed by the following vote:

Ayes—Senators Anderson, Bledsoe, Bourns, Burnett, Caminetti, Campbell, Carr, Chapman, Cohn, Finn, Flint, Gerdes, Gerrie, Gerry, Gerstle, Irwin, Lastfogel, Lewis, Lyon, Mott, Rush, Sanford, Shoemaker, Stetson, Tyrrell, and Wright—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Wright asked, and was granted, unanimous consent to withdraw Senate Bill No. 34—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California, during the year 1915, and making an appropriation therefor.

Senate Bill No. 34 withdrawn, and ordered stricken from the file.

THIRD READING OF BILLS—(CONTINUED).

Senate Bill No. 1365.—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1365 passed by the following vote:

Ayes—Senators Anderson, Ayer, Bledsoe, Burnett, Burnis, Burson, Caminetti, Campbell, Carr, Chapman, Cohn, Curtis, Finn, Flint, Gerdes, Gerrie, Gerry, Gerstle, Irwin, Lastfogel, Leavitt, Lewis, Lyon, Mott, Rush, Sanford, Shoemaker, Stetson, Tyrrell, and Wright—28.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR.

At twelve o'clock and fifty-five minutes a.m., Senator Tyrrell, of the Sixteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 909—An Act to amend Section 4098 of the Political Code of the State of California, relative to the duty of county officers.

Read third time.

On motion of Senator Sanford, Senate Bill No. 909 was passed on file.

Senate Bill No. 911—An Act to amend Section 4049*a* of the Political Code of the State of California, relative to the publishing of the annual statistical report.

On motion of Senator Sanford, Senate Bill No. 911 was passed on file.

Senate Bill No. 949—An Act to amend Section 4300*g* of the Political Code of the State of California, relating to witness fees.

In the absence of the author, Senate Bill No. 949 was passed on file.

Senate Bill No. 1371—An Act to add a new section to the Political Code to be known as Section 4091*a*, relative to the traveling expenses of county officers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1371 refused passage by the following vote:

AYES—Senators Benson, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Flint, Grant, Hewitt, Lyon, Mott, Regan, Shanahan, Thompson, and Tyrrell—16.
NOES—Senators Anderson, Birdsall, Hans, Larkins, and Strobridge—5

Senate Bill No. 1372—An Act to add a new section to the Political Code to be known as Section 4326, relating to the deposit of money with county treasurers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1372 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Flint, Grant, Hans, Hewitt, Larkins, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1374—An Act to provide for supplying county officers with information concerning bills pending before the Legislature.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1374 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Flint, Grant, Hewitt, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET.

On motion of Senator Campbell, the consideration of Assembly Bill No. 2070—An Act to amend Section 2853 of the Politeal Code of the

State of California, relating to forests, by adding a provision thereto relating to explosives and employees—was made a special order for Saturday, May 10, 1913, at eleven o'clock A.M.

THIRD READING OF BILLS—(RESUMED)

Senate Bill No. 1376—An Act to add a new section to the Political Code to be known as Section 3224, relating to the duties of county surveyors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1376 passed by the following vote:

Ayes: Senators Anderson, Beban, Benson, Boyd, Brown, Cartwright, Chandler, Carr, Caminetti, Cobb, Flint, Finn, Gerdes, Hans, Hewitt, Hoyt, Inman, Leavitt, Lewis, Lissner, Mott, Rominger, Stetson, Thompson, and Wyman—24.

Noes: Senator Lanagan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1382—An Act to add a new section to the Political Code, to be known as Section 3800b, relating to the duties of assessors in preparing assessment books and to the treatment of such books.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1382 refused passage by the following vote:

Ayes: Senators Brown, Cobb, Flint, Hewitt and Lanagan—5.

Noes: Senators Anderson, Beban, Benson, Boyd, Carr, Cartwright, Chandler, Caminetti, Gerdes, Hans, Inman, Leavitt, Mott, Rominger, Stetson, Thompson and Wyman—19.

Senate Bill No. 1771—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the construction of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings, and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof; making an appropriation therefor and providing for the collection of moneys for said purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

On motion of Senator Mott, Senate Bill No. 1771 was passed to the.

Senate Bill No. 995—An Act to amend Sections 16 and 17 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator," approved April 7, 1911, and also to amend Section 10 of an Act entitled "An Act to amend Sections 1, 2, 5, 7, 10, 12, 13, 22 and 24 of an Act

entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,'" approved December 24, 1911.

On motion of Senator Caminetti, Senate Bill No. 969 was passed on file.

Senate Bill No. 1702—An Act amending the Civil Code so as to prohibit one corporation from buying, taking, acquiring or holding the shares of stock of other corporations.

On motion of Senator Caminetti, Senate Bill No. 1702 was passed on file.

Senate Bill No. 1703—An Act amending Section 286 of the Civil Code so as to limit the formation of corporations to one purpose.

On motion of Senator Caminetti, Senate Bill No. 1703 was passed on file.

Senate Bill No. 1704—An Act amending the Civil Code so as to prohibit the issuance by a corporation of more than one kind of shares of capital stock.

On motion of Senator Caminetti, Senate Bill No. 1704 was passed on file.

Senate Bill No. 1718—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

In the absence of the author, Senate Bill No. 1718 was passed on file.

Senate Bill No. 1748—An Act to amend the Political Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349*b* and Section 349*c*, relating to labor unions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1748 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Caminetti, Carr, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Lyon, Shanahan, Strobridge, Thompson, and Tyrrell—21.

NOES—Senators Brown and Cogswell—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1488—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

On motion of Senator Caminetti, Senate Bill No. 1488 was passed on file.

Senate Bill No. 1596—An Act concerning campaign expenses of political parties and providing for payment thereof by counties and cities and counties.

On motion of Senator Caminetti, Senate Bill No. 1596 was passed on file.

Senate Bill No. 1597—An Act concerning expenses of political parties and providing for payment thereof by municipalities.

On motion of Senator Caminetti, Senate Bill No. 1597 was passed on file.

Senate Bill No. 1656—An Act providing for the payment to the several counties and cities and counties of the State of one half of expenses incurred by them respectively, for primary, general and other elections, held under the laws of the State, in years when a general election is held.

On motion of Senator Caminetti, Senate Bill No. 1656 was passed on file.

Senate Bill No. 1643—An Act to provide for the conveyance of votes and unpolled votes to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

On motion of Senator Caminetti, Senate Bill No. 1643 was passed on file.

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 21 of Article I thereof, and relating to a property qualification to vote at elections creating indebtedness.

On motion of Senator Hiram Senate Constitutional Amendment No. 26 was ordered to the file of unfinished business.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to Section 1 of Article II of the Constitution, in relation to the rights of suffrage.

On motion of Senator Hiram Senate Constitutional Amendment No. 27 was ordered to the file of unfinished business.

Senate Bill No. 1639—An Act providing for the construction by counties of canals or waterways suitable for navigation.

In the absence of the author, Senate Bill No. 1639 was passed on file.

Senate Bill No. 1414—An Act to amend Section 1464 of the Penal Code of the State of California, relating to the fishing for sturgeon or bass with seines in the coast waters.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1471 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Boynton, Burnett, Carr, Chipman, Cobb, Finn, Flint, Hiram Gates, Hiram Johnson, Leland Stanford Simpson, Thompson, and Wyman—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HOUR OF RECESS EXTENDED.

At one o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until two o'clock p.m.

THIRD READING OF BILLS—(CONTINUED).

Senate Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 11 of Article XX, relating to elections.

On motion of Senator Carr, Senate Constitutional Amendment No. 43 was ordered to the foot of the file.

Senate Bill No. 966—An Act to aid the several counties and cities and counties of the State of California in enforcing the laws of the State.

On motion of Senator Caminetti, Senate Bill No. 966 was passed on file.

Senate Bill No. 968—An Act fixing the compensation to be paid to county clerks and registrar of voters, in the State of California, for services performed by them for the State, in primary, general and other elections held under the laws thereof.

On motion of Senator Caminetti, Senate Bill No. 968 was passed on file.

Senate Bill No. 604—An Act to amend Sections 628*a* and 634, and to repeal Section 636½, of the Penal Code of the State of California, all relating to the protection and preservation of fish.

On motion of Senator Caminetti, Senate Bill No. 604 was passed on file.

Senate Bill No. 685—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

On motion of Senator Finn, Senate Bill No. 685 was passed on file.

Senate Bill No. 878—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending Section 7 of said Act.

In the absence of the author, Senate Bill No. 878 was passed on file.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Carr, the Senate took up the consideration of Senate Bill No. 1756, out of order.

Senate Bill No. 1756—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1756 refused passage by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Butler, Cogswell, Carr, Gates, Grant, Hewitt, Jones, Kehoe, Leon, Mott, Shanahan, Thompson, and Tyrrell—17.

NOES—Senators Bolton, Boynton, Cobb, Finn, Flint, Juilliard, Larkins, Regan, and Strobridge—9.

TIME OF RECESS EXTENDED.

At two o'clock p.m., on motion of Senator Thompson, the hour of recess was extended until three o'clock and fifteen minutes p.m.

THIRD READING OF BILLS—CONCLUDED.

Senate Bill No. 958—An Act to establish a state school to train persons for practical service in governmental work of city, county and state and make an appropriation therefor.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

Time, two o'clock and five minutes p. m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Bryan, Cartter, Chrisman, Flint, Hayes, Hey, Hurt, Jones, Kehr, Leake, Lewis, Lukens, Mahan, Martinelli, Rominger, Shearman, Tyrrell and Wyllie—20.

FURTHER PROCEEDINGS UPON CALL OF THE SENATE ADJOURNED.

At [illegible] call by common [illegible], further proceedings under the call of the Senate were dispensed with, on motion of Senator Hayes.

The roll of absentees was called, and Senate Bill No. 958 passed by the following vote:

Ayes: Senators Anderson, Avey, Bryan, Chris Brown, Cartter, Chrisman, Flint, Gaylord, Hayes, Hey, Hurt, Jones, Kehr, Leake, Lewis, Lukens, Mahan, Martinelli, Rominger, Shearman, Tyrrell and Wyllie—24.

Noes: Senators Boynton, Gerdes, Irwin, Sullivan, Tarlton and Wilson—6.

Bill read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF JOINT COMMITTEE ON ENROLLMENTS.

Senator Shearman gave notice that he would on the next legislative day move to reconsider the vote whereby Senate Bill No. 958 was this day passed.

MESSAGE OF ACCEPTANCE—CONCURRENCE—ACT TO PASS.

The following message of executive nature was received and read:

IN SENATE

SENATE CHAMBER, Sacramento, May 9, 1913.

To the Senate: Your Committee on Finance to whom was referred Senate Bill No. 1162—An Act authorizing the State Treasurer, upon the approval of the Governor, and upon the request of the Board of Trustees, to pay compensation to the wife of persons killed in the State of California and appropriating money for such purpose.

Also, Assembly Bill No. 1620—An Act making appropriation for expenditure and to provide for payment of bills incurred during the existence of the Los Angeles Normal School.

Also, Assembly Bill No. 1780—An Act to provide for payment, during biennial and [illegible] the expenses of the Assembly chamber at this seat and [illegible] to be transmitted to and the same are [illegible] of the state.

Also, Assembly Bill No. 1785—An Act to provide for the [illegible] treatment of [illegible] and

residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1782 ordered on file for second reading.

Assembly Bills Nos. 2038, 1580 and 1385 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury—and report that the same has been correctly engrossed.

GRANT, Chairman.

CASE OF URGENCY.

The following resolution was offered by Senator Thompson:

Resolved, That Senate Bills Nos. 958, 1779 and 1782 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that each of said bills be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and Section 15 of Article IV of the Constitution suspended by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Brown, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Senate Bill No. 958—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the powers of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 958 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Brown, Caminetti, Cogswell, Cohn, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Mott, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1779—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Bill read second time.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall the section, setting forth the urgency features of the bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Birdsall, Boyce, Bunny, Burnett, Caminetti, Carey, Chandler, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerlach, Hare, Harris, Hewitt, Holohan, Inman, Jacobsen, Kehoe, Lawlor, Leavitt, Lewis, Lukens, Mott, Rolfe, Saunders, Scott, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright, Young, and Mr. President—37.

Noes—None.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Thompson moved a call of the Senate.

Motion carried.

Time, two o'clock and twenty-five minutes.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Birdsall, Boyce, Bunny, Burnett, Caminetti, Carey, Chandler, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerlach, Hare, Harris, Hewitt, Holohan, Inman, Jacobsen, Kehoe, Lawlor, Leavitt, Lewis, Lukens, Mott, Rolfe, Saunders, Scott, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright, Young, and Mr. President—37.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and forty-seven minutes p. m. Senators Jenkins, Rush, Kehoe, Benson, Jones and Carr were brought to the bar of the Senate, and, on motion of Senator Wright, duly excused for absence from the Senate Chamber.

ACTION PROCEEDING UPON CALL OF THE SENATE SUSPENDED.

At two o'clock and forty-five minutes p. m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Thompson.

The call of absentees was called, and Senate Bill No. 1782 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Birdsall, Boyce, Bunny, Burnett, Caminetti, Carey, Cogswell, Cutten, Curtin, Flint, Gerdes, Gerlach, Hare, Harris, Hewitt, Holohan, Inman, Jacobsen, Kehoe, Lawlor, Leavitt, Lewis, Lukens, Mott, Rolfe, Saunders, Scott, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Wright, Young, and Mr. President—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1782—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain lands of the State of California, and appropriating money for such purpose.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1782 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Brown, Bryant, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1778 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Brown, Bryant, Caminetti, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Rush, Strobridge, Thompson, and Wright—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1915—An Act to amend Section 628, Section 635½ and Section 636 of the Penal Code of the State of California, all relating to the protection and preservation of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1915 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Brown, Bryant, Caminetti, Campbell, Carr, Cogswell, Finn, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Concurrent Amendment No. 25—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XIII thereof, to be designated as Section 7½, said Article XIII, relating to the exemption from taxation of buildings and tools used for institutions conducted for the support and maintenance of aged orphans, or half-orphans, or abandoned children.

Also: Senate Bill No. 459—An Act to repeal an Act entitled "An Act to authorize the Board of Supervisors of Los Angeles County to issue bonds for the purpose of providing funds for the construction of a bridge across the Los Angeles River at Macy Street, in said county, and to provide for the payment of said bonds," approved March 23, 1911, and to declare the urgency thereof, to take effect immediately.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

Mr. President: Your Committee on Engrossed and Enrolled Bills to which was referred Senate Bill No. 384—An Act to amend the title and an Act entitled "An Act to authorize the Board of Supervisors of Los Angeles County to issue bonds for the purpose of providing funds for the construction of a bridge across the Los Angeles River at Macy Street, in said county, and to provide for the payment of said bonds," approved March 23, 1911, and to declare the urgency thereof, to take effect immediately, have had the same under consideration, and report it back with the recommendation that it be passed.

GILLETT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

Mr. President: Your Committee on Engrossed and Enrolled Bills to which was referred Senate Bill No. 384—An Act to amend the title and an Act entitled "An Act to authorize the Board of Supervisors of Los Angeles County to issue bonds for the purpose of providing funds for the construction of a bridge across the Los Angeles River at Macy Street, in said county, and to provide for the payment of said bonds," approved March 23, 1911, and to declare the urgency thereof, to take effect immediately, have had the same under consideration, and report it back with the recommendation that it be passed.

GILLETT, Chairman.

Assembly Bill No. 1003 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

Mr. President: Your Committee on Finance, to whom was referred Assembly Bill No. 1006—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

STEPHENS, Chairman.

Assembly Bill No. 1006 ordered on file for second reading.

[illegible]

On motion of Senator Strobridge, the Senate took up for consideration Assembly Bills Nos. 2020 and 2006 for second reading out of order.

Assembly Bill No. 2020—An Act [illegible] to the State highway known as Klamath River Canyon road, to authorize changes in the location of said road and to repeal all Acts and parts of Acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1006—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

During second reading of the bill, the following amendment was offered by the committee:

[illegible]

Amendment adopted.

Bill read second time, and ordered to print and third reading.

[illegible]

On motion of Senator Strobridge, the Secretary was directed to issue a rush order for printing Assembly Bill No. 1006.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XIII thereof, relating to revenue and taxation—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

THOMPSON, Chairman.

Assembly Constitutional Amendment No. 6 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

THOMPSON, Chairman.

Assembly Constitutional Amendment No. 7 ordered on file.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1484—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report of such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LYON, Chairman.

Assembly Bill No. 1484 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Concurrent Resolution No. 39—Relative to the proposed transcontinental tour under the auspices of the Indiana Automobile Manufacturers' Association—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BIRDSALL, Chairman.

Assembly Concurrent Resolution No. 39 ordered on file.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

On motion of Senator Birdsall, the Senate took up the consideration of Assembly Concurrent Resolution No. 39, out of order.

ASSEMBLY CONCURRENT RESOLUTION No. 39.

Relative to the proposed transcontinental tour under the auspices of the Indiana Automobile Manufacturers' Association.

WHEREAS, It is announced that the Indiana Automobile Manufacturers' Association is planning a transcontinental tour of the Pacific Coast, starting from the city of Indianapolis on July 1, 1913; and

WHEREAS, Such transcontinental tour is being arranged on a magnificent scale and will be in the nature of a pathfinding tour for the proposed ocean-to-ocean highway; and

Whereas, Because of the publicity attending such a loss and because of the public interest attached to production by the united efforts of the automobile manufacturers of the State of California, the accomplishment of this loss will give great impetus to the movement for a permanent national economic stability; and

Whereas, The State of California is vitally interested in such a national policy which will create for motor vehicles, including but not by way of limitation trucks, truck trailers, wrecking, towing, tractor, fire apparatus and like motor vehicles, the same rights and privileges as are granted to other vehicles; and

Whereas, The State of California is vitally interested in such a national policy which will create for motor vehicles, including but not by way of limitation trucks, truck trailers, wrecking, towing, tractor, fire apparatus and like motor vehicles, the same rights and privileges as are granted to other vehicles; and

Resolved by the Assembly, the Senate concurring, That public approval of the plan and purpose of said Automotive Loss of Production be and hereby is expressed; and be it further

Resolved, That the Governor of the State of California be and he is hereby requested to extend public welcome and hospitality to the representatives of said Loss and to invite them to address a joint session of the Legislature of the State of California at such time as may be convenient to them during their visit within the State of California for the purpose of explaining said Loss; and be it further

Resolved, That a copy of this resolution be sent to the Honorable John [illegible] Manager of Transportation Activities of the United States War Department, and to the National Automobile Manufacturers' Association.

The question being on the adoption of the resolution

The roll was called and Assembly Concurrent Resolution No. 29 adopted by the following vote:

Ayes—Senators Ashwill, Jones, Burgin, Byrne, Caldwell, Campbell, Carr, Cassidy, Cline, Dilley, Dennis, Harris, Hatfield, Kenny, Langlé, Marr, Rhodes, Shelley, Stanford, Strother, Swanson, Tenney and Weaver—21.

Noes—None.

Concurrent resolution ordered transmitted to the Assembly.

MESSAGE FROM ASSEMBLY (CONCURRED)

ON ASSEMBLY BILL NO. 1202

SENATE CHAMBER, SACRAMENTO, May 9, 1945.

Mr. President: I am directed to inform the Senate that the Assembly has concurred in Senate Amendments to Assembly Bill No. 1202, An act to amend Section 1078 of the Penal Code of the State of California, relating to the collection of bail fees.

Also Assembly Bill No. 1202, An act to amend Section 1 of an Act entitled "An Act to provide for the location in the State of California of lands granted to the State of California by the United States and to provide for the management, sale, lease or other disposition of said lands, or other lands granted or to be granted to the State of California by the United States, and to provide for the disposition of the proceeds of the sale, lease or other disposition of said lands, or other lands granted or to be granted to the State of California by the United States, and to provide for the management of the land so much right, title and interest as the State of California may have in and to the lands

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 321—An Act to amend Section 1665a of the Political Code of the State of California relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one half, second, and second and one half classes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

AVEY, Chairman.

Assembly Bill No. 321 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 1391—An Act to amend Section 4277 of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

Also: Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BREED, Chairman.

Senate Bill No. 1391 ordered on file for second reading.

Assembly Bill No. 367 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Also: Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Also: Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Also: Assembly Bill No. 2066—An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BREED, Chairman.

Assembly Bills Nos. 689, 690, 2121 and 2066 ordered on file for second reading.

CONSIDERATION OF BILLS OUT OF ORDER.

Senator Thompson asked and was granted, unanimous consent to take up for consideration, out of order, for second reading, Senate Bill No. 1391 and Assembly Bill No. 367, ordered on file this day.

Senate Bill No. 1391—An Act to amend Section 4277 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

During second reading of the bill, the following amendment was offered by the committee:

AMENDMENT No. 1.

Strike out all of lines 1 to 16, inclusive, on page 1, and all of page 2, and in lieu thereof insert the following:

SECTION 1. Section four thousand two hundred seventy-seven of the Political Code of the State of California is hereby amended to read as follows:

4277. In counties of the forty-eighth class the county officers shall receive, as

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Assembly Bill No. 1611—An act to amend Section 4171 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

During second reading of the bill, the following amendment was offered by the committee:

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 31—Relative to leave of absence for Senators.

Also: Senate Concurrent Resolution No. 33—relative to leave of absence for certain state officials.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

BOYNTON, Chairman.

Senate Concurrent Resolutions Nos. 31 and 33 ordered on file.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Birdsall, the Senate took up the consideration of Assembly Bill No. 1600 for second reading, out of order.

Assembly Bill No. 1600—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

During second reading of the bill, the following amendments were offered by Senator Birdsall:

AMENDMENT No. 1.

On page 3, line 22, strike out the word "clerk".

Amendment adopted.

AMENDMENT No. 2.

On page 5, line 9, immediately following the period (.), insert the following: "In the superior court"; also strike out the capital "J" in "Juror's", and insert in lieu thereof a small "j".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

RECESS.

At three o'clock and fifteen minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until four o'clock and thirty minutes p.m.

RECONVENED.

At four o'clock and thirty minutes p.m., the Senate reconvened. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Caminetti: Permission to introduce a Senate bill—An Act to provide for a census of the Japanese population of California; to provide for the gathering, compiling, printing and distribution of statistics and information regarding Japanese in this State and concerning the class and acreage of lands and the value and number of city and town lots, owned or leased by Japanese in California, and making an appropriation to carry out the purposes of this Act.

Request referred to Committee on Introduction of Bills.

MESSAGE FROM THE ASSEMBLY—NOTICE OF CHANGE

On motion of Senator Boynton, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1211—An Act to appropriate fifteen thousand dollars for the purposes of the Court of the Hundred and Twenty-first Cavalry, a composite,

J. W. MALLETT, Chief Clerk of Assembly.
By THOMAS M. WOLFE, Assistant Chief.

Assembly Bill No. 1071 read first time and ordered to Committee on Judiciary.

Also

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1—An Act to amend Section 27 of the Civil Code, relating to who are citizens.

Also: Assembly Bill No. 1211—An Act to [illegible] the [illegible] of [illegible] and the [illegible] [illegible] to the State of California, to provide for the [illegible] the [illegible] and maintenance of [illegible] [illegible] to establish [illegible] by the Board of Regents of the University of California, to [illegible] the [illegible] of [illegible] at [illegible] [illegible] to establish [illegible] to the Board of Regents of the University of California, and to provide [illegible] [illegible].

Also: Assembly Bill No. [illegible]—An Act to amend Section [illegible] of the Penal Code of the State of California, relating to [illegible] [illegible].

Also: Assembly Bill No. 1240—An Act to [illegible] the [illegible] [illegible] and maintenance of [illegible] [illegible] during [illegible] of [illegible], providing for [illegible] of the moneys by the Board of Labor Statistics, and providing for a penalty for [illegible] thereof.

J. W. MALLETT, Chief Clerk of Assembly.
By THOMAS M. WOLFE, Assistant Chief.

Assembly Bill No. 1 read first time and referred to Committee on Judiciary.

Assembly Bill No. 222 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1196 read first time, and referred to Committee on Judiciary.

Assembly Bill No. [illegible] read first time, and referred to Committee on Labor and Capital.

Also

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 741—An Act to create an Art entitled An Act to provide for the organization of the Railway Commission, to define its powers and duties and the duties, compensation, powers and duties of certain officers, to abolish [illegible] [illegible] and to provide penalties for violations of certain provisions, to repeal [illegible] and [illegible] and [illegible] [illegible] [illegible]

entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 743 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 2074 read first time and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California defining the powers and duties of boards of school trustees and city boards of education.

Also, Assembly Bill No. 1334—An Act to amend Sections 339 and 340 of the Code of Civil Procedure of the State of California, relating to time of commencing actions other than for the recovery of real property.

Also, Assembly Bill No. 592—An Act to amend Sections 1560 and 1561 of the Political Code, relating to teachers' institutes.

Also, Assembly Bill No. 2110—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the overflow from any irrigation system, conduit or canal, or both, for the purpose of saving and conserving any storm water or any water for beneficial and useful purposes, for the construction of the necessary works of conserving and conservation of such storm or flood waters as aforesaid, and for the levying of taxes and assessments to pay for the cost of construction, operation and maintenance of such works," approved March 13, 1909.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 614 and 592 read first time, and referred to Committee on Education.

Assembly Bill No. 1334 read first time and referred to Committee on Judiciary.

Assembly Bill No. 2110 read first time and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 667—An Act to amend Sections 1, 2, 6 and 16, and repealing Section 17 of an Act entitled "An Act providing for the issuance of [illegible] bonds [illegible] improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to the [illegible] and enforcement of [illegible] bonds.

Also: Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to [illegible] the state barber [illegible] and [illegible] purpose of the purpose of regulating barbers and their occupation and the sanitation of barber [illegible] ants, and necessary clerical, expert, and other assistants; defining the powers and [illegible] and [illegible] relating to the [illegible] and examination of [illegible] and [illegible] and the [illegible] of [illegible] [illegible] the examination of [illegible] relating to sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

Also, Assembly Bill No. 881—An Act to amend Sections 1917, 1918, 1919 and 1920 of the Civil Code, and to add a new section to said code to be designated as Section 1921, relating to the loan of money, and the rate of interest to be allowed and charged therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 667 and 881 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1487 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1912.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1420, An Act to amend Section 1 of an Act entitled "An Act to provide for a tax on gross license receipts of corporations," approved March 31, 1911, and amending Section 3 of said Act, and has requested the Senate to concur therein.

Also: Assembly Bill No. 1866, An Act to provide for the establishment, construction, maintenance, operation, repair and improvement of wharves, docks, piers, slips, warehouses, elevators, grain and coal conveyors, tracks, and other terminal or harbor facilities, and other works, property and rights, and the condemnation of the same and appropriate funds therefor by municipalities, and for the consent of municipalities thereto by ordinance, and authorizing and providing for the issuance of bonds by municipalities, and providing for the payment of the cost and expense thereof from the proceeds of the bonds and otherwise, and providing for the payment annually thereof, was passed by the Assembly May 2, 1912.

Also: Assembly Bill No. 1897, An Act to amend Section 1368 of the Penal Code of the State of California, relating to the punishment of persons convicted for crimes where a prior or former conviction of crime is charged, and the ascertainment of such prior or former conviction, and providing for the punishment of persons convicted of more than one crime of felony, and for the punishment of persons convicted after two previous convictions of felony, was passed by the Assembly May 2, 1912.

Also: Assembly Bill No. 1939, An Act to amend Section 1368 of the Penal Code, relating to the punishment of persons convicted of more than one felony, and to repeal an Act entitled "An Act to amend Section 1368 of the Penal Code, relating to the punishment of persons convicted of more than one felony," approved March 23, 1911, was passed by the Assembly May 2, 1912.

J. M. HALLETT, Chief Clerk of Assembly.
By Thomas H. Wilson, Assistant Chief.

Assembly Bills Nos. 1941 and 1123 read first time and referred to Committee on Printing.

Assembly Bill No. 2003 read first time and referred to Committee on Municipal Corporations.

Assembly Bill No. 1912 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1912.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1420, An Act to amend Section 1 of an Act entitled "An Act to provide for a tax on gross license receipts of corporations," approved March 31, 1911, and amending Section 3 of said Act, and has requested the Senate to concur therein.

Also: Assembly Bill No. 1866, An Act to provide for the establishment, construction, maintenance, operation, repair and improvement of wharves, docks, piers, slips, warehouses, elevators, grain and coal conveyors, tracks, and other terminal or harbor facilities, and other works, property and rights, and the condemnation of the same and appropriate funds therefor by municipalities, and for the consent of municipalities thereto by ordinance, and authorizing and providing for the issuance of bonds by municipalities, and providing for the payment of the cost and expense thereof from the proceeds of the bonds and otherwise, and providing for the payment annually thereof, was passed by the Assembly May 2, 1912.

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J. M. HALLETT, Chief Clerk of Assembly.
By Thomas H. Wilson, Assistant Chief.

Assembly Bills Nos. 1123, 1941 and 2003 read first time, and referred to Committee on Printing.

Assembly Bill No. 1912 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1941 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1912.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1420, An Act to amend Section 1 of an Act entitled "An Act to provide for a tax on gross license receipts of corporations," approved March 31, 1911, and amending Section 3 of said Act, and has requested the Senate to concur therein.

Also: Assembly Bill No. 1866, An Act to provide for the establishment, construction, maintenance, operation, repair and improvement of wharves, docks, piers, slips, warehouses, elevators, grain and coal conveyors, tracks, and other terminal or harbor facilities, and other works, property and rights, and the condemnation of the same and appropriate funds therefor by municipalities, and for the consent of municipalities thereto by ordinance, and authorizing and providing for the issuance of bonds by municipalities, and providing for the payment of the cost and expense thereof from the proceeds of the bonds and otherwise, and providing for the payment annually thereof, was passed by the Assembly May 2, 1912.

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the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Also: Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 2128, 2129, 2132 and 2136 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1083 read first time, and referred to Committee on Agriculture.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 36—Relative to granting to the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days.

Also: Assembly Concurrent Resolution No. 35—Relative to the Governor making temporary appointments to fill vacancies that may happen in the representation of the State of California in the Senate of the United States.

Also: Assembly Concurrent Resolution No. 42—Relative to special joint rule.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolutions Nos. 42 and 36 referred to Committee on Rules.

Assembly Concurrent Resolution No. 35 read first time, and referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

Also: Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under Title XVI thereof, to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

Also: Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2104 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 7 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1119 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1016, An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for municipal purposes.

Also: Assembly Bill No. 59, An Act to amend Sections 1893, 1894 and 1895 of the Political Code of the State of California, relating to the first Tuesday after the first Monday of each year.

Also: Assembly Bill No. 841—An Act to amend Section 4041 of the Political Code, relating to road districts, road commissioners and road engineers.

Also: Assembly Bill No. 1001—An Act to amend Section 4041 of the Political Code relating to the appointment of the road commissioner and payment of expenses of engineer of Supervisor Court.

Also: Assembly Bill No. 1011—An Act to amend Section 4007 of the Political Code of the State of California, relating to the duties and powers of the county road commissioners for the fixed and the [illegible].

Also: Assembly Bill No. 401—An Act to amend Section 882 of the Penal Code of the State of California relating to illegal votes or acts of intimidating persons.

J. W. MALLORY, Chief Clerk of Assembly.
By Thomas G. Watson, Assistant Clerk.

Assembly Bills Nos. 2111 and 1121 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 59 and 841 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1011 read first time, and referred to Committee on Education.

Assembly Bill No. 401 read first time, and referred to Committee on Public Morals.

[illegible] OF MOTOR VEHICLES ON PUBLIC HIGHWAYS.

Assembly Bill No. 1016—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer or acceptance by certain persons of any loans or discounts or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conflict or inconsistent with this Act.

Read first time.

The question being on the passage of the bill

The roll was called

CALL OF THE SENATE.

Pending the announcement of the vote Senator Thompson moved a call of the Senate.

Motion carried.

Time: four o'clock and fifty-five minutes p. m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Flint, Gates, Hewitt, Jones, Juilliard, Mott, Owens, Shanahan, Strobridge, Thompson, and Wright—21.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock p.m., Senators Kehoe, Regan, Beban, Grant and Hans were brought to the bar of the Senate, and, on motion of Senator Thompson, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Thompson.

The roll of absentees was called, and Assembly Bill No. 2095 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Carr, Cogswell, Curtin, Flint, Hewitt, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Sanford, Strobridge, Thompson, and Wright—25.

NOES—Senators Caminetti, Campbell, Johnson, and Regan—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 847—An Act to amend an Act entitled "An Act to prescribe the salary of conductors and brakemen upon railroads in operating cabooses carried by railroads to properly move their trains," approved February 20, 1913—report that we have met a like committee of the Assembly consisting of Assemblymen Sutherland, Smith and Richardson, and we report that the two committees cannot agree upon and recommend that the Senate concur in the Assembly amendments, and that Senate Bill No. 847 be further amended as follows:

AMENDMENT NO. 1.

On page 2, line 24, strike out the semicolon and in lieu thereof insert a colon.

AMENDMENT NO. 2.

On page 2, line 17, strike out the words "two and three" and in lieu thereof insert the words "one and two."

KEHOE,
BOYNTON,
CAMINETTI,
Senate Committee on Free Conference.

SUTHERLAND,
SMITH,
RICHARDSON,
Assembly Committee on Free Conference.

The question being on the adoption of the report of the committee on free conference and the amendments.

The roll was called and the report of the committee on free conference and the amendments adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Curtin, Flint, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lackas, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority, and, on that behalf, to create a state civil service commission and to make an appropriation therefor.

On motion of Senator Wendelken, Assembly Bill No. 2080 was passed on file.

Assembly Bill No. 2090—An Act making an appropriation for the location, survey, construction, and improving of a state highway from the town of Hamburg in Eldorado County, thence in a southeasterly direction by the most feasible route to Pine Grove, in Lagrand County.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2090 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bond, Brown, Burnett, Caminetti, Campbell, Carey, Chandler, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hare, Harris, Hewitt, Jones, Juilliard, Kehoe, Leale, Leavitt, Lewis, Lukens, Macdonald, Mahoney, Owens, Phelan, Pulcifer, Rigdon, Roseberry, Rush, Sanford, Shanahan, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Welch, Wendelken, Wolfe, Wyllie and Mr. President—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Pursuant to the notice given on a previous day, Senator Thompson moved to reconsider the vote whereby Assembly Bill No. 944—An Act to form agricultural districts, to provide for the formation, extension and powers of agricultural associations thereof and for the management and control of the same, for the holding of annual and fairs exhibitions and displays, creating a commission to select the location or site for such fairs, exhibitions or expositions, appropriating money to pay the expenses of such commission, and repealing all Acts and parts of Acts inconsistent with this Act—was passed.

The question being on the motion to reconsider.

The roll was called and the vote whereby Assembly Bill No. 944 was passed reconsidered by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Bond, Brown, Burnett, Caminetti, Campbell, Carey, Chandler, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hare, Harris, Hewitt, Jones, Juilliard, Kehoe, Leale, Leavitt, Lewis, Lukens, Macdonald, Mahoney, Owens, Phelan, Pulcifer, Rigdon, Roseberry, Rush, Sanford, Shanahan, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Welch, Wendelken, Wolfe, Wyllie and Mr. President—40.

Noes—None.

[illegible]

Senator Thompson moved to refer to Senator Wendelken, as a special committee of one, to amend as follows:

Amendment No. 1

[illegible]

AMENDMENT No. 2.

On page 3, strike out of lines 11, 12 and 13 the following: "Each board of directors appointed and organized under the provisions of this Act shall be known as California Agricultural Association No. ———", and insert in lieu thereof the following: "Every association so formed and organized is hereby declared and shall be recognized as a state institution and shall be known and designated by the name of ——— District Agricultural Association."

AMENDMENT No. 3.

On page 3, line 18, after the word "beautify", insert a comma and the word "improve".

AMENDMENT No. 4.

On page 3, line 23, after the word "institution", insert a comma and the following: "for and in the name of the state,".

AMENDMENT No. 5.

On page 3, line 28, strike out the word "must", and insert in lieu thereof the word "may".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 944, with instructions to amend, respectfully reports the same back, amended as per instructions.

STROBRIDGE, Committee.

Report read and adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 207, "An Act to amend the Penal Code by adding a new chapter to Title IX of Part I thereof; to preserve one day in the week as a day of rest, and to promote health, morals and the public welfare" and report that the same has been correctly engrossed.

GRANT, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 62, "A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation", have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

GATES, Chairman.

Assembly Constitutional Amendment No. 62 ordered on file.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on site near the ferry building in the city and county of San Francisco; arranging for its upkeep by said city and county.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1347 passed by the following vote:

Ayes—Senators Anderson, Boden, Burnett, Elsol, Rowe, Savage, Roseberry, Caminetti, Chandler, Cogswell, Cutten, Finn, Griffin, Hans, Hiller, Inman, Owens, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Sanford, Shoemaker, Stanton, Wallace, Wyllie, Hall and Tyrrell—28.

Noes—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1376—An Act to provide for locating, surveying and maintaining a state highway from Pescadero, in the county of San Mateo, to the Santa Cruz County line, to connect with a road in the California Redwood Park, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 285 passed by the following vote:

Ayes—Senators Anderson, Boden, Burnett, Elsol, Rowe, Savage, Roseberry, Caminetti, Chandler, Cogswell, Cutten, Finn, Griffin, Hans, Hiller, Inman, Owens, Hewitt, Juilliard, Kehoe, Mott, Owens, Regan, Sanford, Shoemaker, Stanton, Wallace, Wyllie, Hall and Tyrrell—33.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1376—An Act providing for the investigation by the State Conservation and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter waste, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 797 passed by the following vote:

Ayes—Senators Anderson, Avey, Boden, Burnett, Rowe, Savage, Roseberry, Caminetti, Cogswell, Cutten, Finn, Griffin, Hans, Hewitt, Inman, Juilliard, Kehoe, Mott, Owens, Regan, Sanford, Shoemaker, Stanton, Wallace, Wyllie, Hall and Wright—33.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1230—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College, and making appropriations therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1230 passed by the following vote:

Ayes—Senators Anderson, Avey, Boden, Burnett, Elsol, Rowe, Savage, Roseberry, Caminetti, Chandler, Cogswell, Cutten, Finn, Griffin, Hans, Hiller, Inman, Owens, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Sanford, Shoemaker, Stanton, Tyrrell and Wright—34.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1741—An Act to provide for removing obstructions

in Pit River above the mouth of Hat Creek so as to enable saloons to reach the watering grounds on the upper points of said river and its tributaries, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1741 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Inman, Jones, Leviston, Rigdon, Roseberry, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1510—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners employed in any state prison or reformatory of this State, and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations, and making an appropriation for the purpose of carrying out the provision of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1510 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Hans, Inman, Jones, Leviston, Rigdon, Roseberry, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson and Wright—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Cogswell gave notice that he would on the next legislative day move to reconsider the vote whereby Assembly Bill No. 1515 was this day passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1570 passed by the following vote:

Ayes—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Hans, Inman, Jones, Leviston, Rigdon, Roseberry, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson and Wright—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Amendments of Bills, to whom was referred the request of Senator Caldwell for amendment of Assembly Bill entitled "An Act to provide for a census of the business population of California; to provide for the collection, collation and distribution of statistics and information regarding business in this State and concerning the class and acreage of lands and the value and number of city and town lots owned or leased by Japanese in California, and making an appropriation to carry out the purposes of this Act," have had the same under consideration, and respectfully report the same back, and recommend that the request be granted.

JAMES ROLPH, Chairman.

The question being on the adoption of the report,

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Avey, Bolton, Brown, Burnett, Burnett, Caminetti, Campbell, Cartwright, Chan, Chapman, Colton, Cronin, Gillett, Hewitt, Hoyt, Hunt, Inman, Jones, Kehoe, Leavitt, Lewis, Lyon, Mahan, Rolph, Saunders, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wyllie, Young—36.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced:

By Senator Caminetti: Senate Bill No. 1156—An Act to provide for a census of the business population of California; to provide for the gathering, compiling, printing and distribution of statistics and information regarding business in this State and concerning the class and acreage of lands and the value and number of city and town lots owned or leased by Japanese in California, and making an appropriation to carry out the purposes of this Act.

Bill read first time, and referred to Committee on Finance.

REQUEST FOR RETURN OF BILL.

Senator Jones moved that the Senate request the Assembly to return Senate Bill No. 152.

Motion carried.

WORK ANIMALS OF STATE—APPROPRIATION.

Assembly Bill No. 1286—An Act to authorize the State Board of Health to procure and purchase live or dead animals virus and other preparations and appliances for the prevention of disease; and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1286 passed by the following vote:

AYES—Senators Anderson, Avey, Bolton, Brown, Burnett, Burnett, Caminetti, Campbell, Cartwright, Chan, Chapman, Colton, Cronin, Gillett, Hewitt, Hoyt, Hunt, Inman, Jones, Kehoe, Leavitt, Lewis, Lyon, Mahan, Rolph, Saunders, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wyllie, Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 53—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 65 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Bryant, Campbell, Carr, Cogswell, Curtin, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Sanford, Thompson, and Wright—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology, and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1461 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Butler, Carr, Cogswell, Curtin, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Sanford, Thompson, and Wright—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 422—An Act to provide for and regulate primary elections and providing for the election of candidates at such primary elections, and providing the method whereby electors may express their choice at such primary elections for United States Senator, and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911, and the amendments thereto—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HEWITT, Chairman.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Thompson asked, and was granted, unanimous consent to take up for consideration Senate Bill No. 422, out of order, for second reading.

Senate Bill No. 422—An Act to provide for and regulate primary elections and providing for the election of candidates at such primary elections, and providing the method whereby electors may express their choice at such primary elections for United States Senator, and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political

parties may express their choice at such primary elections for United States Senator," approved March 24, 1909,[1] approved April 7, 1911, and the amendments thereto.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1

Title page, page 1, line 1, of the title, commencing on line 1 of the title and the words "and providing for the conduct of nominations to fill vacancies occurring" and inserting in lieu thereof the following: "providing for the nomination of candidates for United States Senator" and at the second session after the following: "the nomination of candidates for public office and the conduct of delegates to party conventions".

Amendment adopted.

AMENDMENT No. 2

Title page, page 1, line 11 of the text of the title and the words "approved April 7, 1911, and the amendments thereto," and on line eleven inserts the following: "approved April 7, 1911 and all Acts amendatory thereof and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act."

Amendment adopted.

AMENDMENT No. 3

Title page, page 1, line 1, commencing on line 3, of page 1, strike out the words "thereto and relating to this Act which follow" down to and including line 5 of the title page, on page 1, and all of page 2 of the bill, and insert in lieu thereof the following:

"This Act shall be known and may be cited as the 'Direct Primary Law.'

"Sec. 2. The following words when used in this Act shall have a different meaning, or a greater extension for the purpose, be construed as follows:

1. The term 'primary election' shall mean any and every election held under the provisions of this Act, for the purpose of nominating candidates for public office, or for the election of delegates to party conventions.

2. The term 'Australian primary election' shall mean the primary election held in accordance with the provisions of this Act, for the purpose of nominating candidates for public office, or for the election of delegates to party conventions.

3. The term 'Australian primary election' shall mean the primary election held on May 15 next hereafter, or any other day hereafter appointed for the regular primary election of the political parties in the respective States participating in the regular primary election of a candidate for nomination of the United States Senator.

4. The term 'party committee' shall mean any political party, or any committee of a political party, or any committee of a political party, or any committee of a

qualified as a political party in accordance with the provisions contained in section four hereof.

14. The term "city clerk" shall mean the clerk or secretary of the legislative body of any city or municipality.

15. The term "hold-over senator" shall mean a state senator whose term of office extends beyond the first Monday in January of the year next ensuing after the primary election. The term "hold-over senatorial district" shall mean the district represented by such hold-over senator.

SEC. 3. In every county and city and county in this state, having a registrar of voters or registrar of voters and a board of election commissioners, the powers conferred and the duties imposed in this statute upon county clerks and other officers, in relation to elections, shall be exercised and performed by such registrar of voters, or registrar of voters and board of election commissioners; and all nomination papers, list of candidates, expenses, and oaths of office, required by this statute to be made to county clerks, shall be filed with the registrar of voters.

SEC. 4. A political party shall be recognized as such, and shall be entitled to participate in a primary election, only when, prior to the date of such primary election, it shall have complied with one or more of the following three conditions:

1. If it participated as a political party in the last preceding November election and any candidate nominated by it, and by no other political party, for any office voted on throughout the state polled at least three per cent of the entire vote of the state or if at such election a candidate nominated by it and any other political party for such office polled at least six per cent of such vote.

2. If on or before the fiftieth day prior to any primary election, at least three per cent of the qualified electors then registered throughout the state, shall have declared and stated in their affidavit of registration that they intend to affiliate with such political party.

3. If on or before the fiftieth day prior to any primary election, there shall be filed with the secretary of state a petition, setting forth the intention of the parties signing the same to form a political party and the name which they intend to adopt for such party, which name shall not be so similar to the name of an existing political party as to mislead voters. Such petition must be signed by registered qualified electors equal in number to at least three per cent of the entire vote of the state polled at the last preceding November election, and the signatures thereto certified by the county clerk and transmitted to the secretary of state substantially in the same manner as provided by this Act for the signing, certification and transmission of nomination papers for state offices.

SEC. 5. On the fiftieth day before the first Tuesday in May and on the fiftieth day before the last Tuesday in August of each even-numbered year, the county clerk of each county shall certify to the secretary of state the total number of electors registered in his county since the first day of January next preceding, the total number of electors who have declared and stated in their affidavits of registration the political party with which they intend to affiliate, the name of each such political party and the number of registered electors intending to affiliate with it and also the number of registered electors declining or failing to declare a party affiliation in their affidavits of registration.

The certificate so filed shall be conclusive as to whether or not, at the time of the filing thereof, a political party has qualified under the provisions of subdivision two of section four hereof.

SEC. 6. All candidates for elective public offices shall be nominated as follows:

1. By direct vote at primary elections held in accordance with the provisions of this Act; *provided*, that electors of president and vice-president of the United States shall be nominated as provided in subdivision one of section forty-one of this Act; or

2. By independent nomination in the manner provided by Section 1188 of the Political Code, (as said section was enacted at the forty-th session of the legislature); *provided, however*, that any person who has filed a nomination paper and has had his name printed upon the official ballot at a primary election and is not nominated to the office for which he is candidate at such primary election, shall be ineligible for nomination to the same office at the ensuing final election.

SEC. 7. The provisions of this Act shall not apply to the nomination of candidates to be voted upon at a special election to fill vacancies; or to the nomination of candidates for any municipal or county office, where the charter of such municipality or county provides a system for the nomination of such candidates; or to the nomination of candidates for office in any other political district not formed for municipal purposes and other than a township, or to the nomination of freeholders to be elected for the purpose of framing a charter; or to the nomination of candidates for office in cities of the sixth class.

SEC. 8. The August primary election shall be held throughout the state at the legally designated polling place in each precinct therein, on the last Tuesday in August of each even-numbered year for the purpose of nominating candidates for office to be voted for at the next ensuing November election. At least forty days prior to the time of holding each August primary election, the secretary of state shall certify to each county clerk the offices for which candidates are to be nominated at such August

primary election and the names of the political parties entitled to participate thereon. Within ten days after the receipt of such certificate each county clerk shall provide an equal number of ballots for each political party entitled to participate in such primary election, and shall distribute the same to the polling places in his county in the manner provided by law for the distribution of ballots for general primary elections.

Sec. 3. The day of the general primary election next following the day of the May primary election shall be the day for the election of delegates to the national convention of each political party entitled to participate in such primary election, and the polls for such election shall be opened and the votes thereat canvassed in the manner provided by law for the election of delegates to the national conventions of political parties at the May primary election next preceding the day of such election. No candidate for delegate to such convention shall be entitled to receive votes for such office at such election unless his name shall have been presented to the county clerk of the county in which such election is to be held, in the manner provided by law for the presentation of the names of candidates for delegates to the national conventions of political parties at the May primary election next preceding the day of such election, and no votes cast for any person for such office shall be counted unless such person shall be a candidate whose name was presented to the county clerk as aforesaid. The ballots to be used at such election shall be printed, distributed and returned by the county clerk in the manner provided by law for the printing, distribution and return of ballots for the May primary election next preceding the day of such election, and the election shall be held, conducted and returned in the manner provided by law for the holding, conducting and returning of the May primary election next preceding the day of such election.

Sec. 4. Any person who is a candidate for delegate to the national convention of any political party entitled to participate in such primary election, and who desires to have his name printed upon the ballots to be used at such election, shall, not more than twenty days nor less than ten days before the day of such election, file with the county clerk of the county in which such election is to be held, a petition in writing, signed by not less than one hundred electors of such county, who are members of the political party which such candidate desires to represent in such convention, requesting that the name of such candidate be printed upon the ballots to be used at such election. Such petition shall state the name of the candidate and the political party which he desires to represent in such convention, and shall be substantially in the following form:

PETITION FOR NOMINATION AS DELEGATE TO NATIONAL CONVENTION.

We, the undersigned, electors of the county of ..... and State of Illinois, hereby petition that the name of ..... be printed upon the ballots to be used at the primary election to be held in said county on the ..... day of ....., A. D. 19..., as a candidate for delegate to the national convention of the ..... party.

Residence.

.....

.....

.....

2. Any five registered qualified electors of the county, or of the municipality, if desiring to propose a candidate to be voted upon at a primary election, may jointly propose such candidate and appoint verification deputies by filing with the proper officer a certificate of appointment, verified by each of said electors, containing the name and residence of the candidate; the names and residences of the signers thereof and of the verification deputies, and a statement that the candidate thereon named has consented to be thus proposed, which certificate shall be in substantially the following form:

ELECTORS' APPOINTMENT OF VERIFICATION DEPUTIES.

STATE OF CALIFORNIA, }
County of _____ } ss.

We, the undersigned, do solemnly swear (or affirm) that we are each qualified electors of the (county) of _____, State of California, (and that we are each registered as intending to affiliate with the _____ party;) and we do hereby propose _____, whose residence is _____, county of _____, as a candidate for the nomination (of such party) for the office of _____, to be voted for at the primary election to be held on the _____ day of _____, 19__; and we do solemnly swear (or affirm) that said _____ has consented to this proposal of his name as candidate for the nomination for said office. We hereby appoint the following registered qualified electors as verification deputies to obtain signatures in this county to the nomination paper of said _____ to said office of _____.

VERIFICATION DEPUTIES.

Name.	Residence.
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
etc.	etc.

If the candidate is to be voted upon in more than one county, he may, in like manner, be proposed for nomination, and verification deputies may be appointed, by the joint action of five registered qualified electors in each county in which such electors may desire to circulate a nomination paper in his behalf.

3. If the candidate is proposed as a candidate for a political party the certificate appointing registration deputies must contain a statement of the name of such political party and all of the electors proposing such candidate must have stated in their affidavit of registration that they intend to affiliate with such political party.

4. When the office is a non-partisan office, no statement of the party affiliation of the candidate for nomination to such office or of the party affiliation of any verification deputy, or other person, shall be required or made in any certificate appointing the verification deputies of such candidate nor shall any reference to a political party be required or made in such certificate, and a candidate for such office shall not be a party candidate.

SEC. 13. The nomination paper of a candidate to be voted upon at a primary election may be presented and filed in sections. Each section shall contain the name and residence of the candidate, the name of the county and also the name of the city, if any, within which it is circulated; and the residences and precinct numbers of the signers thereof.

There shall be attached thereto the affidavit of the verification deputy who has obtained signatures to the same, stating that all the signatures to such section were made in his presence, and that to the best of his knowledge and belief, each signature to the section is the genuine signature of the person whose name it purports to be; and no other affidavit thereto shall be required. Each section and affidavit shall be in substantially the following form:

FORM OF NOMINATION PAPER.

County of _____, city (or town) of _____ (if any). Nomination paper of _____, candidate for the (_____ party) nomination for the office of _____.

STATE OF CALIFORNIA, }
County of _____ } ss.

SIGNER'S STATEMENT.

I, one of the undersigned, a qualified elector of (the city (or town) of _____), county of _____, State of California; (registered as intending to affiliate with the _____ party,) hereby nominate _____, who resides at

No. ..... Senate, Of the [illegible] day of ..... 19.. and [illegible] county of ..... State of California, are as candidates for nomination [illegible] party for the office of ..... at the [illegible] to be held on the ..... day of ..... 19.. I [illegible] the nomination [illegible] and I further declare that I [illegible] for such nomination. [illegible]

No.	Name	Residence	Occupation	Age
1				
2				
3				
4				
5				

Dated .....

(Signed) .....

Subscribed and sworn to before me this ..... day of ..... 19..

(Official Title)

Sec. 13. Nominating papers of a candidate must be signed only by registered qualified electors entitled to vote for such candidate at the election pursuant thereto, and the party affiliation which any [illegible] to which affiliation, and no [illegible]

Any person who is a candidate for election [illegible] and [illegible] nominating [illegible] shall be entitled to withdraw [illegible] of such [illegible] [illegible] Any vacancy in a nomination [illegible] caused by withdrawal, death or [illegible] [illegible] an unincorporated city [illegible]

Sec. 14. Nominations to fill vacancies [illegible] of a candidate [illegible] [illegible] and subject to the [illegible] provided [illegible] of the [illegible] [illegible] [illegible]

When the office is a non-partisan office, no statement of the party affiliation of the candidate for nomination to such office, or of the party affiliation of the signer thereof, or other person, shall be required or made in any nomination paper or section thereof, nor shall any reference to a political party be made or required in such nomination paper, and a candidate for such office shall not be a party candidate and his nomination paper may be signed by any qualified, registered elector.

SEC. 16. The number of signatures upon a nomination paper shall be determined as follows:

1. If the candidate is proposed as the candidate of a political party for an office to be voted upon throughout the state, the nomination paper of such candidate must be signed by not less than one half of one per cent or more than two per cent of the highest vote polled at the last preceding November election by any candidate for an office voted upon throughout the state and nominated by that political party and by no other political party, or if such political party did not have any such candidate at such election, by not less than one half of one per cent or more than two per cent of the number of qualified electors registered on the fiftieth day prior to the primary election as intending to affiliate with such political party, or if the party recognition of such political party was obtained under the provisions of subdivision four of section three hereof, and not otherwise, by not less than one third or more than one half of the number required to entitle such party to recognition.

2. If the candidate is proposed as the candidate of a political party for an office to be voted upon in one or more political subdivisions of the state, but not throughout the state, the nomination paper of such candidate must be signed by not less than one per cent or more than two per cent of the highest vote polled at the last preceding final election by any candidate for the same office nominated by that political party and by no other political party; or if such political party did not have any such candidate at such election, by not less than one per cent or more than two per cent of the number of qualified electors entitled to vote for such proposed candidate and registered on the fiftieth day prior to the primary election as intending to affiliate with such political party; or if the party recognition of such political party has been obtained under the provisions of subdivision three of section four hereof, the nomination paper must be signed by not less than one half of one per cent or more than two per cent of the total vote cast at the last preceding final election for all candidates for the particular office for which the candidate is proposed for nomination.

3. If the candidate is proposed as a candidate for nomination for a non-partisan office, he shall not be proposed as the candidate of any political party, and the nomination paper of such candidate must be signed by not less than one half of one per cent nor more than two per cent of the highest vote polled at the last preceding final election for all candidates for the particular office for which the candidate is proposed for nomination.

SEC. 17. Each section of the nomination paper of any candidate, after being verified, shall be returned by the circulator, deputy to the candidate, if he was appointed by such candidate, or if he was not appointed by such candidate, to one of the four electors by whom he was appointed. The sections of said nomination paper shall then be fastened or bound together by cities or towns or portions of the county not included in such city or town. The nomination papers of candidates to be voted for in more than one county or throughout the entire state, properly assembled, may be consolidated and fastened or bound together by counties, but in no case shall nomination papers signed by electors of different counties be fastened or bound together. All nomination papers which by the provisions of this Act are required to be filed in the office of the secretary of state shall be delivered for examination to the county clerk of the county in which the signatures to such nomination papers were obtained, at least forty-two days prior to the August primary election or the November election. The county clerk shall thereupon examine the signatures on such nomination papers and shall disregard and mark "not sufficient" any signature appearing on such nomination paper which does not appear to be in the same handwriting as the signature upon the affidavit of registration of such person on which, when the said candidate is a party candidate, is the signature of a person whose affidavit of registration does not contain the statement that such person intends to affiliate with the party named in such nomination paper. Thereupon the county clerk shall attach to such nomination paper a certificate reciting that he has examined said nomination paper and stating the number of names signed thereto which have not been marked "not sufficient" as hereinabove provided and shall, within five days after the receipt by him of such nomination paper, forward them with such certificate attached, to the secretary of state who shall receive and file the same. All nomination papers which are not by the terms of this Act required to be filed in the office of the secretary of state, shall be filed with the proper officer, as hereinafter provided, who shall thereupon substantially in the manner hereinabove provided, examine the nomination papers and certify to the signatures thereto.

SEC. 18. Whenever by rearrangement of any political subdivision of the state by the legislature, board of supervisors or other legislative body, the boundaries of such political subdivision is changed, the highest vote polled by each party in

incurred in the preparation for or the conduct of such primary election shall be paid out of the treasury of the city, city and county, county or state, as the case may be, in the same manner, with like effect and by the same officers as in the case of general elections.

SEC. 24. At least thirty days before any August primary election preceding a November election or before any May presidential primary election the secretary of state shall transmit to each county clerk a certified list containing the name and post-office address of each person for whom nomination papers have been filed in the office of such secretary of state, who is entitled to be voted for in such county at such primary election, together with a designation of the office for which such person is a candidate and, if a party candidate, the name of the party. If not a party candidate the candidate shall be designated as a non-partisan candidate. Such county clerk shall forthwith, upon receipt thereof, publish under the proper party designation, the title of each office for which there is a party candidate, and which appears upon the certified list transmitted by the secretary of state as hereinbefore provided, together with the names and addresses of all persons for whom nomination papers have been filed for each of said officers in the office of the secretary of state, and also the names of all candidates for the county central committee, filed in the office of the county clerk. He shall also publish the title of the non-partisan office, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices, either in the office of the secretary of state or in the office of the county clerk, and shall state that candidates for offices may be voted for at the primary election, by any registered, qualified elector of the county, whether registered as intending to affiliate with any political party or not. He shall also publish the date of the primary election, the hours during which the polls will be open, and that the primary election will be held at the legally designated polling places in each precinct, which shall be particularly designated. It shall be the duty of the county clerk to cause such publication to be made once each week for two successive weeks prior to said primary election. Every publication required by this Act shall be made in not more than two newspapers of general circulation published in such county.

SEC. 25. All voting at primary elections shall be by ballot. A separate official ballot for each political party shall be printed and provided for use at each voting precinct, but all such party ballots must be alike in the designation of candidates for non-partisan offices. The ballots must have a different tint of color for each of the political parties participating in the primary election. There shall also be printed and provided a non-partisan ballot of a different tint and color from all the others which shall contain only, but in like manner the names of all the candidates for non-partisan offices to be voted for at the primary election; and one of the non-partisan ballots shall, at the primary election be furnished to each registered qualified elector who is not registered as intending to affiliate with any one of the political parties participating in said primary election; but to any elector registered as intending to affiliate with any political party participating in the primary there shall be furnished a ballot of the political party with which said elector is registered as intending to affiliate and no other.

SEC. 26. It shall be the duty of the county clerk of each county to provide printed official ballots to be used at any August primary election or May presidential primary election. It shall be the duty of the city clerk to provide printed official ballots for any primary election other than the August primary election or the May presidential primary election. Such official ballots printed on official paper, furnished by the secretary of state, in the manner provided by Section 1196 of the Political Code, and such ballots shall be in the form hereinafter provided. The names of all candidates for the respective offices for whom nomination papers have been duly filed shall be printed thereon.

SEC. 27. 1. Official primary election ballots for a presidential or general state election, except as provided in subdivision four of this section, shall be as long as prescribed captions, headings, party designations, directions to voters and lists of names of candidates, properly subdivided according to the several offices for which there are candidates may require, and no official primary election ballot shall be less than six and one half inches wide.

2. Across the top of the ballot shall be printed in heavy faced gothic capital type, not smaller than forty-eight point, the words "Official Primary Election Ballot", *preceding*, that of the non-partisan ballot said words may be printed in gothic capital type not smaller than twenty-four point. Beneath this heading shall be printed in heavy faced gothic capital type, not smaller than twenty-four point, the party designation if it be a party ballot, or, in the case of a ballot containing the names of no candidates except candidates for a non-partisan office, the words "Non-Partisan Ballot." The instructions to voters shall be printed in ten point gothic type. In the case of official primary election ballots to be used at any primary election held for the nomination of candidates other than those to be voted for at a presidential or a general state election, and on which, in accordance with the provisions of this Act, the names of candidates may be printed in a single column or in two parallel columns, as the case may be, the words "Official Primary Election Ballot" shall be printed thereon in heavy-faced gothic capital type, not smaller than twenty-four point.

assembly district in which such candidates are to be voted on, the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged. In transmitting to each county clerk or registrar of voters the certified list of names of candidates as required by this Act, the secretary of state shall certify and transmit the list of candidates for nomination to each office according to assembly districts, in the order of arrangement as determined by the above provisions; and in the case of each county or city and county containing more than one assembly district, he shall transmit separate lists for each assembly district. Except for the office of state senator or assemblyman, the order in which the names filed with the secretary of state shall appear upon the ballot, shall be for each assembly district the order as determined by the secretary of state in accordance with the above provisions, and as certified and transmitted by him to each county clerk or registrar of voters.

2. If the office is an office to be voted on throughout, but wholly within one county, except the office of representative in congress or state senator or assemblyman, the county clerk shall arrange the names of all candidates for such office in alphabetical order; *provided*, that there are no more than five assembly districts in such county, or city and county. If there are more than five assembly districts in such county or city and county, the county clerk shall so arrange on the ballot the order of names of all candidates for such office that they shall appear in alphabetical order for that assembly district in such county, or city and county, which is lowest in numerical order, and thereafter for each succeeding assembly district in such county, or city and county, the name appearing first for each office in the last preceding assembly district shall be placed last, the order of the other names remaining unchanged.

3. If the office is that of state senator or assemblyman, or delegate to the state convention from a "legislative senatorial district" or member of congressional central committee the names of all candidates for such office shall be placed upon the ballot in alphabetical order.

4. If the office is a municipal office in any city or town whose charter does not provide for the order in which names shall appear on the ballot, the names of candidates for such office shall be placed upon the ballot in alphabetical order.

SEC. 29. In publishing the names and addresses of all candidates for whom nomination papers have been filed, as required in this Act, the county clerk shall publish the names in the order in which they will appear upon the ballot; *provided*, that in counties or cities and counties containing more than five assembly districts the order of names of candidates shall be that of the assembly district in such county or city and county which is lowest in numerical order.

SEC. 30. Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and the words "Vote for One" or "Vote for Two" or more according to the number to be elected to such office at the ensuing election. Such designation of the office to be congressional or of the number of candidates to be nominated shall be printed in heavy-faced gothic type not smaller than ten point. The words designating the office shall be printed flush with the left-hand margin and the words "Vote for One" or "Vote for Two" or more as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the direction for voting shall be separated from the names of the candidates by a light line.

SEC. 31. The names of the candidates shall be printed on the ballot without prefix of title in roman capital type not smaller than eight point, in eight lines or rules three eighths of an inch apart. Under each group of names of candidates shall be printed as many blank spaces, defined by light lines or rules three eighths of an inch apart, as there are to be candidates nominated for such office. To the right of the names of the candidates shall be printed a light line or rule so as to form a voting square three eighths of an inch square. Each group of names of candidates shall be separated from the succeeding group by one light and one heavy line or rule. Each series of spaces shall be headed by the word "State," "Congressional," "Legislative," "County and Township" or "Municipal" or other proper general classification, as the case may be, printed in heavy-faced gothic capital type, not smaller than twelve point. All official primary election ballots shall have printed on the back and immediately below the center thereof, in eighteen point gothic capital type, the words "Official Primary Election Ballot," and underneath these words the respective numbers of the congressional, senatorial and assembly districts in which each ballot is to be voted. In the case of a primary election for the nomination of candidates for county and county office only, the designations on the back of the ballot, in addition to the words "Official Primary Election Ballot," shall be the official designation of the respective board, if any, and voting precinct in any such city or municipality, or the number of the assembly district and of the voting precinct in any such city and county in which each ballot is to be voted. The ballot shall be printed on the same kind of a stub and separated therefrom by a perforated line across the top of the ballot. On each ballot a perforated line shall extend from top to bottom one half inch from the right hand side of such ballot and upon the half inch strip thus formed there shall be no printing except the number of the ballot which shall be on the back of each strip, in such position that it shall

any ground or subjected to any tests other than those provided by the Constitution and Section 1230 of the Political Code of this state.

SEC. 36. Any elector qualified to take part in any primary election, who has, at least thirty days before the day of such primary election, qualified by registration, as provided by Section 1096 of the Political Code, shall be entitled to vote at such primary election, such right to vote being subject to challenge only as hereinbefore provided; and shall, on writing his name or having it written for him on the roster, as provided by law for general elections in this state, receive the official primary election ballot of the political party designated in his affidavit of registration; or the non-partisan ballot, providing no such party was so designated, and no other: *provided, however*, that no one shall be entitled to vote at any primary election who has not been a resident of the state one year, and of the county ninety days, preceding the day upon which such primary election is held. He shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without undue delay stamp the same with the rubber stamp there found. If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

SEC. 37. The voter shall designate his choice on the ballot by stamping a cross (×) in the small square opposite the name of each candidate for whom he wishes to vote. If he shall stamp more names than there are candidates to be nominated for any office, or if for any reason it be impossible to determine his choice for any office, his ballot shall not be counted for such office, but the rest of his ballot, if properly stamped, shall be counted. No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice, nor even though such ballot be somewhat soiled or defaced.

SEC. 38. When a voter has stamped his ballot he shall fold it so that its face shall be concealed and only the printed designation on the back thereof shall be visible, and hand the same to the member of the board in charge of the ballot box. Such folded ballot shall be voted as ballots are voted at general elections and the name of the voter checked upon the register as having voted.

SEC. 39. No adjournment or intermission whatever shall take place until the polls shall be closed and until all the votes cast at such polls shall be counted and the result publicly announced, but this shall not be deemed to prevent any temporary recess while taking meals or for the purpose of other necessary delay; *provided*, that no more than one member of the board shall at any time be absent from the polling place.

SEC. 40. As soon as the polls are finally closed the judges must immediately proceed to canvass the votes cast at such primary election. The canvass must be public, in the presence of bystanders, and must be continued without adjournment until completed and the result thereof declared. Except as hereinafter provided the canvass shall be conducted, completed and returned as provided by Sections 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267 and 1268 of the Political Code of this state; *provided, however*, that the ballots of each party must be sealed and returned in separate envelopes, and the non-partisan ballots must be sealed and returned in another separate envelope. The number of ballots agreeing or being made to agree with the number of names on the lists, as provided by Section 1255 of the Political Code, the board must take the ballots from the box, count those cast by each party, and string them separately; count all the votes cast for each party candidate for the several offices and record the same on the tally lists, and count all the votes on all the ballots both party and non-partisan, for the candidates for non-partisan office, and record the same on the tally lists.

SEC. 41. The board of supervisors of each county, the board of election commissioners in any city and county, or, in the case of a city or municipal primary election, the officers charged by law with the duty of canvassing the vote at any city or municipal election in such political subdivision, shall meet at the usual place of such meeting, or at any other place permitted by law, at one o'clock in the afternoon of the first Thursday after each primary election to canvass the returns, or as soon thereafter as all the returns are in. When begun the canvass shall be continued until completed, which shall not be later than six o'clock in the afternoon of the sixteenth day following such primary election. The clerk of the board must, as soon as the result is declared, enter upon the records of such board a statement of such result, which statement shall contain the whole number of votes cast for each candidate of each political party for each candidate for each non-partisan office, for each candidate for delegate, if any, to a state convention from a holdover senatorial district, and for each candidate for membership in the county central committee; and a duplicate as to each political party shall be delivered to the county, city and county or city chairman of such political party, as the case may be. The clerk shall also make an additional duplicate statement in the same form, showing the votes cast for each candidate not voted for wholly within the limits of such county or city and county. The county clerk shall forthwith send to the secretary of state by registered mail or by express one complete copy of all returns as to such candidates, and as to all candidates for the state assembly, state senate, representatives in congress, judicial officers, (except justices of the peace); delegate, if any, to a state

meet in a state convention at the state capitol at two o'clock in the afternoon of the third Tuesday in September after the date on which any primary election is held preliminary to the general November election. They shall forthwith formulate the state platforms of their party, which said state platform of each political party shall be framed at such time that it shall be made public not later than six o'clock in the afternoon of the following Thursday. They shall also proceed to elect a state central committee to consist of at least three (3) members from each congressional district, who shall hold office until a new state central committee shall have been selected. In each year of the general November election at which electors of president and vice president of the United States are to be chosen, they shall also nominate as the candidates of their party as many electors of president and vice president of the United States as the state is then entitled to, and it shall be the duty of the secretary of state to issue certificates of nomination to the electors so nominated, and to cause the names of such candidates for elector to be placed upon the ballots at the ensuing November election.

2. Membership in the state convention shall not be granted to a party nominee for a state office or office of senator or assemblyman who has become such by reason of his name having been written on a ballot, and who has not had his name printed on the primary ballot by having had a nomination paper filed in his behalf, as provided in this Act; and, in every such case, a vacancy shall be deemed to exist; and any vacancy thereby existing, or existing because no nomination for such office has been made, or for any other cause, shall be filled as hereinafter provided.

3. In any senatorial district represented by a hold-over senator, there shall be chosen at such primary election by the electors of each political party one delegate to the state convention, who shall have nomination papers circulated in his behalf, shall have his name placed upon the ballot, and shall be chosen in the same manner as a state senator is nominated from any senatorial district, but no such delegate shall be disqualified by reason of holding any office.

4. In the event that there shall not have been filed any nomination paper for a candidate for any state office or office of senator or assemblyman by the electors of any political party, the vacancy thus created in the state convention of such party shall be filled as follows:

(*a*) If the vacancy occurs in a senatorial or assembly district situated wholly within the limits of a single county or city and county, by appointment by the newly elected county central committee of such party in such county or city and county.

(*b*) If the vacancy occurs in a senatorial or assembly district comprising two or more counties, by appointment by the newly selected chairmen of the several newly elected county central committees of such party in such counties.

(*c*) If the vacancy occurs in a state office, by appointment by the state central committee of such party.

Such delegates so appointed shall present to the convention credentials signed by the chairman and the secretary of the appointing committee, or by the appointing chairmen of the several committees, as the case may be.

5. Each such committee may select an executive committee, to which executive committee it may grant all or any portion of its powers and duties. It shall choose its officers by ballot and each committee and its officers shall have the power usually exercised by the such committees and the officers thereof in so far as same be consistent with this Act. The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this Act.

SEC. 44. At each August primary election there shall be elected in each county or city and county a county central committee for each political party, which shall have charge of the party campaign under general direction of the state central committee or of the executive committee selected by such state central committee.

In all counties containing five or more assembly districts the county central committee shall be elected by assembly districts and shall consist of five members from each such assembly district.

In all counties containing less than five assembly districts the county central committee shall be elected by precincts and shall consist of one member from each precinct. Each candidate for member of a county central committee shall appear upon the ballot upon the filing of a nomination paper according to the provisions of section five of this Act, signed in his behalf by the electors of the political subdivision in which he is a candidate, as above provided, and the number of candidates to which each party is entitled, as hereinbefore provided, in each political subdivision, receiving the highest number of votes shall be declared elected.

Each county central committee shall meet in the courthouse at its county seat on the second Tuesday in September following the August primary election and shall organize by selecting a chairman, a secretary and such other officers and committees as it shall deem necessary for carrying on the campaign of the party.

SEC. 45. In case, as a result of any primary election, a person has received a nomination to any elective office without first having filed nominating papers and having his name printed on the primary election ballot, he may at least thirty days before the day of election cause his name to be withdrawn from nomination by filing

the contestee for any purpose shall be permitted, and any appearance whatever of the contestee or any request of the court by the contestee or his attorney, shall be entered as a general appearance in the contest. No demurrer or objection can be taken by the contestee in any other manner than by answer, and all the objections of the contestee must be contained in his answer in the contest. The court if the contestee shall appear, must require the answer to be made within three days from the time and place as above provided, and if the contestee shall not appear shall note his default, and shall proceed to hear and determine the contest with all convenient speed. If the number of votes which are sought to be recounted, or the number of contests are such that the judge shall be of opinion that it will require additional judges to enable the contest or contests to be determined in time to print the ballots for the election, if there be only one judge for such county, he may obtain the service of any other superior judge, and the proceedings shall be the same as herein provided in counties where there is more than one superior court judge. If the proceeding is in a county or city and county where there is more than one superior court judge, the judge to whom the case or cases shall be assigned, shall notify the presiding judge forthwith, of the number of judges which he deems necessary to participate, in order to finish the contest or contests in time to print the ballots for the primary election, and the said presiding judge shall forthwith designate as many judges as are necessary to such completion of such contest, by order in writing, and thereupon all of the judges so designated shall participate in the recount of such ballots and the giving of judgment in such contest or contests in the manner herein specified. The said judges so designated by said last mentioned order, including the judge to whom said contests were originally assigned, shall convene upon call from the judge to whom such contest or contests were originally assigned, and agree upon the precincts which each one of such judges will recount, sitting separately, and thereupon such recount shall proceed before each such judge sitting separately, as to the precincts so arranged, in such manner that the recount shall be made in such precincts before each such judge as to all the contests pending, so that the ballots opened before one judge need not be opened before another judge or department, and the proceedings before such judge in making such recount as to the appointment of the clerk and persons necessary to be assistants of the court in making the same, shall be the same as in contested elections, and the judge shall fix the pay or compensation for such persons and require the payment each day in advance, of the amount thereof by the person who is proceeding with and requiring the recount. When the recount shall have been completed in the manner herein required, if more than one judge has taken part therein, all the judges who took part shall assemble and make the decision of court and if there be any differences of opinion, a majority of such judges shall finally determine all such questions, and give the decision or judgment of the court in such contest or contests, separately. Such decision or judgment of the court shall be final in every respect, and no appeal can be had therefrom. The judgment shall be served upon the county clerk or registrar of voters by delivery of a certified copy thereof, and may be enforced summarily in the manner provided in section forty-seven of this Act, and if the contest proceeds to more than one county and the contestee is to be certified by secretary of state from the compilation of election returns in his office, then the judgment in each county shall show what, if any changes in the returns in the office of the secretary of state relating to such county or city and county, ought to be made, and all such judgments shall be served upon the secretary of state, by the delivery of a certified copy, and he shall make such changes in the record in his office as such judgment or judgments require, and conform his compilation, and his certificate of nomination in accordance therewith.

SEC. 49. No candidate for nomination to any elective office, including that of United States senator in congress, shall directly or indirectly pay, expend or contribute any money or other valuable thing, or promise so to do, except for lawful expenses. Lawful expenses as used in this section are limited to expenses for the following purposes only:

1. For the candidates official filing fee.
2. For the preparing, printing, circulation and verifying of nomination papers.
3. **For the candidates' personal traveling expenses.**
4. For rent and necessary furnishing of halls or rooms, during such candidacy, **for public meetings or for committee headquarters.**
5. For payment of speakers and musicians at public meetings and their necessary traveling expenses.
6. For printing and distribution of pamphlets, circulars, newspapers, cards, handbills, posters and announcements relative to candidates or political issues or principles.
7. **For his share of the reasonable compensation of challengers at the polls.**
8. For making canvasses of voters.
9. **For clerk hire.**
10. **For conveying infirm or disabled voters to and from the polls.**
11. For postage, expressage, stenographic, and telephonic services relative to candidacy.

SEC. 50. Every person who shall be a candidate for nomination to any elective office, including that of United States senator in congress, shall make in duplicate, within fifteen days after the primary election, a verified statement, setting forth each

entitled to receive and vote the

of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subdivisions, sentences, clauses, or phrases be declared unconstitutional.

SEC. 58. The Act approved April 7, 1911, known as the direct primary law, and also the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said direct primary law, are hereby repealed; and all other Acts or parts of Acts, inconsistent with or in conflict with the provisions of this Act, are also hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Hewitt, the Secretary was directed to issue a rush order for printing Senate Bill No. 422.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your committee on Judiciary, to whom was referred Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 459*a*, relating to the giving of bonds by the deputy state treasurer, cashier, and bond officer of the Treasurer and providing for the payment of premiums thereon—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

Assembly Bill No. 1798 ordered on file for second reading.

SENATOR THOMPSON IN THE CHAIR.

At five o'clock and fifty minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November, in the year one thousand nine hundred and ten, which is provided in section fourteen of article thirteen of the Constitution of this State, and as provided in an Act of the thirty-ninth session of the Legislature, entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1008 passed by the following vote:

AYES—Senators Anderson, Avey, Belan, Benson, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hans, Hewitt, Jones, Juilliard, Regan, Sanford, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1445—An Act making an appropriation for the location, survey, construction and improving of a state highway from Reno to the Nevada state line, along the Truckee River, in Nevada County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1445 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brown, Bryant, Burnett, Campbell, Chandler, Clay, Cogswell, Cohn, Finn, Gerdes, Hans, Hewitt, Jones, Leonard, Kehoe, Mott, Regan, Sanford, Talbitzer, Thompson and Wright—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2050—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2050 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brown, Bryant, Burnett, Campbell, Chandler, Cohn, Finn, Gerdes, Hans, Hewitt, Jones, Leonard, Kehoe, Regan, Sanford, Talbitzer, Thompson, and Wright—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 470—An Act to provide for the printing and construction of a self-propelling snow rotary and engine for use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 470 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brown, Bryant, Burnett, Campbell, Chandler, Cogswell, Cohn, Finn, Gerdes, Hans, Hewitt, Jones, Leonard, Kehoe, Mott, Regan, Sanford, Talbitzer, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 471 passed by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Brown, Bryant, Burnett, Campbell, Chandler, Cogswell, Cohn, Finn, Hans, Hewitt, Jones, Leonard, Kehoe, Mott, Regan, Sanford, Talbitzer, Thompson, and Wright—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 541—An Act providing for the inspection of a site

for an armory and exposition building in the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 60 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Sanford, Shanahan, Strobridge, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1147 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Brown, Butler, Caminetti, Cogswell, Cohn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Shanahan, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds, to be known as "State Fair grounds bonds," to provide a fund for the acquirement of additional land, for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2116 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Flint, Flint, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1517—An Act to authorize the State Board of

Penal Institutions to provide for assisting paroled and discharged prisoners and to secure employment for the same, and making an appropriation for that purpose.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1447 passed by the following vote:

[illegible]

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1448—An Act to amend Section 4207 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the Fifty-fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1448 passed by the following vote:

[illegible]

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1449—An Act to amend Section 4204 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the Fifty-fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1449 passed by the following vote:

[illegible]

Bill ordered transmitted to the Assembly.

At six o'clock and twenty minutes p.m., on motion of Senator Kehoe, the Acting President declared the Senate at recess until eight o'clock p.m.

AFTERNOON SESSION.

At eight o'clock p.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES [OUT OF ORDER]

The following report of standing committees were received and read:

SENATE CHAMBER,
SACRAMENTO, May 9, 1917.

Mr. President: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. [illegible] An Act to [illegible]

nance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Also: Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau for the purpose of regulating barbers and their occupation and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants, and necessary clerical, expert, and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LYON, Chairman.

Assembly Bills Nos. 1343 and 1487 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Also: Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 2132 and 2136 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties, and making an appropriation therefor.

Also: Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code in relation to the funds in the state treasury.

Also: Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Also: Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the forty-fourth session of the Legislature.

Also: Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the forty-fourth Legislature of the State of California during the sixty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1234, 1278, 2118, 2127 and 2129 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 254—An Act to provide for the organization of the state produce exchange commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act creating the "state produce exchange fund," and providing for the manner in which money shall be raised therefor and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts

and parts of this Constitution with the provisions of this Act, have had the most careful consideration, and respectfully submit the same back, and recommend that it do pass and be re-referred to Committee on Finance.

CRAWFORD, Chairman.

Assembly Bill No. 2714 ordered re-referred to Committee on Finance.

ASSEMBLY MESSAGES ON FILE.

The President of Pro Tempore Campbell, Jr. laid before the Senate the following Assembly Messages on file:

Assembly Bill No. 2714, An Act to amend Section 149 of the Civil Code of the State of California, relating to the furnishing of water for family use.

During further reading of this bill, the following amendment was offered by the committee:

AMENDMENT NO. 1

Page 1, line 1, strike out the words "Section 149" and in lieu thereof insert "Section 1"

Amend section as thereby added to read as follows:

Section 1. Water under contract, appropriation, lease or license for the use of water or by reason of any other agreement or grant, may be sold, leased, rented, or delivered by the owner thereof for any beneficial use, including the irrigation of any land, the operation of any mine, mill or factory, the watering of any domestic animal, the generation of power, the operation of any railroad, the supplying of any inhabitants of any city, town, village, or other public or private corporation, or the inhabitants thereof, or any person, association or corporation, or any other use, upon such terms and conditions as may be agreed upon between the owner and the person, association or corporation using the water, or any part thereof, or any interest therein, or any right to the use thereof, or any part thereof, and such owner may enforce the payment of any rental or charge for the use of such water, or any part thereof, or any interest therein, or any right to the use thereof, or any part thereof, and the terms and conditions upon which the same may be used, by the same means that he may enforce the payment of the purchase price of water sold by him.

Sec. 2. Water under contract, appropriation, lease or license for the use of water or by reason of any other agreement or grant, may be sold, leased, rented, or delivered by the owner thereof for any beneficial use, including the irrigation of any land, the operation of any mine, mill or factory, the watering of any domestic animal, the generation of power, the operation of any railroad, the supplying of any inhabitants of any city, town, village, or other public or private corporation, or the inhabitants thereof, or any person, association or corporation, or any other use, upon such terms and conditions as may be agreed upon between the owner and the person, association or corporation using the water, or any part thereof, or any interest therein, or any right to the use thereof, or any part thereof, and such owner may enforce the payment of any rental or charge for the use of such water, or any part thereof, or any interest therein, or any right to the use thereof, or any part thereof, and the terms and conditions upon which the same may be used, by the same means that he may enforce the payment of the purchase price of water sold by him.

Sec. 3. This act shall take effect thirty days from the passage thereof.

Amendment adopted.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2714, An Act providing a state normal school in Riverside county, state of California, and making an appropriation for the maintenance of said school.

Bill read second time, and ordered on the file third reading.

Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for National Guard at San Francisco, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examination of cities and cities and counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 861—An Act to provide a reader for blind students in certain educational institutions and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 8, of the printed bill, strike out the words "board of supervisors" and insert in lieu thereof the following: "county board of education."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 177—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897), by amending Section 228 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California, relating to compensation of officers of counties of the forty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 5, line 18, strike out the word "members" and insert in lieu thereof the words "Each member".

Amendment adopted.

AMENDMENT No. 2.

On page 5, strike out all of line 22 and all of the bill down to and including line 28.

Amendment adopted.

AMENDMENT No. 3.

On page 5, line 29, strike out the figures "18" and insert in lieu thereof the figures "17".

Amendment adopted.

Amendment No. 4

On page 3, line 20, strike out the word "principal" and insert in lieu thereof the word "principle"

Amendment adopted

Amendment No. 5

On page 4, line 3, strike out the words "and the county assessor" and insert in lieu thereof a comma ",", and the following: "county auditor, county treasurer of the county and, assessor"

Amendment adopted

Amendment No. 6

On page 4, line 4, strike out the word and figures "3 and 7" and insert in lieu thereof the following: "two, one, three, four, five and seven"

Amendment adopted

Bill read second time, and ordered to grossed and third reading

Assembly Bill No. 1113—An Act to amend Section 4250 of the Public Resources Code of the State of California, relating to compensation of officers of counties of counties of the first class, their civil and criminal.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1

On page 1, line 10, after the word "duties" insert the word "and"

Amendment adopted

Amendment No. 2

On page 2, line 12, after the word "duties", insert the word "and"

Amendment adopted

Amendment No. 3

On page 2, strike out of lines 3 and 4 the words "and county who shall be a full employee of the county and who devotes his entire time to the duties of his office" and insert in lieu thereof the following: "the deputies who shall be full employees of a county of the second class who devote his entire time to the duties"

Amendments adopted

Amendment No. 4

On page 2, line 20, after the word "duties", insert the word "and"

Amendment adopted

Bill read second time, and ordered to grossed and third reading

Assembly Bill No. 1214—An Act to provide for a trial by jury in certain cases of contempts of court.

Bill read second time, and ordered on the for third reading

Assembly Bill No. 1446—An Act to amend Section 1204 of the Public Resources Code of the State of California, relating to the manner of voting

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1

On page 1, line 14, of the printed engrossed bill, strike out the word "the" at the end of said line 14, and insert in lieu thereof the following: "any County"

Amendment adopted

Amendment No. 2

On page 2, line 12, of the printed engrossed bill, after the word "marriage" at the end of said line 12 add the following: "or divorce".

Amendment adopted

AMENDMENT No. 3.

On page 1, line 14, of the printed engrossed bill, immediately after the word "marriage" and before the word "and", insert the following: "or divorce".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code, relating to the cancellation of registrations.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, insert a comma (,) after the word "cancelled".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, of the printed bill, immediately after the word "cancelled" and before the word "and", insert the following: "the date of such cancellation".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration.

During second reading of the bill, the following amendments were offered by the committee:

AMENDMENT No. 1.

On page 1, line 5, of the engrossed printed bill, strike out all of lines 5, 6, 7 and 8 and insert in lieu thereof the following: "contain the numbers, names, occupa".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, of the engrossed printed bill, strike out the comma (,) immediately after the word "Deeds," and insert in lieu thereof a period (.).

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 10, of the engrossed printed bill, strike out the word "and" after the word "Deeds" and before the word "shall", and insert in lieu thereof the following: "Such names shall be given Christian or given names, the middle name or initial, if any, and if the name be that of a woman, such name shall be preceded by the designation of 'Miss' or 'Mrs', as the case may be. The clerk".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 13, of the engrossed printed bill, strike out the parenthesis sign between the words "Clerk" and "but", and insert in lieu thereof a comma (,).

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 2, of the engrossed printed bill, insert a comma (,) after the first word "city".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1697—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1083*a*.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1

Amendment adopted.

Amendment No. 2

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Bill read second time, and ordered to print and third reading.

Bill read second time, and ordered on file for third reading.

Bill read second time, and ordered on file for third reading.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California relating to the amendment of articles of incorporation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as No. 2982*a*, providing for a sanitary engineer to the State Board of Health and fixing his salary.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1666—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

During second reading of the bill, the following amendment was offered by the committee:

On page 1 of the engrossed printed bill, strike out all of line 15 after the period (.) immediately following the word "code", and all of line 16.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS—(OUT OF ORDER).

On motion of Senator Hans, the Senate took up the consideration of Assembly Constitutional Amendments Nos. 62 and 6, out of order.

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article XIII, relating to public utilities, their supervision and regulation.

During the reading of the constitutional amendment, the following amendment was offered by the committee:

On page 2 of the printed resolution, strike out the period in line 25 and insert a semicolon and the following: *provided, however*, that this section shall not affect such powers of control over public utilities as relate to the making and enforcement of local, police, sanitary and other regulations other than the fixing of rates, vested in any city and county or incorporated city or town as, at an election to be held pursuant to law, a majority of the qualified electors of such city and county, or incorporated city or town voting thereon, shall vote to retain, and until such election such powers shall continue unimpaired; but if the vote so taken shall not favor the continuation of such powers they shall thereafter vest in the railroad commission as provided by law; *and provided, further*, that where any such city and county or incorporated city or town shall have elected to continue any of its powers to make and enforce such local, police, sanitary and other regulations, other than the fixing of rates as may, by vote of a majority of its qualified electors voting thereon, the latter surrender such powers to the railroad commission in the manner prescribed by the legislature; *and provided further*, that this section shall not affect the right of any city and county or incorporated city or town to grant franchises for public utilities upon the terms and conditions and in the manner prescribed by law."

Amendment adopted.

Constitutional amendment ordered to print.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XIII thereof relating to revenue and taxation.

During the reading of the constitutional amendment, the following amendments were offered by the committee:

AMENDMENT NO. 1

On page 1 of the engrossed statutes, strike out all of lines 5, 6, and 7 and insert in lieu thereof the following: "Electors qualified thereto who reside out of the counties entitled to the payment of said compensation, living in other States, shall be entitled to the qualified electors of the state of residence who receive [sic] a vote."

Amendment adopted.

AMENDMENT NO. 2

On page 2 of the engrossed statutes, strike out all of lines 9 to 20, inclusive, and insert in lieu thereof the following: "Upon receipt, either from such duly qualified representatives thereof, county records of the county and court of competent jurisdiction within the state as may appear in connection of the time of the acquisition of the state to said jurisdiction and extent of acquisition jurisdiction provided, there be [illegible] of any exclusive jurisdiction reserved by the United States, and any deeds of acquisition executed shall be certified as aforesaid. All lands or appropriation thereto, belonging to any person who shall reside in disputed territory, not except from taxation, which be assessed by the assessors of the county and such taxes or assessments collected by [illegible] and shall be subject to taxation [illegible] and all persons who shall be subject to taxation [illegible] Act aforesaid by the same mode of assessment. The legislature may provide, however, by law, some of county assessed by taxation as [illegible] for a definite time certain of duties the United [illegible] of this state."

Amendment adopted.

Engrossed amendments ordered printed.

CONSIDERATION OF BILLS—SET OF ORDER

On motion of Senator Campbell, the Senate took up for consideration Assembly bills ordered on the file for third reading, out of order as follows: Nos. 1170, 327, 1199, 1418, 1336, 1340, 1370, 1446, 1500, 1501, 1436, 1437, 1439, 1440, and 1441.

Assembly Bill No. 1170—An Act to add a new section to the Political Code of the State of California to be known and designated as Section 4164, relating to the giving of bonds by the deputy state treasurer, assistant and chief officer of the Treasurer and providing for the payment of premiums thereon.

Bill read second time, and ordered on the file for third reading.

Assembly Bill No. 327—An Act appropriating money for the erection and maintenance of an assembly hall at the Stockton State Hospital.

Bill read second time, and ordered on the file for third reading.

Assembly Bill No. 1418—An Act making an appropriation for the legislative printing fund.

Bill read second time, and ordered on the file for third reading.

Assembly Bill No. 1439—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the fifty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions and various pensions, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1[illegible]—An Act making an appropriation for the location and survey of a proposed highway to connect the counties

of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the state hygienic laboratory.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a State highway from a point on the Malibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1450—An Act to amend Section 627*b* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by amending Section 1 of said Act so as to make said Act applicable to all jails, and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 321—An Act to amend Section 1665*a* of the Political Code of the State of California relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one half, second, and second and one half classes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 490—An Act to amend Section 4361 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifth class.

Bill read second time, and ordered on the file for third reading.

Assembly Bill No. 491—An Act to amend Section 4360 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifth class.

Bill read second time, and ordered on the file for third reading.

[illegible] at ease [illegible]

Senator Caldwell asked and was granted unanimous consent to take up the consideration Senate Bill No. 421 out of order.

Senate Bill No. 421—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishing and administration of Los Angeles State Normal School and Teachers' College and making appropriation therefor.

During general reading of the bill the following amendments were offered by the committee.

[illegible]

[illegible] Amendment adopted

[illegible]

[illegible]

Amendment adopted.

Bill read second time, and ordered to print, engrossed and third reading.

[illegible]

On motion of Senator Regan, the following messages from the Assembly were taken up and read:

[illegible]

Mr. President: I am directed to inform your honorable body that the Assembly has [illegible] with [illegible] Senate Bill No. 421, An Act [illegible] Bill No. 421 [illegible] Section 25 [illegible] and entitled "An Act to amend the [illegible] of California, and to provide a penalty for its violation thereof, and for the appointment of a board to be known as the California [illegible] Commission," approved March 20, 1941, and amended March 9, 1943 and June 12, 1945.

J. R. MASSEY, Chief Clerk of Assembly
By [illegible], Minute Account Clerk

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909, was this day passed.

MESSAGES FROM THE ASSEMBLY—RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 2137—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

Also—Assembly Bill No. 2139 (Committee Substitute for Assembly Bill No. 2135)—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 2137 and 2139 read first time, and referred to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to forms of judgments and notice thereof to be given to litigants.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1765 passed by the following vote:

AYES—Senators Anderson, Avey, Belan, Boynton, Brown, Butler, Caminetti, Campbell, Cogswell, Cosgrove, Flint, Jelliffe, Leavitt, Lyon, Metz, Regan, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 634 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 966—An Act to amend Section 594 of the Political Code of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 966 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 307—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings approved March 26, 1891,' " approved March 22, 1907.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 307 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1074—An Act granting to the city of South San Francisco the tide lands, salt and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco, and regulating the management, use and control thereof.

On motion of Senator Thompson, Assembly Bill No. 1074 was passed on file.

Assembly Bill No. 1452—An Act to amend Section 628b of the Penal Code, relating to the protection of fish.

On motion of Senator Thompson, Assembly Bill No. 1452 was passed on file.

Assembly Bill No. 580—An Act to amend Section 628c of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

On motion of Senator Thompson, Assembly Bill No. 580 was passed on file.

Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628*g*, relating to the protection and preservation of perch.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 325 passed by the following vote:

AYES—Senators Avey, Benson, Boynton, Breed, Brown, Bryant, Butler, Campbell, Cohn, Flint, Grant, Juilliard, Larkins, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 770 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Cogswell, Cohn, Flint, Juilliard, Larkins, Lyon, Mott, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

On motion of Senator Thompson, Assembly Bill No. 511 was passed on file.

Assembly Bill No. 214—An Act to amend Section 3247*a* of the Political Code, relating to the purchase of supplies for the State by boards, committees, and other persons.

On motion of Senator Thompson, Assembly Bill No. 214 was passed on file.

Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 13½ of Article XI relating to the making of public bonds payable at any place or places within or outside the United States and in any money, domestic or foreign.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 12 was passed on file.

Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

On motion of Senator Thompson, Assembly Bill No. 1072 was passed on file.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns, said section to be numbered 1281*a*.

On motion of Senator Thompson, Assembly Bill No. 914 was passed on file.

Assembly Bill No. 1755—An Act to amend Section 1202 of the Political Code of the State of California, relating to escheat estates.

On motion of Senator Thompson, Assembly Bill No. 1755 was passed as file.

Assembly Bill No. 1756—An Act to amend Section 1295 of the Political Code of the State of California, relating to sending election returns from a district.

On motion of Senator Thompson, Assembly Bill No. 1756 was passed as file.

Assembly Bill No. 1950—An Act to amend Sections 1001, 1320 and 1321 of the Political Code, all relating to registration of voters and the registers to be used at elections.

On motion of Senator Thompson, Assembly Bill No. 1950 was passed as file.

Assembly Bill No. 1922—An Act to amend Section 1295 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

On motion of Senator Thompson, Assembly Bill No. 1922 was passed as file.

Assembly Bill No. 1970—An Act to provide for the formation and establishment of road districts, the construction, acquisition, maintenance, control and use of roads, defining the terms used, providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads, providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within said districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

On motion of Senator Thompson, Assembly Bill No. 1970 was passed as file.

Assembly Bill No. 1984—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3711, relating to the payment, support or maintenance of families of aliens owning the fee or less than fee simple title to real property.

Read third time and on a position file.

On motion of Senator Thompson, Assembly Bill No. 1984 was passed as file.

Assembly Bill No. 1466—An Act to amend Section 449 of the Political Code of the State of California, relating to the Fish and Game Commissioners, and their assistants, and prescribing their powers and duties.

On motion of Senator Thompson, Assembly Bill No. 1466 was passed as file.

Assembly Concurrent Resolution No. 38.

Relative to the method of voting at all acts passed and proposed, pursuant to amendment, adding the constitution by which [illegible] of [illegible] [illegible] [illegible]

The roll was called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Juilliard, Larkins, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson and Tyrrell—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 6—An Act to add a new section to fish and game laws of the State of California, to be numbered 634*c*, providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bob white quail, California valley and mountain quail, and all the varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 6 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Breed, Brown, Bryant, Butler, Cogswell, Cohn, Flint, Juilliard, Larkins, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

On motion of Senator Thompson, Assembly Bill No. 1126 was passed on file.

Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits and authorizing the State to accept the same.

On motion of Senator Thompson, Assembly Bill No. 505 was passed on file.

Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

On motion of Senator Thompson, Assembly Bill No. 1535 was passed on file.

Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489*a*, relating to reclamation and swamp land districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1851 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Caminetti, Campbell, Cogswell, Flint, Juilliard, Larkins, Lyon, Mott, Regan, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 141—An Act to amend Section 1213 of the Civil Code, relating to the recording of maps of the record of instruments affecting title to real property and the effect of such recording.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 141 passed by the following vote:

Ayes—Senators Anderson, Avey, Boland, Burnett, Caminetti, Chandler, Cogswell, Curtin, Flint, Gerdes, Gerlach, Hatch, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rolfe, Rush, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe and Wright—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 433—An Act to amend Section 2970a of the Civil Code, relating to the manner of satisfaction of foreign mortgages, agreements and securities.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 433 passed by the following vote:

Ayes—Senators Anderson, Avey, Boland, Burnett, Caminetti, Chandler, Cogswell, Curtin, Flint, Gerdes, Gerlach, Hatch, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rolfe, Rush, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe and Wright—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 474—An Act to add a new section to the Code of Civil Procedure, to be known as Section 474.

On motion of Senator Thompson, Assembly Bill No. 474 was passed to file.

Assembly Bill No. 807—An Act to amend Section 1458 of the Penal Code, relating to the disposition of money or valuable property taken on search warrant proceedings.

On motion of Senator Thompson, Assembly Bill No. 807 was passed to file.

Assembly Bill No. 1001—An Act to amend Section 702 of the Code of Civil Procedure of the State of California.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1001 was passed to file.

Assembly Bill No. 70—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 70 passed by the following vote:

Ayes—Senators Anderson, Avey, Boland, Burnett, Caminetti, Chandler, Cogswell, Curtin, Flint, Gerdes, Gerlach, Hatch, Holohan, Inman, Jones, Leavitt, Lewis, Lukens, Mott, Rolfe, Rush, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe and Wright—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motive power or by animal power.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 81 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Cogswell, Cohn, Flint, Grant, Hans, Juilliard, Larkins, Mott, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

On motion of Senator Thompson, Assembly Bill No. 1912 was passed on file.

Assembly Bill No. 1963—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

On motion of Senator Thompson, Assembly Bill No. 1963 was passed on file.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

On motion of Senator Thompson, Assembly Bill No. 1858 was passed on file.

Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

On motion of Senator Thompson, Assembly Bill No. 1734 was passed on file.

Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting," in municipal elections.

On motion of Senator Thompson, Assembly Bill No. 1923 was passed on file.

Assembly Bill No. 1731—An Act to amend Section 1366*a* of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

On motion of Senator Thompson, Assembly Bill No. 1731 was passed on file.

Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,'" approved February 23, 1893.

Read third time.

The question being on the passage of the bill.

The bill was put on third reading and passed by the following vote:

[illegible]

Ayes, 31.

The roll was then called.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1114—An Act to provide for the identification of persons who may be under arrest and held over in the Superior Court for trial.

The motion of Senator Thompson, Assembly Bill No. 1114 was passed on file.

Assembly Bill No. 1301—An Act to add a new section to the Penal Code of California to be numbered 653½, relating to the taking, using, operating or removing, or causing to be taken, used, operated, or removed, or assistance in taking vehicle from a garage, public or other building or place or from any place or locality on a private or public highway, park, parking, pound, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner, and providing the punishment for a violation thereof.

The motion of Senator Thompson, Assembly Bill No. 1301 was passed on file.

Assembly Bill No. 1356—An Act to amend an Act entitled "An Act relating to actions, providing for taking time up and giving a hearing thereon for set changes, costs and expenses chargeable for reasons of taking them up, and repealing all other Acts and parts of Acts parts by them relating to actions," approved March 23, 1907.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1356 passed by the following vote:

[illegible]

Ayes, 31.

The roll was then called.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1362—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition of conservation, transportation of water for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41,

Assembly Bill No. 56. An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title to said Act, and by amending Sections 1, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes; and to add a new section to be known as Section 1104.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 56 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Grant, Hans, Hewitt, Juilliard, Larkins, Lyon, Mott, Sanford, Shanahan, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1749, 1750, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 71 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Flint, Grant, Hans, Hewitt, Juilliard, Larkins, Mott, Regan, Shanahan, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain lands of the State, and authorizing the execution of a contract for such services—report that we have met a like committee of the Assembly, consisting of Assemblymen Benedict, Gelder, and Gould, and we report that the free conference committee agreed upon and recommends that the following amendments be adopted:

AMENDMENT No. 1.

Amend the title of the printed bill, by striking out all of lines 2, 3, 4 and 5 of the title and inserting in lieu thereof the following: "Making an appropriation to pay the claim of the firm of Dillon, Thomson & Clay, of New York City, against the State of California."

AMENDMENT No. 2.

Strike out all of the printed bill from and including line 1, page 1, to and including line 37, page 2.

AMENDMENT No. 1

AMENDMENT No. 2

AMENDMENT No. 3

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

The question being on the adoption of the report of the committee on enrollment and the amendments.

The roll was called and the report of the committee on Enrollment and the amendments adopted by the following vote:

[illegible]

[illegible]

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 2 was passed to Third Reading.

Assembly Bill No. 2402—An Act to provide for the formation of mosquito control districts, the assessment of lands of mosquito control districts, providing procedure for levying a tax for the purposes of the Act and for collection the same.

On motion of Senator Thompson, Assembly Bill No. 2402 was passed to Third Reading.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII thereof, relating to revenue and taxation.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 3 was passed to Third Reading.

Assembly Bill No. 560—An Act to amend Section 230 of the Code of Civil Procedure of the State of California, relative to the selection, listing and time of service of jurors.

On motion of Senator Thompson, Assembly Bill No. 560 was passed to Third Reading.

Assembly Bill No. 556—An Act to add Section 1716 of the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

On motion of Senator Thompson, Assembly Bill No. 556 was passed on file.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

On motion of Senator Thompson, Assembly Bill No. 416 was passed on file.

Assembly Bill No. 164—An Act to amend Section 628½ of the Penal Code of the State of California, relating to clams, and prescribing a penalty for taking or gathering clams under a certain size or having a certain number in possession during any one calendar day.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 164 passed by the following vote:

AYES—Senators Anderson, Belan, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Grant, Hewitt, Juilliard, Larkins, Muir, Rigdon, Sanford, Saunders, Thompson and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 14.

Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Resolved by the Senate of the State of California, the Senate concurring, That a committee consisting of three members of the Senate and three members of the Assembly be appointed for the purpose of considering the advisability of the State maintaining a state industrial farm for state prisoners, to be used in connection with the state prisons, and such a farm or farms as the committee deems the present state prisons all prisoners whose conduct shall warrant removal by the State Board of Prison Directors. It is the purpose and intent hereof that no rules shall be made nor shall the farm ever be used in any manner to the present state prisons. The committee shall make a thorough investigation of this matter and report back with recommendations to the forty-first session of the Legislature. The President of the Senate shall appoint the Senate members of said committee and the Speaker of the Assembly shall appoint the Assembly members of said committee. The members of said committee shall receive no compensation for their services, but shall be allowed all necessary expenses incurred in the performance of their duties.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Anderson, Avey, Belan, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Grant, Hewitt, Juilliard, Muir, Rigdon, Saunders, Shanahan, Strobridge and Thompson—24.

NOES—Senator Tyrrell—1.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1256 passed by the following vote:

AYES—Senators Ashley, Atkinson, Beban, Burns, Burnham, Carpenter, Crowley, Dilworth, Dolwig, Gaffney, Garrison, Gibson, Hatfield, Hawkins, Healy, Hewitt, Hollingsworth, Jones, Kenny, Knight, Lagomarsino, Lanterman, Luckel, Mahan, Miller, Nelson, Regan, Richards, Roseberry, Seawell, Shelley, Swing, Thompson, Tickle, Tyson, Weaver, Wilson, Wright and Young—40.

NOES—None.

Bill read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1409—An Act to amend Section 1500 of the Political Code of California, relating to the election of school trustees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1409 passed by the following vote:

AYES—Senators Ashley, Atkinson, Beban, Burns, Burnham, Carpenter, Crowley, Dilworth, Dolwig, Gaffney, Garrison, Gibson, Hatfield, Hawkins, Healy, Hewitt, Hollingsworth, Jones, Kenny, Knight, Lagomarsino, Lanterman, Luckel, Mahan, Miller, Nelson, Regan, Richards, Roseberry, Seawell, Shelley, Swing, Thompson, Tickle, Tyson, Weaver, Wilson, Wright and Young—40.

NOES—None.

Bill read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding thereto a new section to be numbered 22a, relating to the powers of the Railroad Commission.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 37 was passed as file.

Assembly Bill No. 70—An Act providing for the free use of all public school houses and property and to establish a procedure of such and every public assemblage in the State of California, and to provide for the maintenance of the same out of the school fund of the State of California and providing for the conduct and management of the same.

On motion of Senator Thompson, Assembly Bill No. 70 was passed as file.

Assembly Bill No. 807—An Act to authorize and encourage the establishment of kindergartens in connection with the public schools of this State, and providing the manner in which funds for the support of public kindergartens shall be raised.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 807 passed by the following vote:

AYES—Senators Ashley, Atkinson, Beban, Burns, Burnham, Carpenter, Crowley, Dilworth, Dolwig, Gaffney, Garrison, Gibson, Hatfield, Hawkins, Healy, Hewitt, Hollingsworth, Jones, Kenny, Knight, Lagomarsino, Lanterman, Luckel, Mahan, Miller, Nelson, Regan, Richards, Roseberry, Seawell, Shelley, Swing, Thompson, Tickle, Tyson, Weaver, Wilson, Wright and Young—40.

NOES—None.

Bill read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1161—An Act to provide for a notice to be printed on the ballot of all ballots when propositions, resolutions or questions relating to future assessments

On motion of Senator Thompson, Assembly Bill No. 1161 was passed as file.

Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California to be known as Section 2567*a*, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

On motion of Senator Thompson, Assembly Bill No. 1739 was passed on file.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633*a*, relating to the time for notice of loss in casualty or accident insurance policies.

On motion of Senator Thompson, Assembly Bill No. 1740 was passed on file.

Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 563 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Grant, Hans, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1194—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1194 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Grant, Hans, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2075 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cogswell, Cohn, Flint, Grant, Hans, Hewitt, Juilliard, Larkins, Lyon, Mott, Owens, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1445—An Act to amend Section 626 of the Penal Code of the State of California, relating to the shooting of wild ducks.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1445 was passed as file.

Assembly Bill No. 463—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

On motion of Senator Thompson, Assembly Bill No. 463 was passed as file.

Assembly Bill No. 895—An Act to add a new section to the Penal Code, to be designated as Section 2536, relating to the transportation of offal, garbage, the carcasses of dead animals and other refuse from one county or city and county into another county and prescribing regulations governing the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 895 passed by the following vote:

[illegible]

Files read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1965—An Act to amend Section 4558 of the Penal Code of the State of California, relating to the making, depositing, withdrawing or delivering of bank checks with intent to defraud.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1965 was passed as file.

[illegible]

Senator Tyrrell gave notice that he would, at the next legislative day, move to reconsider the vote whereby Assembly Bill No. 882 was this day passed.

[illegible]

Assembly Bill No. 1125—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 1125 was passed as file.

Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as Section 91, relating to conduct of public officials.

On motion of Senator Thompson, Assembly Bill No. 1128 was passed as file.

Assembly Bill No. 1178—An Act to provide for an irrigation commission and for the organization and supervision thereby of irrigation districts [or the supervision or conservation thereby of irrigation works;

for the irrigation of lands embraced thereon, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

On motion of Senator Thompson, Assembly Bill No. 1478 was passed on file.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i and 4225j, all relating to county boards of health and sanitary inspectors.

Read third time.

On motion of Senator Thompson, Assembly Bill No. 235 was passed on file.

Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8, 8a and 8b of, and to add a new section, to be known as Section 8c to, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

On motion of Senator Thompson, Assembly Bill No. 907 was passed on file.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

On motion of Senator Thompson, Assembly Bill No. 1404 was passed on file.

Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2013 passed by the following vote:

Ayes—Senators Anderson, Ard, Baker, Benson, Birdsall, Boynton, Braud, Bunney, Burnett, Caminetti, Chandler, Cogswell, Curtin, Flint, Gerdes, Hans, Hewitt, Holohan, Inman, Lane, Mott, Newhall, Shearer, Stetson, Thompson, and Tyrrell—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1421 passed by the following vote:

Ayes—Senators Ard, Baker, Benson, Birdsall, Boynton, Braud, Burke, Chandler, Cogswell, Curtin, Flint, Gerdes, Hans, Hewitt, Inman, Lane, Mott, Newhall, Shearer, Thompson, and Tyrrell—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2044 passed by the following vote:

Ayes: Senators [illegible]—21.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the use of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1909, amending Sections 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 12 of said Act.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1181 passed by the following vote:

Ayes: Senators [illegible]—21.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States and to provide a punishment therefor.

The motion of Senator Thompson, Assembly Bill No. 483 was passed on the

Assembly Bill No. 500—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

On motion of Senator Thompson, Assembly Bill No. 500 was passed on the

Assembly Bill No. 1108—An Act to amend Sections 2282, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1108 passed by the following vote:

Ayes—Senators [illegible]—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Strobridge was, on his own motion, granted leave of absence for the remainder of the day.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

On motion of Senator Thompson, Assembly Bill No. 597 was passed on file.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

On motion of Senator Thompson, Assembly Bill No. 747 was passed on file.

Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901 and 1902 of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1829 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Grant, Hans, Hewitt, Juilliard, Lyon, Regan, Shanahan, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 628 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Grant, Hewitt, Juilliard, Lyon, Regan, Sanford, Shanahan, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks.

On motion of Senator Thompson, Assembly Bill No. 1726 was passed on file.

Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section, to be designated as 731*a*, relating to the abatement of public nuisance; by whom actions may be instituted for such purposes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1575 passed by the following vote:

Ayes: Simpson, Lee, Dixon, Fitzpatrick, Gaunson, Brown, Burke, Chadwick, Finley, Jelly, Cogswell, Cole, Flint, Ellis, Wynn, Hewitt, Juilliard, Lane, Logan, Stanford, Steadman, Thompson, and Wyman—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1586—An Act to provide for the payment of pensions to public school teachers of this State, creating a public school teachers' pension fund, and providing for the administration of such fund.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1586 passed by the following vote:

Ayes: Simpson, Lee, Dixon, Fitzpatrick, Gaunson, Brown, Burke, Chadwick, Finley, Jelly, Cogswell, Cole, Flint, Ellis, Wynn, Hewitt, Juilliard, Lane, Logan, Stanford, Steadman, Thompson, and Wyman—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1599—An Act to repeal an Act entitled "An Act relating to revenue and taxation, prescribing the a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1909, and an Act supplementary thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and how to provide for settling the affairs of any corporation which, by reason of failure to pay any tax imposed by any of said Acts, has forfeited either the charter or right to do business in this State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1599 passed by the following vote:

Ayes: Simpson, Lee, Dixon, Gaunson, Juilliard, Lane, Logan, Stanford, Steadman, Thompson, and Wyman—11.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible] [illegible]

Senator Cogswell moved that Assembly Bill No. 1600 be recalled from [illegible] and [illegible] reading.

Motion carried.

Assembly Bill No. 1600—An Act to amend Section 4299 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fourth class.

During second reading of the bill, the following amendments were offered by Senator Caminetti:

AMENDMENT No. 1.

On page 3, line 7, strike out everything after the word "of" to the end of said line, and insert in lieu thereof the following: "sixty-five (65) dollars".

Amendment adopted.

AMENDMENT No. 2.

On page 3, lines 20 and 21, strike out the following: "Immediately following this insert the following:".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 24, strike out the word "civic", and insert in lieu thereof the word "civil".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 25, strike out the word "all".

Amendment adopted.

AMENDMENT No 5.

On page 3, line 26, strike out the words "ony rendered by said constables" and insert in lieu thereof the word "only".

Amendment adopted.

AMENDMENT No. 6.

On page 4, line 9, strike out the word "of", and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 17, strike out the word "has" and insert in lieu thereof the word "shall".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SENATOR THOMPSON IN THE CHAIR.

At eleven o'clock and ten minutes p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation.

Also: Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California to be numbered 54c prohibiting the use of the initiative for mercenary purposes.

Also: Assembly Bill No. 1252—An Act prohibiting the destruction of food stuffs, food products or food articles.

Have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Assembly Bills Nos. 1667, 2131 and 1252 ordered on file for second reading.

CARR, Chairman.

board of health. Said board of health shall consist of five members who shall be appointed by the council, and of whom at least one shall be a physician, duly licensed under the laws of the State of California. One may be appointed from among the councilmen. The members of the board as such shall serve without compensation. They shall hold office for the term of five years and until their successors are appointed and qualified; *provided*, that the members of the board first appointed shall at their first meeting so classify themselves that they shall go out of office at the expiration of one, two, three, four and five years respectively; and

WHEREAS, Said proposed amendment was published in a daily newspaper of general circulation, printed, published and circulated in said city, to wit: *The Evening Times-Star and Alameda Daily Argus* for ten (10) times; and

WHEREAS, Thereafter the said council of the city of Alameda, did, by resolution and proclamation, which was duly passed and adopted by said council on the eighteenth (18th) day of March, one thousand nine hundred and thirteen, order the holding of a general municipal election in said city of Alameda, in the county of Alameda, California, on the fourteenth (14th) day of April, one thousand nine hundred and thirteen (which last named day was not less than twenty (20) days, nor more than forty (40) days after the completion of the publication of said proposed amendment for ten (10) times in said daily newspaper of general circulation, printed, published and circulated in said city, to wit: *The Evening Times-Star and Alameda Daily Argus*), and did provide in said resolution and proclamation for the submission of said proposed amendment to the said charter to the qualified electors of said city, for their ratification at said general municipal election, which said resolution and proclamation was approved by the mayor of said city on the nineteenth (19th) day of March, one thousand nine hundred and thirteen, and was published in the manner and for the time required by law; and

WHEREAS, Said amendment was submitted as aforesaid to the qualified electors of said city, at said general municipal election, previously duly called and thereafter held therein (not less than twenty (20) days nor more than forty (40) days after the completion of the publication of said proposed amendment for ten (10) times in a daily newspaper of general circulation, printed, published and circulated in said city, to wit: *The Evening Times-Star and Alameda Daily Argus*), on the fourteenth (14th) day of April, one thousand nine hundred and thirteen.

WHEREAS, At such general municipal election more than a majority of the qualified electors voting thereon, at such general municipal election, did vote in favor of and in favor of the ratification of and did ratify said proposed amendment to said charter; and

WHEREAS, The said council of the city of Alameda, in county of Alameda, California, at a meeting thereof held on Monday, the twenty-first (21st) day of April, one thousand nine hundred and thirteen, duly canvassed the returns of said election, and duly found, determined and declared that more than a majority of such qualified electors voting thereon at said election, had voted for and ratified said proposed amendment to said charter.

STATE OF CALIFORNIA, }
COUNTY OF ALAMEDA, } ss.
CITY OF ALAMEDA. }

This is to certify that we, Frank Otis, mayor of the city of Alameda, and T. C. Coughlin, clerk of the city of Alameda, have compared the foregoing proposed and ratified amendment to the charter of the city of Alameda with the original resolution and proclamation proposing such amendment and submitting the same to the qualified electors of said city of Alameda, at a general municipal election called for that purpose, on Monday, the fourteenth (14th) day of April, one thousand nine hundred and thirteen, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendment to said charter and the matters set forth herein, are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the corporate seal of the city of Alameda to be attached this 26th day of April, one thousand nine hundred and thirteen.

[SEAL]

FRANK OTIS,
Mayor of the City of Alameda.
T. C. COUGHLIN,
City Clerk of the City of Alameda.

AND WHEREAS, The said proposed amendment so ratified as hereinabove set forth, has been duly presented and submitted to the Legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the proposed amendment to the city charter of the city of Alameda as hereinabove set forth, as presented and submitted to and adopted

and applied to the payment thereof, and that the same is hereby appropriated for said purpose out of the moneys in the city treasury of said city.

The question being on the adoption of the resolution.

The roll was called, and Assembly Constitutional Amendment No. 24 adopted by the following vote:

AYES—Senators Anderson, Burk, Dobbs, Harrison, Heath, Hersey, Hewitt, Holohan, Leavitt, Leonard, Rhodes, Rker, Savage, Shanahan, Stetson, Strobridge, Thompson, Wallace, Wolfe, Wright, and Young—20.

NOES—None.

Resolution ordered transmitted to the Assembly.

SENATE BILL NO. 1078.

Senator Stetson moved that the consideration of the motion to reconsider the vote whereby Senate Bill No. 1078—An Act to amend Section 3-A of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 3, 1910, providing for the separation of State from local taxation, and providing for the taxation of public utilities and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing for procedure for ascertaining and determining the actual cash value of every franchise subject to taxation other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of the State—was passed, be made a special order for ten o'clock and thirty minutes a.m., on September, May 10, 1911.

Motion carried.

SENATE BILL NO. 1078.

Senator Stetson moved that the consideration of the motion to reconsider the vote whereby Senate Bill No. 1078—An Act providing for the publication of a legislative bulletin during the sessions of the Legislature, and the next Legislature and

Motion carried.

SENATE BILL NO. 1069.

Pursuant to the notice on a previous day, Senator Flint moved to reconsider the vote whereby Senate Bill No. 1069—An Act to grant to boards of health, or health officers, in cities and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the supervision and examination of plumbers—was refused passage.

SENATE BILL NO. 1078.

Senator Flint moved that the further consideration of his motion to reconsider the vote whereby Senate Bill No. 1069 was refused passage, be made a special order for ten o'clock and [illegible] a.m., on Saturday, May 10, 1911.

Motion carried.

SPECIAL ORDER SET.

Senator Finn moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this Act—be made a special order for ten o'clock and forty-five minutes a.m. on Saturday, May 10, 1913.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines, and tunnels smoke and gases generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence in case of actions for damage to health of employees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

REGAN, Chairman.

Assembly Bill No. 1306 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Mines and Mining, to whom was referred Assembly Bill 1062—An Act regulating the hours of employment in underground mines or any underground workings whether for the purpose of tunneling, making excavation or to accomplish any other purpose or design, or in smelting and reduction works—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

REGAN, Chairman.

Assembly Bill No. 1062 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Finance.

GATES, Chairman.

Assembly Bill No. 1407 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California relating to salaries and fees of officers in counties of the fourth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BREED, Chairman.

Assembly Bill No. 736 ordered on file for second reading.

MOTION TO RECONSIDER

Pursuant to his notice on a previous day, Senator Cairns moved to reconsider the vote whereby Senate Bill No. 330—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in this State of Utah/and, and for the appointment of a board of medical examiners, a board of dentistry examiners and a board of supervision of religious practitioners—was refused passage.

SPECIAL ORDER SET

Senator Cairns moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 330 was refused passage be made a special order for the 2 o'clock and 30 p. m. session p.m. on Saturday, May 19, 1917.

Motion carried.

ADDITIONAL BILLS FOR INTRODUCTION—NOTICE OF AMENDMENT

On motion of Senator Stevens, the following messages from the Assembly were taken up and read:

[illegible], May 9, 1917.

Mr. President: I am instructed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1284—An Act providing for the construction and maintenance by the State of state aid highways in counties and towns—

Also Assembly Bill No. 1285—An Act to take effect from and after the first day of [illegible] 1917, relating to the organization of corporations for the development of water or electric power—

Also Assembly Bill No. 1286—An Act to amend Section 164 and 165 of the Revised Codes of 1907, relating to the [illegible] of [illegible] and [illegible] and to provide for the [illegible] of [illegible] and [illegible] and [illegible] and

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California relating to the appointees of the Secretary of State, and the salaries of the same.

Also: Assembly Bill No. 644—An Act granting to the town of Emeryville, the salt marsh, tide and submerged lands of the State of California including the right to wharf out thereto, to the town of Emeryville, and regulating the management, use, and control thereof.

Also: Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520 and 1521 of the Political Code of the State of California, creating a State Board of Education, and prescribing its powers and duties; providing for the appointment of three assistant superintendents of public instruction and defining their duties; providing for the compensation of members of the State Board of Education and the assistant superintendents of public instruction; providing for the publication, compilation, printing, and distribution of state school text-books; repealing Sections 1522, 1874, and 1874a of the Political Code of the State of California relating to the traveling expenses of the members of the State Board of Education, to the publication and distribution of a system of text-books, the appointment of a secretary of the state text-book committee and his compensation; and repealing all other laws or Acts relating to the publication and distribution of state text-books in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 534 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 644 and 836 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 40—Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 40 referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 38—Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to effect, and the need, if any, of amending the juvenile court law.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Concurrent Resolution No. 38 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 847—An Act to amend an Act entitled, "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference and appointed Assem-

Senator Knowles, Senator and Craig as a Committee on Joint Conference concerning Senate Bill No. 1600, an act making an appropriation to pay the salary of the Clerk of Bills, Witnesses & Mileage of Said Bank Office, against the State of California, for same, with a like committee from your honorable body.

J. R. MALLORY, Chief Clerk of Assembly.
By Wallace G. Wallace, Assistant Clerk.

Also

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Joint Conference concerning Assembly Bill No. 38, viz., An act making an appropriation to reimburse Nevada and Sierra counties for the cost of a state printing office.

J. R. MALLORY, Chief Clerk of Assembly.
By Wallace G. Wallace, Assistant Clerk.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Hare, granted leave of absence for tomorrow, May 10, 1913.

ADJOURNMENT.

At eleven o'clock and thirty minutes p.m., on motion of Senator Stanford, the acting President declared the Senate adjourned.

IN ASSEMBLY.

SENATE CHAMBER,
Saturday, May 10, 1913.

The Senate met at one o'clock p.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ayer, Beban, Bronson, Bradford, Broughton, Brown, Burnett, Burnett, Chandler, Cogswell, Cogswell, Cohn, Curtin, Dan, Finn, Flint, Gates, Gerdes, Gerdes, Hare, Hewitt, Holohan, Lanagan, Leavitt, Lewis, Mott, Owens, Rigdon, Sanford, Stanford, Strobridge, Thompson, Tyrrell, and Wright—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dale Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, May 9, 1913, the further reading was dispensed with, on motion of Senator Rush.

JOURNALS OF PREVIOUS DAYS.

The Journals of Monday, April 28, 1913, Tuesday, April 29, 1913, Wednesday, April 30, 1913, Thursday, May 1, 1913, Friday, May 2, 1913, and Saturday, May 3, 1913, were presented, and on motion of Senator Hare were approved.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1684—An Act to amend the title and an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 1684 read first time.

BILLS REFERRED FOR COMPARISON.

On motion of Senator Campbell, Assembly Bill No. 1684 and Senate Bill No. 84 were ordered referred to Committee on Engrossment and Enrollment for comparison.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the ascertainment of the boundaries of, and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in, and as a part of such towns and cities, and for the protecting, government and municipal control of annexed territory," approved March 19, 1889.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 2068 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 813—An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 813 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and theft of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bill No. 447 read first time, and referred to Committee on Irrigation.

Adm.:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1959

MR. PRESIDENT: I am directed by Assembly Committee on Judiciary to report ACA 17 by Assembly Committee on Judiciary, May 5, 1959

Adm.:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1959

MR. PRESIDENT: I am directed by Assembly Committee on Judiciary to report ACA 17 by Assembly Committee on Judiciary, May 5, 1959

Adm.:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1959

MR. PRESIDENT: I am directed by Assembly Committee on Judiciary to report ACA 17 by Assembly Committee on Judiciary, May 5, 1959

Assembly Concurrent Resolution No. 17 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 1299—An Act relating to real estate brokers in the State of California creating a board to be known as the state advertising board, providing for the appointment of its members, prescribing their powers and duties, fixing their term of office, creating a state advertising fund; and providing for its collection and expenditure—and respectfully request your honorable body to concur in said amendments.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Also: To Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 892, 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 849*a*, 850*b*, 858*b* and 872*a* thereof, relating to proceedings in justices' courts.

Also: To Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Also: To Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Also: To Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

Also: To Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Also: To Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Also: To Assembly Bill No. 1581—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 1969, relating to the recovery of damages by a husband, wife, child, parent, guardian, or employer from any person or persons accepting or taking, or assisting in any way in accepting or taking of moneys or other thing of value in any game of chance prohibited by the laws of this State.

Also: To Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg; appointing a commission in connection therewith; and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Committee Substitute for Senate Bill No. 868—An Act making an appropriation to pay the claim of the firm of Dillon, Thompson & Clay, of New York City, against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Committee substitute for Senate Bill No. 868 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Also, by Assembly Bill No. 1231—An Act to amend Section 132 of the Code of Civil Procedure of the State of California, relating to the qualifications of regular jurors.

Also, by Assembly Bill No. 1232—An Act to provide for the acquisition, preservation and protection of appropriate commemorative articles and compositions in connection with the activities of the San Joaquin Valley Historical Association, to provide for a more effective system of acquiring such historical commemorative articles and compositions, and to provide for the preservation and display of such articles, and declaring the duties of various county officers and persons in connection therewith, and declaring the duties of various county officers and persons as indemnitors on certain bonds and other obligations.

Also, by Assembly Bill No. 1233—An Act to amend Section 4256 of the Political Code and the Act of California relating to counties and fixing the salaries of the county officers.

Also, by Assembly Bill No. 1234—An Act appropriating money for buildings and furnishings necessary for Veterans Welfare Commission.

L. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Wagner, Assistant Clerk.

Also

Assembly Chamber, Sacramento, May 8, 1937.

Mr. Speaker: I am directed to inform your honorable body that the Assembly has this day passed Assembly Bill No. 1235—An Act appropriating money to pay the claims of Frank F. Cole against the State of California.

Also, Assembly Bill No. 1236—An Act to amend Section 1275 of the Political Code, relating to the organization of offices of counties of the first class.

L. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Wagner, Assistant Clerk.

Assembly Bill No. 1235 read first time, and referred to Committee on Finance.

Assembly Bill No. 1236 read first time, and referred to Committee on County Government.

Also

Assembly Chamber, Sacramento, May 8, 1937.

Mr. Speaker: I am directed to inform your honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 19—An Act to make an appropriation for the traffic regulations and improvements of the Golden Gate Highway.

Also, by Assembly Bill No. 1237—An Act to amend Section 1170 of the Political Code of the State of California, relating to assistants of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appointing agents for the purpose of carrying out the provisions hereof and authorizing payment for the same.

Also, by Assembly Bill No. 1238—An Act to amend the Code of Civil Procedure of the State of California, by adding Section 4 and relating to the acquisition, possession and disposition of property by the State of California, providing for the procedure in connection therewith, providing for the payment of moneys into the State Treasury and making an appropriation therefor, and for the disbursement of the moneys so paid, and providing when this section shall take effect.

Also, by Assembly Bill No. 1239—An Act to provide for the issuance of franchises over public lands of the State of California for certain purposes, and providing when such franchises and rights may be granted, and the terms and conditions upon which such franchises and rights may be granted, and the rentals to be paid therefor, and providing when the moneys so received shall be paid into the general fund, and providing when this section shall take effect.

L. R. MALLORY, Chief Clerk of Assembly.
By Thomas G. Wagner, Assistant Clerk.

Also

Assembly Chamber, Sacramento, May 8, 1937.

Mr. Speaker: I am directed to inform your honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 1047—An Act authorizing the county of Los Angeles to issue bonds for the purpose of acquiring, constructing or completing a system of bridges, viaducts and approaches thereto, in the city and county of San Francisco, providing for the ordering by the Board of Supervisors of said city and county of San Francisco, providing for the ordering by said board of said bonds, and providing when this act shall take effect.

Also, by Assembly Bill No. 1240—An Act making an appropriation for the construction, equipping and furnishing of a state building, fixing the cost of the building, providing for the acquisition and furnishing of a state building, fixing the cost of the building, providing for the acquisition and furnishing of a state building, fixing the cost of the building, providing for the acquisition

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Also: Senate Bill No. 1109—An Act to amend Section 1880 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provisions for fire drills in certain schools.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 330—An Act to amend Section 1 of an Act entitled "An Act in relation to pedestering; to define and prohibit the same; to provide for punishment thereof; for the competency of certain evidence at the trial therefor," approved February 8, 1911.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

RESOLUTION.

The following resolution was introduced:

By Senator Larkins:

WHEREAS, On account of an unusually dry season in California, feed for live stock of all kinds in this State is scarce; and

WHEREAS, It will be impossible to raise or obtain the necessary feed for such stock from the lands in this State, which are subject to private ownership, to furnish an adequate supply for such stock, and that if relief can not soon be obtained many thousand herds of such stock will perish; and

WHEREAS, The national parks located in the State of California will during the present year afford, and in new years' abundance of feed suitable for such stock, and is not now being put to any beneficial use; now, therefore, be it

Resolved, That our representatives in Congress be, and they are hereby, respectfully requested to use all reasonable efforts to procure the use of such national parks for the use of such live stock upon such terms as may be just; and be it further

Resolved, That the honorable Commissioner of the General Land Office and the honorable Secretary of the Interior be and they are hereby respectfully requested to do all in their power to procure the assistance of California stock associations in such respect as may be possible; and be it further

Resolved, That the Secretary of the Senate be instructed to forward copies of this resolution forthwith to the officials named herein.

Resolution read and adopted.

REPORT OF SPECIAL COMMITTEE.

The following report was received, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, May 10, 1913.

To the Senate of the State of California:

The joint committee, appointed under Senate Concurrent Resolution No. 23, to investigate the conduct of the office of Secretary of State, Frank C. Jordan, incumbent, and of each department and branch thereof and the acts of said Secretary of State and of each of and of his subordinates, deputies or assistants acting in any capacity and pursuant to the duties of such office of Secretary of State or of any other office which he may fill in any other capacity, and upon the conclusion of such investigation to report to both houses of this Legislature the result thereof, together with such conclusions and recommendations as your committee shall deem proper, reports that pursuant to said resolution, the committee met and organized by electing Senator Hewitt chairman, Senator Kehoe vice chairman, and selected Theodore Roche to examine the witnesses on behalf of said committee; that the taking of testimony was commenced on the 16th day of April, 1913, and concluded on the twenty-sixth day of the same month; that during said time testimony, both oral and documentary, was introduced and received, that at all

automobile registrations were treated by Frank M. Jordan as private records, and the public was not given access to the same; the applications for automobile registrations were there also so handled that the public was not given access to them on the day on which they were filed, and the same system of selling like reports as those furnished for compensation from the main office at Sacramento was carried on by Frank M. Jordan, in charge of said branch office; that large sums of money were collected at said branch office by said Frank M. Jordan from the selling of said reports that should have been turned into the treasury of the State of California by said Secretary of State, but that no part of said amount has been so paid into said treasury. That the exact amount so collected by said Frank M. Jordan at said branch office has not been ascertained by your committee, but the evidence is sufficient to show that it aggregated, at least, twenty-one hundred dollars.

Your committee, therefore, feels justified under the evidence introduced in reporting that at least seventy-seven hundred (7700) dollars has been so collected in the office of the Secretary of State through his employees and agents, and that the same has not been turned into the treasury of the State. We recommend that the Attorney General be requested to take such steps as he deems proper for the collection of all said sums of money or such sums as may be found to be due to the State of California.

We further find that in failing to account for the aforesaid moneys and pay them into the state treasury, the said Secretary of State has failed to fulfill his obligations to the State of California, and in permitting public records to be withheld from public inspection as aforesaid has been guilty of malfeasance in office.

Your committee further recommends that the attention of the Attorney General of California be called to the testimony given by Alma A. Brewer before the committee to the end that said Attorney General may take such action with reference to said testimony as he may deem proper.

Respectfully submitted.

LESLIE R. HEWITT, Chairman.
WILLIAM KEHOE.
EDWIN F. GRANT.
J. W. GUIBERSON.
W. F. CHANDLER.
H. A. PEAIRS.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 813—An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HANS, Chairman.

Assembly Bill No. 813 ordered on file for second reading.

SPECIAL ORDERS—CONTINUED.

Senator Juilliard moved that the special orders set for consideration on this date be continued till after the consideration of messages from the Assembly, and that they be taken up for consideration in the order already set.

VOTE RECONSIDERED.

Pursuant to his notice, given on a previous day, Senator Tyrrell moved to reconsider the vote whereby Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378a, relating to the transportation of offal, swill, garbage, and carcasses of dead animals and other refuse from one county or city and county into another county, and providing regulations governing the same—was passed.

The question being on the motion to reconsider.

The roll was called and the vote already recorded by the following vote:

Ayes: Senators Ayer, Bonham, Brink, Butler, Chadwick, Campbell, Caverly, Colby, Ellis, Elliott, Fowler, Gardner, Hackett, Hawkins, Hoyt, Kenyon, Lindbergh, Mahoney, Nelson, Nicholas, Nye, Packwood, Robertson, Thompson, and Tilinghast—33.

Noes: None.

Senator Tilinghast moved to refer to Senator Elliott, as a special committee of one, to amend as follows:

After the word "Treasurer", in line 9, of the printed bill, insert the words "and Board".

Motion carried.

REPORT OF SPECIAL COMMITTEE ON H. B. 1

STATE CAPITOL, PROVIDENCE, May 19, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred House Bill No. 1, with instructions to amend, respectfully reports the same back, amended as per instructions.

ELLIOTT, Chairman.

Report read and adopted.
Bill ordered to print.

CONSIDERATION OF H. B. 1, ENTITLED "AN ACT

On motion of Senator Nelson, the Senate took up the consideration of Senate Bill No. 1, for second reading, and it was

Amended by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. It shall be the duty of the Commissioner of Public Roads, hereinafter called the Commissioner, to make investigations as to the most efficient and economical methods of road building, and to that end he shall have the power to employ such assistants as he may deem necessary, and to fix the compensation of such assistants, subject to the approval of the Governor and Board of Public Roads.

SECTION 2. The Commissioner shall, on or before the first day of January, 1914, and annually thereafter, report to the Governor and Board of Public Roads the results of his investigations, and shall make such recommendations as he may deem advisable.

SECTION 3. The Commissioner shall, on or before the first day of January, 1914, and annually thereafter, report to the Governor and Board of Public Roads the results of his investigations, and shall make such recommendations as he may deem advisable.

SECTION 4. This act shall take effect upon passage."

Read third time.

REPORT OF SPECIAL COMMITTEE ON H. B. 1

Senator Ellis moved to refer to Senator Thompson, as a special committee of one, to amend as follows:

In section 1, line 1, strike out the word "Commissioner" and insert in lieu thereof the words "Board of Public Roads".

After the enacting clause, strike out the remainder of the following: "Commissioner of Agriculture, shall, with the approval of the Governor".

After the enacting clause, in line 2, strike out the word "thereof" and insert in lieu thereof the word "Chairman".

Motion carried.

REPORT OF SPECIAL COMMITTEE ON H. B. 1

STATE CAPITOL, PROVIDENCE, May 19, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 1, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Chairman.

Report read and adopted.

REFERRED TO SPECIAL COMMITTEE OF ONE.

Senator Caverly moved to refer to Senator Hawkins, as a special committee of one, to amend Assembly Bill No. 288, as follows:

Insert as part 4, line 24, before the period, the following: "; for the pupils of the Normal Department of the Rhode Island State College and Women's State School".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 2080, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOYNTON, Committee.

Report read and adopted.

Bill ordered to print.

CONSIDERATION OF SPECIAL ORDER.

The Senate took up for consideration the motion of Senator Juilliard to reconsider the vote whereby Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State—was passed.

SENATOR THOMPSON IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Senator Thompson, of the Thirty-fifth District, in the chair.

PRESIDENT WALLACE IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

RECONSIDERATION REFUSED.

The question being on the motion to reconsider.

The roll was called, and the Senate refused to reconsider the vote whereby Assembly Bill No. 1198 was passed by the following vote:

AYES—Senators Carr, Cogswell, Curtin, Juilliard, Owens, and Wright—6.

NOES—Senators Avey, Beasore, Breed, Brown, Butler, Cartwright, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Mott, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—22.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Jones moved to reconsider the vote whereby Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909—was passed.

The question being on the motion to reconsider.

The roll was called, and the Senate refused to reconsider the vote whereby Senate Bill No. 142 was passed by the following vote:

[illegible]

[illegible]

Senator Boynton moved that the consideration of the special orders set for this date be continued until immediately following recess.

Motion carried.

[illegible]

The following reports of standing committees were received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

[illegible]

CARR, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 10, 1915.

[illegible]

MOTT, Chairman.

Assembly Bill No. 447 ordered on file for second reading.

[illegible]

[illegible] Sections 2951, 2954, and 2955, of the Political Code of the State of California, relating to the levy and apportionment of road tax.

[illegible] providing for the construction and maintenance of the State of [illegible] highways and bridges.

[illegible]

[illegible], Chairman.

Assembly Bills Nos. [illegible] ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 10, 1915.

[illegible] in the State of California to the tract of [illegible]

STROBRIDGE, Chairman.

Assembly Bill No. 1447 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: Your Committee on Education, to whom was referred Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Also: Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

Also: Assembly Bill No. 992—An Act to amend Section 1564 of the Political Code, relating to teachers' institutes.

Also: Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California, defining the powers and duties of boards of school trustees and city boards of education.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

AVEY, Chairman.

Assembly Bills Nos. 2074, 1811, 1119, 992 and 614 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 2128 ordered on file for second reading.

CONSIDERATION OF BILL (OUT OF ORDER).

On motion of Senator Strobridge, the Senate took up the consideration of Assembly Bill No. 2128 for second reading, out of order.

Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

During second reading of the bill, the following admendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, line 7, after the word "California", insert a comma and the following: "or if any rate of taxation shall have been changed by the legislature pursuant to subdivision "f" of said section and article, then upon such rate of taxation as so changed and fixed,".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 5, after the word "constitution", insert the following: "or if any rate of taxation shall have been changed by the legislature pursuant to subdivision 'f' of said section and article, then upon such rate of taxation as so changed and fixed,".

Amendment adopted.

AMENDMENT NO. 3.

On page 2, line 13, after the word "such", insert the word "an".

Amendment adopted.

Amendment No. 4.

On page 1, line 26, after the word "California" insert a comma and the following "or of such City of sufficient population to be organized as a municipality," of said county and strike from said line the word "or" where it appears and insert

Amendment adopted.

Amendment No. 5.

On page 2, line 1, after the comma following the word "Counties", insert the following "or of any City of sufficient population to be organized as a municipality" and strike from said line the word "or" where it appears

Amendment adopted.

Amendment No. 6.

On page 2, line 14, after the word "such" insert the word "an".

Amendment adopted.

Said road amended also and ordered to print and third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

Mr. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1047, An Act authorizing the issuance of the State Treasury to refund at a rate lower the bonds of the San Ardo Water District and bonds of San Fernando Valley Irrigation District, and to provide a fund for the payment of the bonds and interest of San Francisco and making an appropriation therefor, has had the same under consideration and is now ready to report.

Also: Assembly Bill No. 1048, An Act authorizing the State Treasurer upon the approval of the Governor and the Board of Control to issue and sell warrants to pay outstanding claims against the State of California and appropriating money therefor, has had the same under consideration and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 1047 and 1048 ordered on the file second reading.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

Mr. PRESIDENT: Your Committee on Rules to whom was referred Assembly Concurrent Resolution No. 31, Relative to home rule, has had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BOYNTON, Chairman.

Assembly Concurrent Resolution No. 31 ordered on the file.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

Mr. PRESIDENT: Your Committee on Rules, to whom was referred Assembly Concurrent Resolution No. 30, Relative to granting to the Governor Lieutenant Governor and the members of the Senate and Assembly of the twenty-second of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days, has had the same under consideration, and respectfully reports the same back with recommendation that it do pass.

BOYNTON, Chairman.

Assembly Concurrent Resolution No. 30 ordered on the

ON THIRD AND FINAL.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

Mr. PRESIDENT: Your Committee on Public Land Grants, to which was referred Assembly Bill No. 1051, An Act to amend Section 3 of an Act entitled "An Act to Regulate the Granting of Public Land by Certain Counties, passed the

restoration and preservation of fish in the waters of the State of California," approved March 13, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HANS, Chairman.

Assembly Bill No. 101 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Also: Assembly Bill No. 844—An Act to amend Section 2643 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BREED, Chairman.

Assembly Bills Nos. 2133 and 844 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GATES, Chairman.

Assembly Concurrent Resolution No. 17 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

Also: Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295*a* and 2300 and by repealing Section 2303 thereof.

Also: Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GATES, Chairman.

Assembly Bills Nos. 2071, 1144 and 1491 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, without recommendation.

CARR, Chairman.

Assembly Bill No. 1352 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 2053—An Act to provide for the acquisition, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expense thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets,

[illegible] and [illegible] in consideration and for the assessment of the [illegible] having been the property assessed thereto" approved March 23, [illegible] and [illegible] and [illegible] and

houses of said Legislature voting in favor thereof, hereby proposes that Section 19 of Article XI of the Constitution of the State of California be amended to read as follows:

Section 19. Any municipal corporation shall have the right and power to own, operate, maintain and equip works, plants and appliances of all kinds for supplying itself and its inhabitants with water, gas, electricity, or any thereof, or with other means of heat, illumination, power or irrigation, with transportation, telephone service or other means of communication, or with any other public utility or service. Such works, plants or appliances may be acquired by original construction, or by the purchase, lease or condemnation, in whole or in part, of existing works, plants or appliances, or by both. Persons, firms or private corporations may establish and operate works, plants and appliances for the purpose of supplying any municipal corporation and the inhabitants thereof with any such utility or service, upon such conditions and under such regulations as the municipality may prescribe under its organic law, or under such conditions and regulations as may be prescribed by general law in particulars wherein such organic law does make or authorize provisions therefor. Any municipal corporation may supply any such service, or the product of any public utility conducted or operated by it to other municipal corporations and the inhabitants thereof, and to consumers and users outside of its limits; *provided*, that it shall not furnish any service to the inhabitants of any other municipality owning or operating plants or works supplying the same service to the inhabitants thereof, without the consent of such other municipality expressed by ordinance.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 53 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Geddes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Constitutional amendment ordered engrossed, and transmitted to the Assembly.

Senator Carr asked, and was granted, unanimous consent for the consideration of Assembly Constitutional Amendment No. 19, out of order.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

During the reading of the constitutional amendment, the following amendments were offered by the committee:

AMENDMENT NO. 1.

On page 1, lines 13 and 14 of the re-engrossed constitutional amendment, strike out the word "the" at the end of said line 13 and the word "legislature" at the beginning of line 14, and insert in lieu thereof the words "general laws".

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 15 of the re-engrossed constitutional amendment, strike out the words "the legislature", and insert in lieu thereof the words "general laws".

Amendment adopted.

AMENDMENT NO. 3.

On page 2 of the re-engrossed constitutional amendment, strike out all of lines 4 and 5, and insert in lieu thereof the following: "tion. Provision for a preferential system of voting at any other primary election may also be made by general laws."

Amendment adopted.

Constitutional amendment ordered to print.

[illegible] on [illegible]—[illegible] passage of bill.

Assembly Bill No. 970—An act to establish a legislative reference and research bureau and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 970 passed by the following vote:

[illegible]

Bill ordered transmitted to the Assembly.

[illegible]

On motion of Senator Avey, the Senate took up for consideration Assembly amendments to Senate Bill No. 1169.

[illegible]

AMENDMENT NO. 1.

Amendment adopted.

AMENDMENT NO. 2.

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1169?"

The roll was called, and Assembly amendments to Senate Bill No. 1169 concurred in by the following vote:

[illegible]

Senate Bill No. 1169 ordered to enrollment.

REPORT OF [illegible]—OUT OF ORDER.

The following report of standing committees were received and read:

To the Senate:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on [illegible] to whom was referred Assembly Bill No. [illegible], An act relating to the title of [illegible] the act entitled "An act concerning lands of the State of California, confirming the right to select and obtain lands in the state of Wyoming and authorizing the [illegible] and [illegible] thereof, and the same [illegible] have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotel keepers on property of guests for charges.

Also: Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the department of agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 503—An Act to amend Section 1731 of the Political Code of the State of California, relating to the election of members of high school boards.

Also: Senate Bill No. 1510—An Act to amend Section 2236 of the Political Code of the State of California, relating to changing the name of the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 745—An Act to amend Section 3 of an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California," approved February 3, 1911.

And report that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1913, at ten o'clock a.m.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1764—An Act to amend an Act entitled "An Act to provide for the formation, organization, and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909—and report that the same has been correctly re-engrossed.

GRANT, Chairman.

THIRD READING OF BILLS — RESUMED.

Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as the Kings River Canyon Road.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2026 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Butler, Campbell, Caminetti, Cobb, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Sanford, Scott, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor.

Read third time.

[illegible]

Senator Thompson moved to refer to the Senate Committee on [illegible]

Motion carried.

[illegible]

Report read and adopted.
Bill ordered to print.

[illegible]

Assembly Bill No. 1151—An act establishing a high school in Riverside County, State of California, and making an appropriation for the maintenance of said school.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1151 passed by the following vote:

[illegible]

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 2098—An act to provide for the partial completion, and partial furnishing of the capitol for National Guard at San Francisco, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2098 passed by the following vote:

[illegible]

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 861—An act to provide a pension for blind soldiers, to defray educational institutions and to make an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 861 passed by the following vote:

[illegible]

Title read and approved.
Bill ordered transmitted to the Assembly.

[illegible]

Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1186 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Shanahan, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Thompson, the acting President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened. Senator Thompson, of the Thirty-fifth District, in the chair.

CONSIDERATION OF SPECIAL ORDERS.

On motion of Senator Finn, the Senate took up the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this Act—was passed.

The question being on the motion to reconsider.

The roll was called, and the Senate refused to reconsider the vote whereby Assembly Bill No. 1251 was passed by the following vote:

AYES—Senators Caminetti, Curtin, Finn, Gerdes, Regan, Sanford, and Shanahan—7.

NOES—Senators Benson, Birdsall, Boynton, Breed, Brown, Butler, Carr, Cartwright, Flint, Gates, Grant, Hans, Jones, Juilliard, Kehoe, Lyon, Mott, Strobridge, Thompson, Tyrrell, and Wright—21.

The Senate took up for consideration the motion of Senator Finn to reconsider the vote whereby Senate Bill No. 1009—An Act to grant to boards of health, or health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration and examination of plumbers—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the Senate refused to reconsider the vote whereby Senate Bill No. 1009 was refused passage by the following vote:

AYES—Senators Benson, Boynton, Breed, Caminetti, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Hans, Lyon, Regan, Shanahan, and Tyrrell—15.

NOES—Senators Anderson, Avey, Birdsall, Brown, Butler, Cartwright, Jones, Juilliard, Kehoe, Mott, Strobridge, Thompson, and Wright—13.

RECONSIDERATION ORDERED

The Senate took up for consideration the motion of Senator Upton to reconsider the vote whereby Senate Bill No. 310—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless practitioners, and a board of registration of religious practitioners—was refused passage.

The question being on the motion to reconsider.

The roll was called and the Senate refused to reconsider the vote whereby Senate Bill No. 310 was refused passage by the following vote:

Ayes—Senators Boyd, Chandler, Flint, Hans, Nichols, Lee, Regan and Upton—8.

Noes—Senators Avey, Brown, Cartwright, Burnett, Carr, Cogan, Evan, Gilliland, Mott, Rominger, Stetson, Thompson, and Wright—15.

MESSAGES FROM THE ASSEMBLY

On motion of Senator Gerdes, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1051, An Act making an appropriation for the payment of certain claims, passed on January 13, 1913, and found to provide claims of certain claimants and authorizing the the payment of such claims, and providing a penalty.

J. E. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watkins, Assistant Clerk.

Assembly Bill No. 1051 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 10—An Act to amend Section 1000 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

J. E. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watkins, Assistant Clerk.

Assembly Bill No. 10 read first time and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1052—An Act to provide a state highway from Santa Cruz to Capitola [illegible] in Santa Cruz County.

J. E. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Watkins, Assistant Clerk.

Assembly Bill No. 1052 read first time, and referred to Committee on Roads and Highways.

CONSIDERATION OF SPECIAL ORDERS

Assembly Bill No. 1070—An Act to amend Section 2859 of the Political Code of the State of California, relating to Notices, by adding a provision thereto, relating to employers and employees.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Campbell moved a call of the Senate.

Motion carried.

Time, four o'clock p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators—Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cogswell, Cole, Curtin, Finn, Flint, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and ten minutes p.m., Senators Bryant and Larkins were brought to the bar of the Senate, and, on motion of Senator Campbell, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Campbell.

The roll of absentees was called, and Assembly Bill No. 2070 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cole, Curtin, Finn, Flint, Grant, Hewitt, Jones, Kehoe, Larkins, Lyon, Regan, Sanford, and Shanahan—21.

NOES—Senators Birdsall, Beban, Breed, Brown, Cogswell, Gates, Hans, Juilliard, Mott, Strobridge, Thompson, Tyrrell, and Wright—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committee were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 38—Relative to the appointment of a justice court inquiry commission for studying, considering and reporting upon the problems of administration of justice courts in California, and the problems of procedure and delinquency, with a view to remedy and the need, if any, of amending the juvenile court law, have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GATES, Chairman.

Assembly Concurrent Resolution No. 38 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafes, barber shops, dining cars, railroad companies and sleeping car companies from giving same to employees; to prohibit the employees of hotels, restaurants, cafes, barber shops, dining cars, railroad companies and sleeping car companies from receiving tips to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafes, barber shops, dining cars, railroad companies and sleeping car companies from receiving same—have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Assembly Bill No. 2039 ordered on file for second reading.

Ayes:

NAYS (Thomas, Stephenson) May 19, 1911.

Mr. President, Your Committee on Judiciary, to whom was referred Assembly Bill No. 642—An Act to appoint the state engineer ex-officio a commissioner for the State of California, and to vest in said board control and supervision over the appropriation, storage and distribution of water, and to provide for the appointment of the assistants of said commissioner, fixing the terms of office and compensation of the assistants of said commissioner, fixing the powers, duties and authority of said assistants, and the manner, providing for the filling of vacancies in the membership of said commission, providing for the removal from office of the appointed members of said commission, providing for the organization of courts with said commissioner, providing that water courts shall take judicial notice of certain acts of the state board of commissioners, providing for the appointment of stenographers, clerks and other assistants of said commissioner, providing that certain acts of said commissioner shall be prima facie evidence of the facts therein stated, providing for the payment of the salaries and expenses of said commissioner, its assistants and employees, including, for the purposes of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the points at which water may be appropriated and the conditions under which appropriations may be made; providing for the payment of fees and charges by the applicants for permission

Assembly Bill No. 642 referred to Judiciary.

COMMISSIONER OF EQUALIZATION.

On motion of Senator Wyman, the Senate took up the consideration of Assembly Bill No. 647 for second reading and its order.

Assembly Bill No. 647—An Act creating a state water commission, regulating and providing for the appointment of its members, fixing the terms of office and compensation of its members, fixing the powers, duties and authority of said commission and its members, providing for the filling of vacancies in said commission and the removal from office of members thereof, providing for the organization of the courts with said commissioner, providing that water courts shall take judicial notice of certain acts of the state board of commissioners, specifying the duties of all persons connected as witnesses before said commissioner appropriating money for carrying out the provisions of this Act; providing for the payment of the salaries and expenses of said commission, its members and employees, including, for the purposes of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the points at which water may be appropriated and the conditions under which appropriations may be made; providing for the payment of fees and charges by the applicants for permission

to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

During second reading of the bill, the following amendments were offered by the Committee on Judiciary:

AMENDMENT No. 1.

On page 3, line 9, after the period, insert the following: "Such appointive commissioners shall be men of practical knowledge or experience in the application and use of waters for irrigation, mining and metallurgical purposes, and shall be so appointed that at least one thereof shall have had practical knowledge and experience in the use of water for agricultural purposes, and one thereof shall have had practical knowledge and experience in the use of water for mining purposes, and one thereof shall have had practical knowledge and experience in the use of water for municipal purposes."

Amendment adopted.

AMENDMENT No. 2.

On page 3, strike out all of lines 22 and 23, and in lieu thereof insert the following:

"Such *pro tempore* commissioner shall have compensation for the time of service equal to the compensation of a commissioner during such service and shall have the power and authority of the same,".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 36, after the word "office", insert a period and strike out all the rest of line 36 and all of line 37, and all of line 1 on page 4 and the word "charges" in line 2, page 4.

Amendment adopted.

AMENDMENT No. 4.

On page 9, line 5, after the word "put", insert the words "to some useful or beneficial purpose".

Amendment adopted.

AMENDMENT No. 5.

On page 9, line 7, strike out the following words: "or which having been appropriated is not now,".

Amendment adopted.

AMENDMENT No. 6.

On page 9, line 9, strike out the word "original", and in lieu thereof insert the word "initial".

Amendment adopted.

AMENDMENT No. 7.

On page 9, line 19, after the comma following the word thereto", insert the words "or otherwise appropriated".

Amendment adopted.

AMENDMENT No. 9

On page 2, line 10, strike out the following words: "not more than two and"

Amendment adopted.

AMENDMENT No. 10

On page 2, line 16, after the period, insert the following: "In any case where a contract or contracts have been awarded under the provisions of this Act by competitive bidding and not executed by the successful bidder, the amount of bonds to a surety, such bonds shall be in the sum of one per centum added thereto, provided, however, that the total amount of bonds required of any one bidder shall not exceed the sum of ten thousand dollars. Bonds given to the State of Utah and conditioned for the payment of labor, materials or supplies used in the construction of the work contracted for shall be in the sum of one hundred per centum of the contract price."

Amendment adopted.

AMENDMENT No. 11

On page 3, line 27, after the word "bonds", insert the following: "and contractors"

Amendment adopted.

AMENDMENT No. 12

On page 3, line 30, after the word "Commissioner", insert the following: "and the Board of Examiners"

Amendment adopted.

AMENDMENT No. 13

On page 4, line 10, strike out the word "Commissioner", and insert in lieu thereof the words "Board of Examiners"

Amendment adopted.

AMENDMENT No. 14

On page 4, line 14, after the word "Commissioner", insert the words "and the Board of Examiners"

Amendment adopted.

AMENDMENT No. 15

On page 4, line 15, strike out the word "shall", and in lieu thereof insert the words "by the State of"

Amendment adopted.

AMENDMENT No. 16

On page 4, line 17, after the word "shall", insert a comma and the following: "if the consideration is $10,000"

Amendment adopted.

AMENDMENT No. 17

On page 5, line 10, after the word "Commissioner", strike out the semicolon and the words "provided, that", and in lieu thereof insert a comma and the word "unless"

Amendment adopted.

AMENDMENT No. 18

On page 5, line 19, after the word "Act", and in lieu thereof insert the word "Act"

Amendment adopted.

AMENDMENT No. 19.

On page 16, line 2 after the comma following the word "approval", insert the following: "which time shall not be less than sixty days from date of said approval,".

Amendment adopted.

AMENDMENT No. 20.

On page 16, line 21, strike out the words "reasonableness of the commission's", and in lieu thereof insert the following: "order of the commission".

Amendment adopted.

AMENDMENT No. 21.

On page 16, line 22, strike out the words "act of revocation", and in lieu thereof insert the following: "revoking said approval of the application".

Amendment adopted.

AMENDMENT No. 22.

On page 16, line 26, strike out the words "reasonableness of the", and in lieu thereof insert the words "order of".

Amendment adopted.

AMENDMENT No. 23.

On page 16, line 28, strike out the words "court decision", and in lieu thereof insert the word "judgment".

Amendment adopted.

AMENDMENT No. 24.

On page 16, line 31, strike out the words "declared to be unreasonable by the courts", and in lieu thereof insert the words "decreed by such court".

Amendment adopted.

AMENDMENT No. 25.

On page 17, lines 30 and 31, strike out the words "as to the reasonableness of the refusal of the said commission to issue said license", and in lieu thereof insert the following: "to review said order and to obtain a decree requiring the issuance of such license."

Amendment adopted.

AMENDMENT No. 26.

On page 17, lines 33 to 35, strike out the words "a final court", in line 33, and all of lines 34 and 35, and in lieu thereof insert the following: "the decree in such action has been entered and become final. But until the".

Amendment adopted.

AMENDMENT No. 27.

On page 18, line 1, strike out the words "declared to be unreasonable", and in lieu thereof insert the word "determined".

Amendment adopted.

AMENDMENT No. 28.

On page 18, line 6, strike out the words "as to the reasonableness", and in lieu thereof insert the words "to determine the validity".

Amendment adopted.

AMENDMENT No. 29.

On page 18, lines 24 and 25, strike out the words "determine to purchase, and shall purchase, as is or may be provided by law," and in lieu thereof insert the words: "have the right to purchase".

Amendment adopted.

AMENDMENT No. 30.

On page 18, lines 27 to 34, strike out the word "(except" in line 27, all of lines 28 to 33, inclusive, and the words "subdivision of the state purchasing them", in line 34.

Amendment adopted.

Amendment No. 2.

On page 39, lines 3 and 4, delete part (2) that part of line 3 following the period after "Code" and all of line 4 and the semicolon.

Amendment adopted.

Amendment No. 3.

On page 39, line 5, strike out the words "of the county" and in lieu thereof insert the words "within any school district".

Amendment adopted.

Amendment No. 4.

On page 39, strike out all of line 23 following the period after the word "commerce" and all of line 24 and in lieu of all of the words so stricken, the word including has period following the word "commerce".

Amendment adopted

Amendment No. 5.

On page 39, line 24, strike out the words "granary & scales or scales".

Amendment adopted

Amendment No. 6.

On page 40, line 2, after the word "conduct" insert a comma and the following: "whether through condemnation proceedings or otherwise".

Amendment adopted

Amendment No. 7.

On page 41, strike out the following beginning on line 29 of page 41 ("providing that no person shall vote twice for the purpose of selling or exchanging votes") through the end of line 2 on page 42 ("or to influence the action of any voter on account of the casting heretofore made by him"); and in lieu thereof insert the following: "providing that no person shall vote twice for the purpose of selling or exchanging votes or for the purpose of influencing the vote of any voter on account of the casting heretofore made by him".

Amendment adopted.

Amendment No. 8.

On page 42, strike out lines 3 through 5 and in lieu thereof insert the following: "Section 2. Section 23-1-1 of the 1962 Code is amended to read:".

Amendment adopted.

Amendment No. 9.

On page 42, line 6, after the word "Section" strike out the period and the following: "23-1-1. Any person who shall be convicted of any violation of the provisions of this section shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding thirty days, in the discretion of the court."

Amendment adopted.

AMENDMENT No. 39.

On page 23, lines 22 to 30, strike out the period in line 22 and the remaining words in said lines; also strike out all of lines 23 to 30, inclusive, and in lieu thereof insert a comma and the following: "and thereafter the said commission shall cause its findings and ascertainment of the rights of the respective claimants to said water to be made and filed in the superior court in each of the counties where said water is appropriated."

Amendment adopted.

AMENDMENT No. 40.

On page 24, lines 1 to 2, strike out the words "who has submitted evidence to the state water commission".

Amendment adopted.

AMENDMENT No. 41.

On page 24, line 15, after the word "date", insert the words "of the service".

Amendment adopted.

AMENDMENT No. 42.

On page 24, line 27, strike out the first comma and the words "as provided in this Act,".

Amendment adopted.

AMENDMENT No. 43.

On page 25, line 29, after the word "therefrom", insert the word "as".

Amendment adopted.

AMENDMENT No. 44.

On page 25, line 30, strike out the words "and settlement".

Amendment adopted.

AMENDMENT No. 45.

On page 26, line 13, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 46.

On page 27, line 13, after the word "ascertainment", insert the following: "and may make other or different findings as in its judgment the evidence justifies".

Amendment adopted.

AMENDMENT No. 47.

On page 27, line 24, strike out all of line 24, and in lieu thereof insert the following: "or for which it is being used".

Amendment adopted.

AMENDMENT No. 48.

On page 28, line 17, strike out the period, and insert a comma in lieu thereof, and add the following: "exclusive of the cost of such hydrographic survey."

Amendment adopted.

AMENDMENT No. 49.

On page 30, strike out all of lines 8 to 13, inclusive, and in lieu thereof insert the following: "and nothing in this Act shall affect or limit in any manner whatsoever the right or power of any municipality which has heretofore appropriated or acquired water or the use of water for municipal purposes, to use or to sell or otherwise dispose of such water or the use thereof, either within or without its limits for domestic, irrigation or other purposes, in accordance with laws in effect at the time of the passage of this Act."

Amendment adopted.

AMENDMENT No. 50.

On page 30, line 22, strike out the word "contained", and in lieu thereof insert the word "used".

Amendment adopted.

AMENDMENT NO. 1.

On page 2, line 26, strike out the words "Boarding of" and in lieu thereof insert the following: "Use in any one year of more than one half part of"

Amendment adopted.

The following amendment was offered by the Committee on Finance:

On page 2, section 4, line 1, strike out the words "one hundred and fifty" and insert in lieu thereof the words "seventy-five"

Amendment Lost.

The following amendment was offered by Senator Northcutt:

On page 2, section 4, line 1, strike out the words "one hundred and"

Amendment adopted.

Bill read second time, and ordered to print and third reading.

REPORTS OF STANDING COMMITTEES [Out of order.]

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, April 3, 1911.

Mr. President: Your Committee on Education, to whom was referred Assembly Bill No. 1200, entitled "An act to amend Section 1617 of the Political Code of the State of California, relative to the formation of city high school districts, and to repeal Section 1618 of said Political Code, and the acts amendatory thereof," have had the same under consideration, and respectfully report that said bill do pass.

COGSWELL, Chairman.

Assembly Bill No. 1200 ordered on file for second reading.

SENATE CHAMBER, SACRAMENTO, May 10, 1911.

Mr. President: Your Committee on Education, to whom was referred Assembly Bill No. 1261, has also to report Section 1617 of the Political Code of the State of California, with reference to the formation of city high school districts, which was by said bill to be repealed, and the acts amendatory thereof, and has instructed me to report that said bill do pass as amended, and recommend that it be printed.

JUDY, Chairman.

Assembly Bill No. 1261 ordered on file for second reading.

SENATE CHAMBER, SACRAMENTO, May 10, 1911.

Mr. President: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1252—An act relating to the public health, to repeal certain sections of, to amend a section of, and to add certain sections to, the Political Code, and to repeal certain sections of the Penal Code relating to the public health, and to amend Section 1 of an Act entitled "An Act to regulate the practice of medicine, and to provide for the appointment, qualification, and compensation of a board of medical examiners, and to provide for the prosecution of all persons violating the provisions thereof, and to repeal an Act entitled 'An Act to regulate the practice of medicine, and to provide for the appointment, qualification, and compensation of a board of medical examiners, and to provide for the prosecution of all persons violating the provisions thereof,' approved March 27, 1907," have had the same under consideration, and respectfully report that said bill do pass.

JONES, Chairman.

Assembly Bill No. 1252 ordered on file for second reading.

POSTPONEMENT OF BILLS—[Out of order.]

On motion of Senator Hare, the Senate took up the consideration of Assembly Bill No. 201 for second reading, out of order.

Assembly Bill No. 201.—An Act to amend Section 3 of an Act entitled "An Act to regulate the business of fishing, and to provide therefrom

revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

During second reading of the bill, the following amendment was offered by the committee:

On page 1, line 9, strike out the words beginning with the word "The" all down to and including the word "dollars", in line 2, page 2, and insert in lieu thereof the following: "The license fee shall be ten dollars for each person".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Cogswell, the Senate took up the consideration of Assembly Bill No. 1083, out of order.

Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

During second reading of the bill, the following amendment was offered by the committee:

Strike out of the printed bill after the words "Section 1," the remainder of the bill, and insert in lieu thereof the following:

"An Act entitled 'An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the state board of health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions,' approved March 14, 1911, is hereby amended to read as follows

SECTION 1. For the purpose of this Act the words person, firm, company or corporation shall include storekeepers, retailers, jobbers, and every place where eggs or butter which have been preserved or kept or placed in storage are sold or offered for sale.

SEC. 2. Every person, firm, company or corporation, who sells or offers for sale any eggs or butter that have been preserved or kept or placed in storage before so doing shall cause to be stamped, tacked or branded upon both ends or heads of the barrel and upon all cases of such box, case or receptacle holding and containing the same, in block-faced letters two inches in length, the word 'storage' and the name of the county and state where produced or made.

SEC. 3. Every person, firm, company or corporation, who sells or offers for sale any eggs that have been in storage in this state, or elsewhere, or have been shipped into or imported into this state before so selling shall legibly stamp, mark or brand, or cause to be legibly stamped, marked or branded each egg, on the end thereof, in letters at least one eighth of one inch in height, the word 'storage,' or the word 'imported,' as the fact may be.

SEC. 4. That every person, firm, company or corporation selling or offering for sale any such storage eggs or butter, shall display in a conspicuous place on his or their salesroom, a sign bearing the words 'Storage eggs or butter sold here' in blackfaced letters not less than six inches in length, upon a white ground.

SEC. 5. Every person, firm, company or corporation, who shall fail to comply with any of the provisions of this Act is guilty of a misdemeanor and punishable by imprisonment in the county jail for a term not exceeding six months, or fine of two hundred fifty dollars, or by both such fine and imprisonment."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Juilliard, the Secretary was directed to issue a rush order for printing Assembly Bill No. 1083.

[illegible]

The following reports of standing committees were received and read:

[illegible]

Senate Chamber, Sacramento, May 19, 1911.

Mr. President: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 1104—An act to amend [illegible] and to add new sections [illegible] has had the same under consideration, and has examined the same, and has found the same correctly engrossed.

[illegible]

Senate Chamber, Sacramento, May 19, 1911.

Mr. President: Your Committee on Engrossment and Enrollment, to whom was referred Assembly Bill No. 1104—An act to amend [illegible] has had the same under consideration, and has examined the same, and has found the same correctly enrolled.

[illegible]

Senate Chamber, Sacramento, May 19, 1911.

Mr. President: Your Committee on Public Utilities, to whom was referred Assembly Bill No. 1104—An act to amend [illegible] has had the same under consideration, and has examined the same, and has found the same correctly printed.

[illegible]

Senate Chamber, Sacramento, May 19, 1911.

Mr. President: Your Committee on Public Utilities, to whom was referred Assembly Bill No. 1104—An act to amend [illegible] has had the same under consideration, and has examined the same, and has found the same correctly printed.

[illegible]

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Hans, the Senate took up the consideration of the third-reading file of Assembly bills:

Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

On motion of Senator Thompson, Assembly Bill No. 1580 was ordered to the file of unfinished business.

Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2038 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Breed, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Flint, Grant, Hans, Hewitt, Jones, Juilliard, Larkins, Lyon, Mott, Sanford, Shanahan, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET.

Senator Wright moved the consideration of Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897—be made a special order for eleven o'clock and twenty-five minutes a.m., Sunday, May 11, 1913.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced:

By Senator Caminetti; Senate Joint Resolution No. 43—Relative to the right of the State of California to legislate on the question of the ownership of lands within the State by certain aliens, and memorializing the President, the Senate and the House of Representatives of the United States concerning the subject and providing for the appointment of a commission to represent the State of California, in diplomatic or other negotiations at Washington, D. C.

Resolution referred to Committee on Federal Relations.

PRESIDENT WALLACE IN THE CHAIR.

At four o'clock and thirty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Hunt moved a call of the Senate.

Motion carried.

Time, four o'clock and forty minutes p.m.

The President directed the Sergeant at Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Bennett, Bland, Brooks, Burton, Case, Chipman, Cobb, Cole, Curtis, Dolbeer, Estey, Flint, Gerlach, Hare, Hewitt, Hunt, Kellogg, Kelly, Lathrop, Lewis, Logan, Maddox, Mathewson, Nelson, Nichols, Norcross, Parker, Pierce, Prescott, Reed, Rogers, Sanford, Shearer, Smith, Stevens, Stewart, Thomson and Tyrrell—40.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and forty-five minutes p.m. Senators Dolbeer and Bennett were brought to the bar of the Senate, and, on motion of Senator Hunt, they were excused for absence from the Senate chamber.

SEVERAL PROPOSITIONS FROM LIST OF THE SENATE DISPOSED WITH.

At four o'clock and forty-five minutes p.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Hunt.

The roll of absentees was called, and Assembly Bill No. 1447 passed by the following vote:

Ayes—Senators Anderson, Avey, Bennett, Bland, Brooks, Burton, Case, Chipman, Cobb, Cole, Curtis, Dolbeer, Estey, Flint, Gerlach, Hare, Hewitt, Hunt, Kellogg, Kelly, Lathrop, Lewis, Logan, Maddox, Mathewson, Nelson, Nichols, Norcross, Parker, Pierce, Prescott, Reed, Rogers, Sanford, Shearer, Smith, Stevens, Stewart, Thomson and Tyrrell—40.

Noes—Senators Bunner, Bolton, Colbert, Lawlor, and Strobel—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE AMENDMENTS TO BILLS—THIRD READING.

Assembly Bill No. 2125—An Act making an appropriation for the legislative printing fund.

Read third time.

Section 2 setting forth the urgency clause, read.

The question being "Shall the section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Bunner, Bennett, Bland, Brooks, Burton, Case, Chipman, Colbert, Cole, Curtis, Dolbeer, Estey, Flint, Gerlach, Hare, Hewitt, Hunt, Kellogg, Kelly, Lathrop, Lewis, Logan, Maddox, Mathewson, Nelson, Nichols, Norcross, Parker, Pierce, Prescott, Reed, Rogers, Sanford, Shearer, Smith, Stevens, Stewart, Thomson and Tyrrell—37.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2125 passed by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Bunner, Bennett, Bland, Brooks, Burton, Case, Chipman, Colbert, Cole, Curtis, Dolbeer, Estey, Flint, Gerlach, Hare, Hewitt, Hunt, Kellogg, Kelly, Lathrop, Lewis, Logan, Maddox, Mathewson, Nelson, Nichols, Norcross, Parker, Pierce, Prescott, Reed, Rogers, Sanford, Shearer, Smith, Stevens, Stewart, Thomson and Tyrrell—37.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 227 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Brown, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Sanford, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1550 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Brown, Bryant, Cammetti, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Sanford, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 594—An Act making an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 594 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Sanford, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the State Hygienic Laboratory.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 450 passed by the following vote:

[illegible]

This bill was read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2007.—An Act making an appropriation for the location, survey, construction, and improving of a state highway from a point on the Ventura county road near Tujunga Creek, Los Angeles County, thence in a northerly direction through Tujunga Canyon to the town of Caledonia, Los Angeles County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2007 passed by the following vote:

[illegible]

This bill was read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1449.—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1449 passed by the following vote:

[illegible]

This bill was read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1440.—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the first fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1440 passed by the following vote:

[illegible]

This bill was read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1025.—An Act to amend Section 4278 of the Political Code of the State of California, relating to compensation of officers of counties of the first-class.

Read third time.

The question being on the passage of the bill.

[illegible]

The roll was called, and Assembly Bill No. 612 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Sanford, Shanahan, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 367 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Sanford, Shanahan, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 689 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Mott, Sanford, Shanahan, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 690 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Sanford, Shanahan, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2121 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Senator Curtin asked, and was granted, unanimous consent to take up for consideration Senate Concurrent Resolutions Nos. 31 and 32, and it reads:

SENATE CONCURRENT RESOLUTION No. 31

Relative to leave of absence for Senators

[illegible]

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 31 adopted by the following vote:

[illegible]

Resolution ordered engrossed and transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 32

Relative to leave of absence for certain state officers.

[illegible]

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 32 adopted by the following vote:

[illegible]

Resolution ordered engrossed, and transmitted to the Assembly.

[illegible]

Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 43 refused passage by the following vote:

AYES—Senators Caminetti, Finn, Gerdes, Juilliard, Kehoe, and Regan—6.
NOES—Senators Anderson, Benson, Breed, Carr, Cartwright, Cohn, Curtin, Flint, Gates, Grant, Hans, Hewitt, Jones, Mott, Thompson, and Tyrrell—16.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 510 passed by the following vote:

AYES—Senators Avey, Benson, Brown, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Flint, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Shanahan, Thompson, and Tyrrell—21.
NOES—Senators Anderson, Breed, Curtin, Finn, Gates, Larkins, and Regan—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1709 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Caminetti, Carr, Cogswell, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, and Tyrrell—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations.

On motion of Senator Thompson, Assembly Constitutional Amendment No. 81 was passed on file.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article II thereof, relating to charters of counties and the amendments to such charters and to the surrender thereof.

On motion of Senator Campbell, Assembly Constitutional Amendment No. 60 was passed on file.

Assembly Bill No. 1452—An Act to amend Section 628½ of the Penal Code, relating to the protection of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1452 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt,

Ayes: Caldwell, Gates, Ludlow, Long, Mac, Rojas, Stanford, Thompson, and Tyrrell—9.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1200—An Act to amend Section 626 of the Penal Code of the State of California, relating to young fish, private ponds, and fishways thereto.

Read third time.

The question being on the passage of the bill.

The bill was called, and Assembly Bill No. 1200 passed by the following vote:

Ayes: Senators Ashurst, Avey, Bacon, Beatty, Blevins, Bunkers, Burnett, Campbell, Carr, Cartwright, Curtis, Finn, Gerdes, Gerrey, Hans, Harris, Hayes, Hewitt, Jones, Caldwell, Ludlow, Long, Mac, Rojas, Stanford, and Tyrrell—28.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 771—An Act to amend Section 270 of the Code of Civil Procedure, relating to persons to sue and answer when a married woman is a party.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 771 passed by the following vote:

Ayes: Senators Ashurst, Avey, Bacon, Beatty, Blevins, Bunkers, Burnett, Campbell, Carr, Cartwright, Curtis, Finn, Gerdes, Gerrey, Hans, Harris, Hayes, Hewitt, Jones, Caldwell, Ludlow, Long, Mac, Rojas, Stanford, Thompson, Tyrrell, and Wright—34.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

To the Senate of the State of California:

Senate Chamber, Sacramento, May 10, 1915.

Mr. President: Your Committee on Enrollment and Engrossed Bills respectfully reports that it has carefully examined the following:

Senate Bill No. 1000—An Act to repeal Section 4377 of the Political Code of the State of California, relating to the sessions, fees and expenses of jurors in counties of the third class, and

Senate Bill No. 1001—An Act to repeal Section 4387 of the Political Code of the State of California, relating to the selection, fees and expenses of jurors in counties of the third class, and

And reports that the same have been correctly engrossed.

GRANT, Chairman.

SECOND READING OF ASSEMBLY BILLS—CONTINUED.

Assembly Bill No. 1145—An Act to amend Section 3247a of the Political Code, relating to the purchase of supplies for the State by boards, commissions, and other persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 214 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Cartwright, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Shanahan, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns, said section to be numbered 1281*a*.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 914 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Carr, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1755 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Curtin, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Regan, Shanahan, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1756 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Regan, Shanahan, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1050 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1385—An Act to amend Section 1288 of the Public Land Code of the State of California, relating to the certification of election returns by the county clerk.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1385 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1378—An Act to provide for the formation and establishment of road districts, the construction, acquisition, maintenance, control and use of roads, including the town roads, providing for the selling, leasing and selling of bonds and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commissioner to have charge of the affairs of road districts and the construction, maintenance and repair of roads within such districts, providing for the duties of such commissioner, their terms of office and of elections to be held in such districts.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1378 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Senator Anderson gave notice that he would, on the next legislative day, move to reconsider the vote whereby Assembly Bill No. 510 was this day passed.

[illegible]

At six o'clock p.m., on motion of Senator Boynton, the Acting President declared the Senate at recess until eight o'clock p.m.

[illegible]

At eight o'clock p.m., the Senate reconvened.

Hon. C. C. Hoskins, President pro tem. of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS.

On motion of Senator Campbell, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 1343—An Act to regulate the construction, operation and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing a penalty for violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1278—An Act to amend Section 435*a* of the Political Code, in relation to the funds in the state treasury.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commission on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text books free to the school children of the State, in accordance with the provisions of the Constitution.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea of verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the discussion of such accusation after full compliance with the terms of probation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1222—An Act prohibiting the destruction of food stuffs, food products or food articles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1445—An Act to amend an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, duties to govern and define and the rights, remedies of persons of public utilities, and to provide penalties for officers by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund,' and appropriating the moneys therein to carry out the provisions of this Act, and repealing 'An Railroad Commission Act,'" approved February 23, 1911, and also repealing an Act entitled "An Act to amend the Railroad Commission Act by amending Section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced-rate transportation for freight and passengers," approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," by amending Section 47 thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, municipal city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever owned by any such existing public utility, or any part or portion thereof.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1246—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and mining out of underground mines, and tunnels, shafts and chutes generated by blasting powder and other explosives, and the ventilating of such mines and tunnels, and providing penalties for the violation of such regulations, and declaring that such regulations constitute gross negligence in case of actions for damages by reason of violations.

During second reading of the bill the following Amendments were offered by the committee:

Committee Amendment No. 1.

Amendment adopted.

Committee Amendment No. 2.

Amendment adopted.

Committee Amendment No. 3.

Amendment adopted.

Bill read second time, and ordered on third reading.

Assembly Bill No. 1462—An Act to amend Section 1 of an Act

entitled "An Act regulating the hours of employment in underground mines and in smelting and reduction works," approved March 21, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 736.—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Campbell, the Senate took up for consideration Assembly Bills ordered on file this day, for second reading, out of order, as follows: Nos. 2066, 1385, 996, 2069, 1484, 1487, 2053, 844, 1491, 1144, 2071, 1452, 644, 29, 2104, 2074, 1811, 1119, 614, 1407, 992, 1559, 2139 and 2137.

Assembly Bill No. 2066.—An Act to establish courts of special claims in cities of the first class and cities of the first and one-half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1385.—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto, and making an appropriation for the purposes of this Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 996.—An Act to amend Section 1 of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands, to define the duties of the State Board of Fish Commissioners in relation to the control of such rights and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches, a misdemeanor," approved March 21, 1907.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2069.—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, other game or otherwise, and to prohibit the owning or possession of any shot guns or rifle by any unnaturalized foreign born resident of this State and providing punishment therefor, and providing for disposition of such shotguns or rifles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1484.—An Act providing that any person, firm, association or corporation or agent, superintendent or manager thereof employing special agents, detectives or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotter, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1467—An Act authorizing and directing the State Board of Health to conclude the anti-horse organization and sanitation, begun for the purpose of regulating horses and their occupation and the sanitation of horse barns, prevailing for the appointment, salaries and expenses of a director, two assistants and necessary clerical help; and other assistants, defining the powers and duties of said officers and employees; providing for registration and transportation of horses, and appointment of inspectors; providing for quarantine and disinfection of barns, and appointment and the manner of enforcing, license or permit to operate the occupation of a horse barn; providing for quarantine of horses; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of the provisions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1555—An Act to provide for the acquisition, improvement, maintenance, construction, reconstruction, repair and operation by municipalities of water works, electric power works, gas works, and other public works and utilities for the assessment of the cost and expense thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, highways, wharves and places by municipalities and for the assessment of the cost and expense thereof upon the property benefited thereby," approved March 21, 1903.

Bill read second time, and ordered on the for third reading.

Assembly Bill No. 940—An Act to amend Section 261 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Bill read second time, and ordered on the for third reading.

Assembly Bill No. 1470—An Act to amend Section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature, of reports of supreme court.

Bill read second time, and ordered on the for third reading.

Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2264, 2266, 2268a and 2269, by adding thereto two new sections, to be numbered 2268a and 2268c, and by repealing Sections 2262, 2264 and 2272 thereof, and to repeal an Act entitled "An Act to provide for the registration, printing, publishing and distribution of a legislative journal and state blue book or roster and repealing conflicting Acts," approved February 12, 1855.

Bill read second time, and ordered on the for third reading.

Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

Bill read second time, and ordered on the for third reading.

Assembly Bill No. 1952—An Act to amend Section 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1903.

Bill read second time, and ordered on the for third reading.

Assembly Bill No. ——, An Act granting to the town of Emeryville, the salt marsh, tide and submerged lands of the State of California

including the right to wharf out therefrom, to the town of Emeryville, and regulating the management, use, and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 29—An Act to amend Sections 2643, 2651, 2654 and 2655 of the Political Code of the State of California relating to the levy and apportionment of road tax, and to the acquisition, construction and maintenance of roads.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2074 (Committee Substitute for Assembly Bills 857, 1662, and 1607)—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and the Blind.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California, defining the powers and duties of boards of school trustees and city boards of education.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 992—An Act to amend Sections 1560 and 1564 of the Political Code relating to teachers' institutes.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1559—An Act providing for the construction and maintenance by the State of state and highways in counties and towns.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2139 (Committee Substitute for Assembly Bill No. 2135)—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agree-

monte to pay assessments on the sale of certain lands of the State of California, and appropriating money for such purpose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2127.—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly known as the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

Bill read second time, and ordered on file for third reading.

[illegible]

The following report of standing committee was received and read:

[illegible]

[illegible]

Mr. President: Your committee on Finance, Banks and Insurance, to whom was referred Assembly Bill No. 1918, An Act to amend Section [illegible] and [illegible] of the Code of Civil Procedure, relating to [illegible], has had the same under consideration, and has instructed me to report it back to the Senate with the recommendation that it do pass.

[illegible]

Assembly Bill No. 1951 ordered on file for second reading.

[illegible]

On motion of Senator Rigdon, the Senate took up for consideration Assembly Bill No. 1941 for second reading and it was ordered

Assembly Bill No. 2070.—An Act to amend Sections 2, 3, 4 and 23 of an Act entitled "An Act to provide for the formation, organization and government of Reclamation Districts, for the purpose of protecting the lands thereof from damage from storm waters and from the waters from any navigable stream, reclamation, control or use of the waters of the same for the purpose of storing and conserving the same, flood or storm water for irrigating and useful purposes, for the construction of the necessary works of protection and reclamation of such lands or any thereof from such waters by said district and for the paying of same and assessable to pay for the cost of maintaining, repairing and replenishing such improvements," approved March 27, 1905.

Bill read second time, and ordered on file for third reading.

[illegible]

On motion of Senator Wolfe, the Senate took up for consideration Assembly Bill No. 1918.

Assembly Bill No. 818.—An Act to amend Section 1741 of the Political Code of the State of California relating to the duties of the superintendent of schools of each county.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Avey moved to refer to Senator Benson, as a special committee of one, to amend as follows:

By striking out of page 7, line 25, the word "state", and inserting in lieu thereof the word "county".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 434, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and adopted.

Bill ordered to print.

WITHDRAWAL OF BILLS.

Senator Campbell asked, and was granted, unanimous consent to withdraw Senate Bill No. 12—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 410*a*, and relating to the forfeiture of the right to do business by any corporation which shall remove or make application to remove actions brought against it, from the state courts to the courts of the United States.

Senate Bill No. 12 withdrawn, and ordered stricken from the file.

Senator Campbell asked, and was granted, unanimous consent to withdraw Senate Bill No. 1734—An Act to amend Section 2835 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

Senate Bill No. 1734 withdrawn, and ordered stricken from the file.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Curtin, the Senate took up the consideration of Assembly Bill No. 1162 for third reading, out of order.

Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32 and 61 thereof, and to add two new sections to said Act, to be numbered 32½ and 54½, said new sections relating, respectively, to increasing the rate of interest on bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1162 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Brown, Bryant, Butler, Caminetti, Campbell, Cate, Cartwright, Cogswell, Cohn, Curtin, Flint, Gerdes, Grant, Jones, Juilliard, Metz, Rush, Sanford, Shanahan, Strobridge, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Senator Thompson asked and was granted unanimous consent to take up for consideration, out of order, Senate Bills Nos. 1390 and 1391.

Senate Bill No. 1390—An Act to amend Section 4357 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1390 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1391—An Act to amend Section 4357 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the first eight class.

Read third time.

The question being on the passage of the bill

The roll was called and Senate Bill No. 1391 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

On motion of Senator Thompson, the Senate took up the consideration of the bill entitled An act Assembly Bill

Assembly Bill No. 905—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits and authorizing the State to accept the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 905 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 871—An Act to amend Section 1408 of the Penal Code, relating to the destruction of stolen or embezzled property taken on search warrant proceedings.

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 897 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Bryant, Butler, Cannetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gerdes, Juilliard, Kehoe, Mott, Rush, Sanford, Shanahan, Strobridge, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1912 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Butler, Cannetti, Campbell, Carr, Cartwright, Cogswell, Colm, Curtin, Finn, Flint, Grant, Hayes, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Sanford, Thompson, and Tyrrell—26.
NOES—Senator Gerdes—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Birdsall was, on his own motion, granted leave of absence for the remainder of this day.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1456 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Brown, Bryant, Butler, Cannetti, Campbell, Carr, Cartwright, Cogswell, Colm, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 948 passed by the following vote:

AYES—Senators Anderson, Breed, Brown, Bryant, Butler, Cannetti, Campbell, Carr, Cartwright, Cogswell, Colm, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 374c.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 678 passed by the following vote:

[illegible]

Title so amended, read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill 2705—An act to amend Section 181 of the Penal Code, relative to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2705 refused passage by the following vote:

[illegible]

MESSAGE FROM THE GOVERNOR.

At 8:45 o'clock and thirty minutes p.m. Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

[illegible]

Assembly Bill No. 2459—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2459 passed by the following vote:

[illegible]

Title so amended, read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2375—An Act authorizing municipal corporations to adopt and use the "preferential system of voting" in municipal elections.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1923 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Strobridge, Thompson, and Tyrrell—25.
NOES—Senators Campbell, Cohn, Sanford, and Shanahan—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1734 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Larkins, Lyon, Rush, Sanford, Shanahan, Thompson, and Tyrrell—26
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1731—An Act to amend Section 1366*a* of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1731 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Grant, Hewitt, Jones, Kehoe, Larkins, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—26
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1535 passed by the following vote:

AYES—Senators Anderson, Avey, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Hewitt, Jones, Kehoe, Mott, Sanford, Shanahan, Thompson, and Tyrrell—23.
NOES—Senator Strobridge—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499*d*, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the

summary of the report, and providing the punishment for a violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1055 refused passage by the following vote:

[illegible]

Assembly Bill No. 1456—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

Read third time.

Section 2 striking forth the separate vitiate, read:

The question being: "Shall that section, striking forth the numbered figures of this bill, be passed?"

The roll was called, and the separate section passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1057—An Act granting to the city of Arcata the tidelands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1057 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out thereon to the city of South San Francisco and regulating the management, use and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1074 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Hans, Hewitt, Kehoe, Mott, Rush, Sanford, Strobridge, Thompson, and Tyrrell—22.

NOES—Senators Bryant, Gerdes, and Larkins—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 527—An Act providing for the establishment and administration of a state teachers' college—and report that the same has been correctly engrossed.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 422—An Act to provide for and regulate primary elections and the nomination of candidates for public office and the election of delegates to party conventions and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled an Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909" approved April 7, 1911, and all Acts amendatory thereof and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Also: Senate Concurrent Resolution No. 31—Relative to leave of absence for Senators.

Also: Senate Concurrent Resolution No. 33—Relative to leave of absence for certain state officials.

And report that the same have been correctly engrossed.

GRANT, Chairman.

THIRD READING OF BILLS—RECEIVED.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 47.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13 of Article XI, relating to supervision, regulation and conduct of the affairs of irrigation, reclamation or drainage districts.

The Legislature of the State of California at its regular session, commencing on the sixth day of January, 1913, two thirds of the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes to the qualified electors of the state that Section 13 of Article XI of the Constitution of the State of California be amended to read as follows:

Section 13. The legislature shall not delegate to any special commission, private corporation, company, association or individual any power to make, control, appropriate, supervise or in any way interfere with any county, city, town or municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes or assessments or perform any municipal function whatever, except that the legislature shall have power to provide for the supervision, regulation and conduct, in such manner as it may determine, of the affairs of irrigation districts, reclamation districts or drainage districts, organized or existing under any law of this state.

The question being on the adoption of the Assembly constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 47 adopted by the following vote:

[illegible] Ayes—Senators Anderson, Benson, Boxell, Bunner, Burnett, Burnham, Chandler, Cogswell, Curl, Curtin, Gaylord, Gerdes, Flint, Flint, Gates, Gerdes, Hans, Hewitt, Irwin, Jackson, Lawlor, Leavitt, Lee, Mott, Rush, Stetson, Strobridge, Thompson and Upson—28.

Noes—None.

Assembly Constitutional Amendment No. 47 ordered transmitted to the Assembly.

[illegible] PRESIDENT PRO TEM IN THE CHAIR.

At two o'clock p.m., Senator Thompson, of the Thirty-fifth District, in the chair.

[illegible] ROLL CALL—QUORUM PRESENT.

On motion of Senator Cogswell, the Senate took up for consideration Assembly Bill No. [illegible] out of order.

Assembly Bill No. [illegible]—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness for appointments to and holding during good behavior of offices and employments under state authority and, on that behalf, to create a state civil service commission and to make an appropriation therefor.

Read third time.

[illegible] MOTION TO AMEND BY STRIKING OUT ONE.

Senator Cogswell moved to refer to Senator Sanford, as a special committee of one, to amend as follows:

In line 3, page [illegible] of the bill after the word "Section," also strike out all of the bill and [illegible] the said "Section," and insert in lieu thereof the following: "[illegible] in the year [illegible]."

Motion carried.

[illegible] MOTION TO AMEND BY STRIKING OUT ONE.

SENATE CHAMBER, SACRAMENTO, May 10, 1911.

Mr. President: I am [illegible] to which was referred Assembly Bill No. [illegible] and instructed to amend [illegible] the same back amended as per instructions.

SANFORD, Committee.

[illegible] MOTION TO AMEND BY STRIKING OUT ONE.

Senator Cogswell moved to refer to Senator Rush, as a special committee of one, to amend as follows:

In [illegible] page [illegible] line [illegible] after the word "commission" [illegible] before "created in the matter of"

Motion carried.

[illegible] REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 10, 1911.

Mr. President: I am [illegible] to which was referred Assembly Bill No. [illegible] and instructed to amend [illegible] the same back amended as per instructions.

RUSH, Committee.

[illegible] SPECIAL ORDER SET.

On motion of Senator Cogswell, the further consideration of the reports of the special committees and of the bill was made a special order for May 11, 1911, immediately after the reading of the Journal.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Cartwright, the Senate took up for consideration, out of order, Assembly Bill No. 2086.

Assembly Bill No. 2086—An Act to define investment companies, investment brokers, contractors and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation hereof; and making an appropriation therefor.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cartwright moved to refer to Senator Gates, as a special committee of one, to amend as follows:

By striking out of Section 25, line 4, the words "October 1, 1913", and inserting in lieu thereof the following: "January 1, 1914".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 2086, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Chairman.

Report read and adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Cartwright, the Secretary was directed to issue a rush order for printing Senate Bill No. 2086.

MOTION TO RECONSIDER.

Senator Shanahan asked, and was granted, unanimous consent to reconsider the vote whereby Senate Bill No. 668—An Act to establish a state school to train experts for practical service in governmental work of city, county and state and to make an appropriation therefor—was passed.

The question being on the motion to reconsider.

The roll was called, and the Senate refused to reconsider the vote whereby Assembly Bill No. 668 was passed by the following vote:

AYES—Senators Benson, Breed, Bryant, Carr, Cohn, Gerdes, Larkins, Mott, Sanford, Shanahan, and Strobridge—11.

NOES—Senators Anderson, Curtin, Flint, Gates, Grant, Hans, Hewitt, Jones, Kehoe, Thompson, and Tyrrell—11.

Assembly Bill No. 668 ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At eleven o'clock and five minutes p. m., Senator Strobridge, of the Thirteenth District, in the chair.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Sanford moved to reconsider the vote whereby Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public

highways and structures; to provide for the registration and identification of motor vehicles and for the payment of registration fees thereof; to provide for the licensing of persons operating motor vehicles; to prescribe certain powers from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any items or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereby; to provide for the dismissal of magistrates and justices from fees, fines, and forfeitures collected hereunder; to provide for carrying out the objects of this act; and to make an appropriation and to create a revolving fund therefor; and to repeal all acts or parts of acts either in conformity or in conflict with this act—was passed.

MOTION TO RECONSIDER WITHDRAWN.

Senator Sanford moved that the further consideration of his motion to reconsider the vote whereby Assembly Bill No. 2000 was passed be postponed to the next legislative day.

Motion lost.

The question being on the motion to reconsider.

The roll was called, and the Senate refused to reconsider the vote whereby Assembly Bill No. 2000 was passed by the following vote:

Yeas—Senator Outhwaite—1.

Nays—Senators Anderson, Boynton, Bunkers, Chan, Curtin, Finlay, Flint, Gaylord, Gerdes, Hare, Hatch, Hayes, Hewitt, Jones, Kehoe, Lee, Leeds, Lewis, Lukens, Mott, Newhall, Owens, Phillips, Rigdon, Rush, Sanford, Shaw, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe and Young—29.

Assembly Bill No. 2000 ordered transmitted to the Assembly.

RECESS TAKEN TO 8:00 O'CLOCK.

At fifteen o'clock and ten minutes p.m., Senator Thompson, of the Fifty-fifth District, in the Chair.

REPORT OF ENROLLING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER,

Senate Chamber, Sacramento, May 19, 1911.

Mr. President: Your Committee on Enrolling and Engrossing, to whom was referred Assembly Bill No. 2014—An act authorizing money to pay the claim of J. W. Cockburn against the State of California—

Assembly Bill No. 2015—An act appropriating money to pay the claim of Geo. Hammond against the State of California—

Assembly Bill No. 2016—An act appropriating money to pay the claim of Chas. Fiske and Sarah Fiske against the State of California—

Assembly Bill No. 2017—An act appropriating money to pay the claim of Peter H. Burnett against the State of California—

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 2014, 2015, 2114 and 2125 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

And respectfully request your honorable body to concur in the amendments.

Also: Adopted Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as cases of urgency Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of restoring the channel of Napa River, in Napa County, and improving the navigability of such stream in said county, and for acquiring land for necessary rights of way.

Also: Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Nelligan against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Assembly Bills Nos. 1136 and 2123 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 623—An Act to amend the Code of Civil Procedure by adding thereto Title Va, Part III, relating to the support of bastards, and proceedings therefor.

Also: Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II of Title II of Part IV of Division I of said Civil Code, and to amend Sections 421 and 424 of said Civil Code, and to repeal Section 432 of said Civil Code, forming part of said Chapter II, and to add to said Civil Code a new chapter, to be known as Chapter VII of Title II of Part IV of Division I of said Civil Code, relating to title insurance companies.

Also: Senate Bill No. 1460—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604a, providing for the formation of religious corporations.

Also: Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1512.

AMENDMENT NO. 1.

On page 1, Section 1, beginning with the word "A", in line 6, strike out the following: "A vacancy is created whenever a sole trustee, or any one of several co-trustees, of a trust, dies, resigns, or is discharged.

AMENDMENT NO. 2.

On page 1, Section 1, line 12, strike out everything after the word "court", and insert in lieu thereof a comma, and the following: "and unless such nominee or nominees are incompetent, upon one or more of the grounds of incompetency specified in Section 1350 of the Code of Civil Procedure of California, to discharge the duties of trustee, the court must appoint such nominee, or nominees, as trustee, or trustees, as the case may be."

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 1312?"

The roll was called, and Assembly amendments to Senate Bill No. 1312 concurred in by the following vote:

[illegible]

Senate Bill No. 1312 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly [illegible]

Also: Senate Bill No. 1313, An Act [illegible]

Also: Senate Bill No. 1314, An Act [illegible]

Also: Senate Bill No. 1315, An Act [illegible]

Also: Senate Bill No. 1316, An Act [illegible]

Also: Senate Bill No. 1317, An Act [illegible]

J. R. WALLIDY, Chief Clerk of Assembly.
By Patrick G. Walsh, Assistant Chief.

Senate Bills Nos. 11, 113, 138 and 144 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly [illegible] An Act appropriating twenty-five hundred [illegible] of the old Greek chapel and Russian fort, [illegible]

Also: Senate Bill No. 1319, An Act to amend Section [illegible] of the Political Code [illegible]

Also: Senate Bill No. 1320, An Act [illegible]

Also: Senate Bill No. 1321, An Act [illegible]

Also: Senate Bill No. 1322, An Act to amend Section 2153 of the Political Code [illegible]

J. R. WALLIDY, Chief Clerk of Assembly.
By Patrick G. Walsh, Assistant Chief.

Senate Bills Nos. 296, 791, 811, 1311 and 1318 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly [illegible] Senate Bill No. 1321, An Act to provide for the construction [illegible] a commission therefor, [illegible]

Also: Senate Bill No. 1322, An Act to amend Sections 3, 8, 9, 13, 19 and 32 [illegible] for the establishment of [illegible]

acquiring such land," approved April 22, 1909, and to add to said Act a new section, to be numbered 3½, relating to the manner of effecting certain local improvements.

Also: Senate Bill No. 1092—An Act to amend Section 1765 of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

Also: Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1014, 1053, 1092 and 1094 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1586—An Act to amend Section 529 of the Political Code, relating to printing.

Also: Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Also: Senate Bill No. 1686—An Act to amend Section 542a of the Code of Civil Procedure of the State of California, relating to attachment liens.

Also: Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Also: Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, alienating, encumbering or granting of the real property of religious, social and benevolent corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1586, 1600, 1686, 627 and 1298 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1125—An Act to amend Sections 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Also: Senate Bill No. 1216—An Act to amend Section 1239 of the Political Code of the State of California, relating to officers and salaries, fees and commissions thereof, in counties of the tenth class.

Also: Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same and the building of locker and toilet rooms and bowling alleys and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Also: Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State.

Also: Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment as levied upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1125, 1216, 1225, 1236 and 1255 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meyer's Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe, to McKinney's.

Assembly Bills No. 1486, 1487, 1488 and 1489 ordered to second reading.

Assembly Bill No. 1490—An Act appropriating money to pay the claim of Thomas Fleischhacker against the State of California.

Assembly Bill No. 1491—An Act to amend Section 2241 of the Political Code of the State of California, relating to certain benefits to the State Controller in Lassen.

Assembly Bill No. 1492—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1493—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1494—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1495—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1496—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1497—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1498—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1499—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1500—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1501—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1502—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1503—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1504—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1505—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1506—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1507—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bills Nos. 1508, 1509, 1510 and 1511 ordered to second reading.

Assembly Bill No. 1512—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1513—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1514—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1515—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1516—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1517—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1518—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1519—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1520—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1521—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1522—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1523—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1524—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1525—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1526—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1527—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1528—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1529—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1530—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1531—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1532—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1533—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1534—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1535—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1536—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1537—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1538—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1539—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1540—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1541—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1542—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1543—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1544—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1545—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1546—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1547—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1548—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1549—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1550—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1551—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1552—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1553—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1554—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1555—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1556—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1557—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1558—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1559—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1560—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1561—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1562—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1563—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1564—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1565—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1566—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1567—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1568—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1569—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1570—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1571—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1572—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1573—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1574—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1575—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1576—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1577—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1578—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1579—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1580—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1581—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1582—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1583—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1584—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1585—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1586—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1587—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1588—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1589—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1590—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1591—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1592—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1593—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1594—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1595—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1596—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1597—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1598—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1599—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1600—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1601—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1602—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1603—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1604—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1605—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1606—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1607—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1608—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1609—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1610—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1611—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1612—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1613—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1614—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1615—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in and for the several counties of this State, prescribing their duties, powers and responsibilities, and providing for the removal from office of notaries public for misconduct, and repealing all Acts and parts of Acts inconsistent herewith," approved March 23, 1915.

Assembly Bill No. 1616—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries

Bill No. 215—An Act to amend Section 1 of and to add new Sections 4, 5, and 6 to an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 215 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1496—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

Also: Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this Act into effect.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1496 and 1531 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 13—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1917, but not thereafter.

Also: Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places and providing for the punishment for violation of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

BILL RE-REFERRED WITH INSTRUCTIONS.

Senator Strobridge moved that Assembly Bill No. 752 be re-referred to the Committee on Finance.

Senator Caminetti moved to amend the motion to the effect that the bill be re-referred to the Committee on Finance with instructions to report by twelve o'clock m. on the next legislative day.

The question being on the motion of Senator Caminetti.

CALL FOR AYES AND NOES.

The ayes and noes were called for by Senators Caminetti, Shanahan and Gerdes.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Avey, Breed, Caminetti, Campbell, Cohn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Sanford, Shanahan, Thompson, and Tyrrell—17.
NOES—Senators Benson, Butler, Carr, Rush, and Strobridge—5.

RESOLUTION.

The following resolution was introduced:

By Senator Kehoe.

WHEREAS, Thirteen men now confined in the San Quentin and Folsom prisons are under sentence of death by virtue of judicial decree; and

WHEREAS, In the year 1912 an initiative petition, subscribed to by over forty-two thousand qualified electors of the State of California was duly filed with the

Secretary of State with a view to obtaining similar uniform punishment, but failed of opposition to which of those of pending laws; and

WHEREAS, The California Anti-Capital Punishment League is now circulating an initiative petition in this state for the purpose of voting upon this question; and

WHEREAS, The sentiment of the people of this state should be ascertained; and

WHEREAS, The sentiment of the best law abiding element of death in the State of California will not authorize the infliction of additional punishment, and to be sought with a just method under which punishment is inflicted; and

WHEREAS, The sentiment of the present professional class would seem that the people in the State of California are anxious that such of the acts as the question of the abolition of capital punishment with to be passed with the highest discretion of punishment and care in every case regard for the punishment of crimes, for or a reference to the punishment therefore be it

Resolved, That the Senate of the Legislature of the State of California earnestly request the Governor of California, to grant pardons to all men confined in the state penitentiaries awaiting the death penalty until such question of the abolition of capital punishment is determined at the ensuing election.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

Mr. President: Your Committee on Education, to whom was referred Assembly Bill No. 1284, entitled "An act to amend Section 1617, 1618, 1620 and 1621 of the Political Code of the State of California, relating to boards of education, and prescribing the powers and duties generally of the superintendent of city schools, the superintendent of public instruction and boards of education, and providing for the appointment of city superintendents of schools in cities of the first class, and providing for the appointment of assistant superintendents of schools in cities of the first class

nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse to qualified applicants by the Board of Regents of the University of California, and to provide penalties for violation thereof" — have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JONES, Chairman.

Assembly Bill No. 272 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Assembly Concurrent Resolution No. 40, Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco — have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BROWN, Chairman.

Assembly Concurrent Resolution No. 40 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 22, A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California, relative to the compensation of members of the Legislature — have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

Assembly Constitutional Amendment No. 22 ordered on file.

CONSIDERATION OF BILLS—(OUT OF ORDER).

On motion of Senator Campbell, the Senate took up for consideration Assembly bills ordered on file for this day, for second reading, out of order, as follows: Nos. 272, 2114, 2051, 2052, 1598, and 836.

Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants by the Board of Regents of the University of California, and to provide penalties for violation thereof."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Calloway against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1208—An Act to amend Section 4370 of the Political Code of the State of California, relating to salaries and fees of officials in counties of the forty-first class.

During second reading of the bill the following amendment was offered by the committee:

On page 2, strike out all of line 30, lines 31, 32, 33, 34, 35 and 36 and insert in lieu thereof the following: "The assessor may increase eight hundred dollars per annum. The assessor shall appoint a deputy or deputies when needed, at a per diem of five dollars and the salaries of said deputy or deputies shall not exceed in the aggregate the sum of seven thousand and five dollars."

Amendment adopted.

Bill read second time and ordered to print and third reading.

Assembly Bill No. 946—An Act to amend Sections 1517, 1518, 1519, 1520 and 1521 of the Political Code of the State of California, relating to the state board of education, and prescribing its powers and duties, providing for the appointment of three assistant superintendents of public instruction and defining their duties, providing for the compensation of members of the State Board of Education and the assistant superintendents of public instruction, providing for the publication, compilation, construction and distribution of state school text-books, repealing Sections 1522, 1874, and 1874a of the Political Code of the State of California, relating to the traveling expenses of the members of the State Board of Education, to the publication and distribution of a system of text-books, the appointment of a secretary of the State Text-book Commission and his compensation, and repealing all other laws or parts of laws relating to the publication and distribution of state text-books in conflict with this Act.

During second reading of the bill, the following amendments were offered by the committee:

Amendment No. 1

Strike out in lines 5, 12 at lines 1 to 11 inclusive and insert in lieu thereof the following:

"1517. There is hereby created a state board of education to consist of nine members, who shall be appointed by the governor and shall hold office for a term of four years; provided, that upon the first appointment hereunder there shall be appointed by the governor, by and with the advice and consent of the senate, three members to serve for the term of one year, three for a term of two years, two for a term of three years and two for a term of four years. Thereafter all appointments shall be for a term of four years. Should any vacancy occur during recess of the senate by appointment or by the governor, the person so appointed to fill such vacancy shall hold office until the next session of the senate, and the governor to whom would have been had re-election occurred."

Amendment adopted.

Amendment No. 2

On pages 6 and 7, strike out all of subdivision "g"

Amendment adopted.

Amendment No. 3

On page 8, line 28 and 29, strike out the words "two officers or employes" and insert in lieu thereof the words "officers or employes"

Amendment adopted.

Amendment No. 4

On page 8, line 31, following the word "the" strike out the word "five", and insert in lieu thereof the words "two hundred".

Amendment adopted.

AMENDMENT No. 5.

On page 9, line 29, strike out all following the word "books" and lines 30 to 34, inclusive.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

ADJOURNMENT.

At eleven o'clock and forty-five minutes p.m., on motion of Senator Jones, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Sunday, May 11, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryan, Burnett, Caminetti, Campbell, Carr, Cartwright, Caygill, Cobb, Curtin, Finn, Flint, Gates, Gerdes, Green, Hans Holm, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rees, Rush, Sanford, Shanahan, Stetson, Thompson, Tyrrell, and Wright—39.

Quorum present.

PRAYER

Prayer by Rev. J. T. Wills.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, May 10, 1913, the further reading was dispensed with, on motion of Senator Rush.

COMMUNICATIONS.

The President laid before the Senate, telegrams as follows:

WHITTIER, Cal., May 10, 1913.

Lieutenant Governor A. J. WALLACE, *Sacramento, Cal.:*

The boys and girls of Whittier State School wish to express to the members of the Senate, Senator Caminetti, our paroling officer, and Governor Wallace, as presiding officer, their sincere appreciation of the larger opportunity provided for them in bills passed, and promise an earnest effort to respond most fully.

FRED C. NELLES, Superintendent.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended Senate Bill No. 142, An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

Also: Senate Bill No. 155, An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Also, Senate Bill No. 280—An Act to amend Section 2442 of the Penal Code of the State of California relating to felony prisons, providing for the maintenance, management and control of convict labor and for the appointment of prison and guards in connection therewith, and making an appropriation therefor.

And committees were duly appointed in relation to.

J. M. MALLORY, Chief Clerk of Assembly.
By Thomas G. Wilson, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Owens, the Senate took up the consideration of Assembly amendments to Senate bills

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 147.

On page 1, line 7, strike out the word "or", and insert in lieu thereof the word "and".

Also, On page 1, line 9, strike out the word "the", and insert in lieu thereof the word "an".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 147?"

The roll was called.

[illegible]

Pending the announcement of the vote, Senator Owens moved a call of the House.

Motion carried.

Time, ten o'clock and thirty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ashley, Avey, Brown, Bunkell, Burnett, Chandler, Chapman, Cogswell, Cole, Curtin, Dunn, Finn, Flint, Gerdes, Hewitt, Hoover, Inman, Jones, Kehoe, Lee, Leeds, Lewis, Mahan, Mason, Mathews, Owens, Phelan, Rigdon, Roseberry, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe and Young—36.

The Secretary announced the absentee.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At ten o'clock and forty minutes p.m., Senators Gerdes, Hewitt, Phelan, Wolfe and Rigdon were brought to the bar of the Senate, and, on motion of Senator Owens, they were excused the absentee from the Senate Chamber.

[illegible]

At ten o'clock and forty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Owens.

The roll of absentees was called and the Assembly amendments to Senate Bill No. 147 considered as to the following vote:

Ayes—Senators Ashley, Avey, Brown, Bunkell, Burnett, Chandler, Chapman, Cogswell, Cole, Curtin, Dunn, Finn, Flint, Gerdes, Hewitt, Hoover, Inman, Jones, Kehoe, Lee, Leeds, Lewis, Mahan, Mason, Mathews, Owens, Phelan, Rigdon, Roseberry, Sanford, Savage, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wolfe, Young and President—40.

Noes—Assembly gentlemen Brown, Bush, Gillett, Hall, Hill, Hinkle, Hornblower, Jones, Kehoe, Kent, Kerr, Lyon, Mott, Nelson, Nye, Pedrotti, Rolfe, Rush, Saylor, Scott, Shannon, Stanton, Stevens, Stuckenbruck, Tyler, Wallace, Wilson, Wright and Mr. Speaker—31.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1911.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly has this day passed the following bill, to which they respectfully ask the concurrence of the Senate, viz:

Senate Bill No. 1208—An Act to amend Section 700 of the Code of Civil Procedure, relating to the sale of property pursuant to order of court.

Also: Senate Bill No. 1209—An Act to amend Section 701 of the Code of Civil Procedure, relating to the sale of property pursuant to order of court.

Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Also: Senate Bill No. 1065—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248b, 1248c, and 1248d, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of referees and exceptions thereto, to the hearing thereof, and to judgments in such proceedings.

Also: Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1630.

On page 2 of the printed bill, after the period in line 14, add the following: "The court may confirm, change, modify or set aside the report in whole or in part, and if necessary appoint new referees. When, after the final confirmation of the report of such survey and appraisement, it appears by evidence to the satisfaction of the court that an equitable partition of the whole property is impracticable, and a sale of the site of such city or town, or any portion thereof, will be for the best interests of the owners of the whole property, it must order a sale thereof; *provided*, that within sixty days thereafter any tenant in common, or tenants in common, having improvements erected on any town or city lot or subdivision included in such order of sale, shall have the prior right to purchase the same at such appraised valuation, and may pay into court the amount so appraised as the value thereof, and upon such payment the title shall vest in such purchaser or purchasers, and the court shall cause to be executed by such referees a deed for such lot or subdivision in fee and in severalty to such purchaser or purchasers; such further proceedings shall then be had as to the remainder of the property, and the money so paid to the court, as by this chapter provided. If, during the pendency of the action, any of the parties die, or become insane, or otherwise incompetent, the proceedings shall not for that cause be delayed or suspended, but the attorney who has appeared for such party may continue to represent such interest; and in case any such party has not appeared by an attorney, the court must appoint an attorney to represent the interest which was held by such party, until his heirs or legal representatives, or successors in interest, shall have appeared in the action; and an attorney so appointed must be allowed by the court a reasonable compensation for his services, which may be taxed as costs against the share or interest represented by such attorney, and may be adjudged a lien thereon in the discretion of the court."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1630?"

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1630 by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Butler, Campbell, Carr, Cogswell, Gates, Gerdes, Hans, Hewitt, Lyon, Mott, Owens, Rush, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1568.

On page 1, line 10, of the printed bill, strike out all of line 10 after the word "keepers", and all of line 11, and insert in lieu thereof the following: "of unclaimed property by section one thousand eight hundred and sixty-two of".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1568?"

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1568 by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Rush, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1736.

AMENDMENT NO. 1.

On page 6, line 11, strike out the period after the word "paid", and insert in lieu thereof a semicolon and the following: "*provided, however*, that the board of

[illegible]

Assembly No. 3

On page 1, line 1, after the period, insert the word "[illegible]"

Assembly No. 4

On page 1, line 2, strike out the word "[illegible]", and insert in lieu thereof the word "[illegible]".

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 1230?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1230 by the following vote:

[illegible]

Assembly Amendments to Senate Bill No. 1231

Assembly No. 1

On page 1, line 1, strike out the word "the", and insert in lieu thereof the word "[illegible]"

Assembly No. 2

On page 1, line 10, strike out the word "and", and insert in lieu thereof the word "[illegible]"

Assembly No. 3

On page 2, line 20, after the word "[illegible]", insert the word "[illegible]"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1231?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1231 by the following vote:

[illegible]

SENATE IN THE CHAIR.

At one o'clock and fifty-five minutes p.m. Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(CONTINUED)

ASSEMBLY AMENDMENT TO SENATE BILL NO. 208

On page 1, line 2, of the title, strike out the period following the word "persons", and in lieu thereof insert a semicolon and the following: "providing for the establishment of participation credits in certain instances; and relating to appropriation thereto."

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 208?"

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 206 by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Butler, Cannetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Hans, Jones, Kehoe, Lyon, Mott, Owens, Rush, Shanahan, Thompson, Tyrrell, and Wright—26.
NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1478.

AMENDMENT No. 1.

On page 2, line 30, after the word "upon" insert the word "unencumbered".

AMENDMENT No. 2.

On page 3, line 7, after the word "life", insert a comma and the following: "health, accident".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1478?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1478 by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Butler, Cannetti, Campbell, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—28.
NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1460.

AMENDMENT No. 1.

On page 2, lines 20 and 21, strike out the following: "personages, or cemetery purposes", and insert in lieu thereof "or personages".

AMENDMENT No. 2.

On page 2, line 30 and 31, strike out the words "and without the order of any court;" and insert in lieu thereof the following: "subject, however, to the provisions of section five hundred and ninety-eight of this Code".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1460?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1460 by the following vote:

AYES—Senators Anderson, Avey, Belshe, Benson, Birdsall, Boynton, Breed, Butler, Cannetti, Campbell, Carr, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Rush, Strobridge, Thompson, Tyrrell, and Wright—28.
NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 155.
(Adopted April 29, 1913.)

AMENDMENT No. 1.

On page 2, line 17, strike out the word "Sacramento", and insert in lieu thereof the words "San Francisco".

AMENDMENT No. 2.

On page 2, line 18, strike out the semicolon following the word "work", and insert in lieu thereof a period.

AMENDMENT No. 3.

On page 2, commencing in line 18 with the word "and" strike out all the balance of the line, also all of lines 19, 20, 21, 22, 23, 24, 25 and in line 26 the following: "state", approved March 15, 1909.

(Adopted May 2, 1913).

On page 2, strike out from line 20 and including line 26 of the printed bill, and insert in lieu thereof the following: "provided, that all mechanics of the printing crafts employed in the state printing office shall be paid the highest scale of wages prevailing in the printing trade in the State of California: *and provided*, that no

building, structure, wharf, pier, dock, vessel or water craft, of the existence of said rodents, insects, or other vermin, and said notice shall direct said owner to proceed immediately to exterminate and destroy said rodents, insects or other vermin, and to continue in good faith such measures as may be necessary to prevent their return. In the event that said owner fails, refuses or neglects to proceed as above provided, within ten days from date of receipt of said notice, the state board of health may at once proceed to exterminate and destroy said rodents, insects or other vermin, and take such measures as may be necessary to prevent their return, and the cost of the above measures shall be repaid to the state board of health by the board of supervisors or other governing body of the county, city and county, city or town wherein the work is done, at its next meeting after the bill is presented, and the appropriation provided in Section 1 of this Act shall be reimbursed by the amount so paid, and may be again expended in a similar manner."

AMENDMENT No. 3.

Add the following section, to be known as Section 3, and to read as follows:

"SEC. 3. Whenever a board of supervisors or other governing body of any county, city and county, city or town, shall have repaid the state board of health any sum as provided in section two, the clerk of such board shall file in the office of the county recorder a notice of such payment, claiming a lien on such property for the amount of such payment. Any and all sums so paid to such county, city and county city or town, shall be a lien on the property on which such rodents, insects or other vermin shall have been exterminated and destroyed, and may be recovered in an action against such property, which action to foreclose such lien shall be brought within ninety days after such payment, and be prosecuted by the district city or town attorney, in the name of such county, city and county, city or town, and for its benefit. When the property is sold, enough of the proceeds shall be paid into the treasury of such county, city and county, city or town, to satisfy such lien and the costs, and overplus, if any there be, shall be paid to the owner of the property, if known, and if not known shall be paid into court for the use of such owner when ascertained. When it appears from the complaint in such action that the property on which such lien is to be foreclosed is likely to be removed from the jurisdiction of the court, the court may appoint a receiver to take possession of the property and hold the same while the action may be pending or until the defendant shall execute and file a bond, with sufficient sureties, conditioned for the payment of any judgment that may be received against him in the action and all costs."

AMENDMENT No. 4.

Add the following section, to be known as Section 4, and to read as follows:

"SEC. 4. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1, of Article IV of the Constitution of the State of California, take effect immediately."

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 160?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 160 by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Cartwright, Campbell, Carr, Cartwright, Cogswell, Colton, Gerdes, Hans, Hewitt, Jones, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—28.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1538.

On page 1, line 10, strike out the words "to prosecute suits".

Also: On page 2, line 26, strike out the period after the word "any" and insert a semicolon.

Also: On page 2, line 26, strike out the period after the word "committed" and insert a semicolon.

Also: On page 2, line 27, strike out the period after the word "violated" and insert a semicolon.

Also: On page 2, line 28 after the letters "tered", strike out the period and insert a semicolon.

Also: On page 2, line 28 after the word "punishment", strike out the period and insert a semicolon.

Also: On page 2, line 30, after the word "punishment", strike out the period and insert a semicolon.

Also: On page 2, line 30, after the word "health", strike out the period and insert a semicolon.

Also: On page 2, line 31, after the word "punishment" strike out the period and insert a semicolon.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1538?"

The roll was called and the Senate concurred in Assembly amendments to Senate Bill No. 1409 by the following vote:

[illegible]

ADJOURNMENT SINE DIE

At eleven o'clock and ten minutes a.m. Senator Hare, of the First Senate District, in the chair:

[illegible]

Assembly No. 1

[illegible]

Assembly No. 2

[illegible]

Assembly No. 3

[illegible]

Assembly No. 4

[illegible]

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 1409?"

The roll was called and the Senate concurred in Assembly amendments to Senate Bill No. 1409 by the following vote:

[illegible]

[illegible]

[illegible]

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1240.

(Adopted April 29, 1913.)

AMENDMENT No. 1.

Strike out the title of Senate Bill No. 1240, and insert in lieu thereof the following:

"An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909, amended, approved April 5, 1911," by amending the title and Sections 10*a*, 10*b*, 10*c*, 10*d*, 10*e*, 10*f*, 10*g*, 10*h*, 10*i*, 10*j*, 10*k*, 10*l*, 10*m*, 10*n*, 10*o*, 10*t*, 10*u*, 10*v* and 10*z*.

AMENDMENT No. 2.

Strike out all of Section 1, and insert in lieu thereof the following:

"SECTION 1. The title of an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909 and as amended by an Act approved April 5, 1911, is hereby amended to read as follows: 'An Act concerning dependent and delinquent persons, providing for their care, custody and maintenance until twenty one years of age; providing for their commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing for detention homes for said persons; providing for the punishment of those responsible for or contributing to, the dependency or delinquency of said persons; and giving to the superior court jurisdiction of such offenses and repealing inconsistent Acts.'"

AMENDMENT No. 3.

Strike out all of Section 2, and insert in lieu thereof the following:

SEC. 2. Section 10*a* of said Act is hereby amended to read as follows:

SEC. 10*a*. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as reception officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as bookkeeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

SEC. 3. Section 10*b* of said Act is hereby amended to read as follows:

SEC. 10*b*. In counties of the second class, there shall be one probation officer and ten assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month, and nine assistant probation officers, one hundred and twenty-five dollars per month each.

SEC. 4. Section 10*c* of said Act is hereby amended to read as follows:

SEC. 10*c*. In counties of the third class, there shall be one probation officer and eight assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; two assistant probation officers, each one hundred dollars per month; two assistant probation officers, each seventy-five dollars per month.

SEC. 5. Section 10*d* of said Act is hereby amended to read as follows:

fifty-sixth

SEC. 18. Section 10w of said Act is hereby amended to read as follows:

SEC. 10w. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 19. Section 10x of said Act is hereby amended to read as follows:

SEC. 10x. In each of the counties of the forty-fourth, fifteenth and fifty-fifth class there shall be one probation officer whose salary shall be ten dollars per month.

SEC. 20. Section 10y of said Act is hereby amended to read as follows:

SEC. 10y. In each of the counties of the fifty-seventh and fifty-eighth class there shall be one probation officer, whose salary shall be five dollars per month.

(Adopted May 6, 1913.)

On page 2, line 32, after the word "eighteen" insert the word "assistant".

Also: On page 6, line 10, before the word "thirty-fifth" insert the words "twenty-first and".

Also: On page 6, line 15, strike out the following: "twenty-first,".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1240?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1240 by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Bryant, Butler, Caminetti, Campbell, Cobb, Curtin, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Sanford, Stanford, Thompson, and Wright—25.

NOES—None.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1419.

On page 5, line 23, after the word "upon", insert the word "unincumbered".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1419?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1419 by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Butler, Caminetti, Campbell, Cartwright, Chipman, Cobb, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Rush, Stanford, Thompson, Tyrrell, and Wright—26.

NOES—None.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1257.

On page 1, of the printed bill, as amended in Senate, strike out all from and including the word "any" in line 4 down to and including the word "said" in line 5, and insert in lieu thereof the following: "any contemplated or outstanding bonds of said".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1257?"

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1257 by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Bryant, Butler, Campbell, Cobb, Curtin, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Rush, Sanford, Stanford, Thompson, and Wright—25.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly amended, and on that day passed as amended, Senate Bill No. 670, "An Act to amend an Act entitled 'An Act to regulate the manufacture, sale, possession and handling of explosives or dangerous or combustible used for industrial or fraudulent purposes, and to provide penalties for the violation thereof,' approved May 1, 1911, by adding a new section thereto, to be known as Section 14c."

Also: Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California relating to what must appear before property can be taken under Title VII or Part III of the Code of Civil Procedure.

Also: Senate Bill No. 810—An Act to amend Section 402 of the Penal Code of the State of California relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Also: Senate Bill No. 1065—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

[illegible] Assembly Bill No. 1777—An Act to amend section 1881 of the Penal Code relating to suspended sentence.

Said suspension will take effect immediately.

I, H. MARGETT, Chief Clerk of Assembly.
By LEONARD G. WARNE, Assistant Clerk.

[illegible] concurrence in Assembly Bill No. 407.

To line 9 of the title, after the numeral "1911", insert the following words: "relating to the county [illegible]"

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1201?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1201 by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Bulkley, Brandt, Burnett, Butler, Cassidy, Chan Cannell, Chan Cannell, Chan Cannon, Cogswell, Curtin, Curtis, Dodge, Flint, Gates, Gerdes, Hagan, Hatch, Hayes, Hewitt, Holohan, Hornblower, Hutchison, Inman, Jones, Kehoe, Kent, Kerrigan, Lane, Leavitt, Lewis, Lipman, Lyon, Mahan, Mathews, McCleskey, McDonald, Merrill, Miller, Monroe, Morrison, Nelson, Owens, Peterson, Pulliam, Rigdon, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Walsh, Welch, Wolfe, Wyllie, Young, Mr. President—60.

Noes—None.

[illegible] concurrence in Assembly Bill No. [illegible]

[illegible] Bill No. [illegible]

To line 1 of the title, after the word "relating" insert the words "to [illegible]"

To line 2 of the title, after the word "Code" insert the words "and to repeal [illegible]"

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. [illegible]?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. [illegible] by the following vote:

Ayes—Senators Anderson, Avey, Bolton, Bulkley, Brandt, Burnett, Butler, Cassidy, Chan Cannell, Chan Cannell, Chan Cannon, Cogswell, Curtin, Curtis, Dodge, Flint, Gates, Gerdes, Hagan, Hatch, Hayes, Hewitt, Kehoe, Mott, Holohan, Hornblower, Hutchison, Inman, Jones, Kent, Kerrigan, Lane, Leavitt, Lewis, Lipman, Lyon, Mahan, Mathews, McCleskey, McDonald, Merrill, Miller, Monroe, Morrison, Nelson, Owens, Peterson, Pulliam, Rigdon, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Walsh, Welch, Wolfe, Wyllie, Young, Mr. President—[illegible]

ment; and all fines or forfeitures imposed and collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

(Adopted May 6, 1913.)

On page 2, line 4, strike out the word "May" and insert in lieu thereof the word "June".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1177?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1177 by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Breed, Bryant, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Curtin, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Regan, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 343—An Act requiring the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

Also: Senate Bill No. 389—An Act to amend an Act entitled, "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled, 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

Also, Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247a, and 1247s, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Court to the Supreme Court or the District Court of Appeal in criminal cases.

Also, Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 389.

AMENDMENT No. 1.

On page 10, at the end of line 22 and beginning of line 23, change the word "contaning" to the word "containing".

AMENDMENT No. 2.

On page 17 of the printed bill, line 36 thereof, after the word "room" and before the word "shall", insert the following words: "containing more than one hundred and eighty square feet of floor area".

AMENDMENT No. 3.

On page 18 of the printed bill, strike out from and including the word "not", at the end of line 1, down to and including the word "than", on line 2 of the same page.

AMENDMENT No. 4.

On page 18 of the printed bill, strike out from and including the word "All", at the beginning of line 5, down to and including the period at the end of line 7.

AMENDMENT No. 5.

On page 18 of the printed bill, in line 16, after the word "tenement" and before the period, strike out the word "building", and insert in lieu thereof the word "house".

AMENDMENT No. 6.

On page 18 of the printed bill, line 17 thereof, after the word "tenement" and before the word "may", strike out the word "building", and insert in lieu thereof the word "house".

AMENDMENT No. 7

On page 17 of the printed bill, line 19, strike out the figure "(11)", as also appearing at line 20, on page 17 of the printed bill, and at the beginning of the section down to and including the period following the word "provided," at the end of line 2, on page 18.

AMENDMENT No. 8

On page 18, in line 2, strike out the word "point", and insert in lieu thereof the word "point".

AMENDMENT No. 9

On page 18 of the printed bill, line 19, insert after the word "issued" and before the word "thereof" strike out the comma and insert in lieu thereof the words "of".

AMENDMENT No. 10

On page 20 of the printed bill, on line 10, insert after the word "the" and before the word "facilities", insert the words "estimated future".

AMENDMENT No. 11

On page 22 of the printed bill, in line 10, insert after the word "Contracts" and before the word "of" insert the following words: "Board of Building".

AMENDMENT No. 12

On page 22 of the printed bill, line 3 should strike out the words "and per" and insert in lieu thereof the word "contract".

AMENDMENT No. 13

On page 22 of the printed bill, line 15, strike out the word "should" and insert in lieu thereof the word "provide".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1084?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1084 by the following vote:

Ayes, Senators Anderson, Cain, Dilworth, Dolwig, Fenton, Finnegan, Fisk, Gibson, Grunsky, Hatfield, Hollingsworth, Jones, Kuchel, Lagomarsino, Lincoln, Luckel, Mahoney, Marler, Miller, Nejedly, Nicholas, Petris, Regan, Richardson, Rodda, Short, Slater, Stanford, Stiern, Tenney, Thompson, Weich and Wilson—34.

Noes, None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1085

On page 2, line 4, strike out the words "on his" and insert in lieu thereof the words "of".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1085?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1085 by the following vote:

Ayes, Senators Anderson, Cain, Dilworth, Dolwig, Fenton, Finnegan, Fisk, Gibson, Grunsky, Hatfield, Hollingsworth, Jones, Kuchel, Lagomarsino, Lincoln, Luckel, Mahoney, Marler, Miller, Nejedly, Nicholas, Petris, Regan, Richardson, Rodda, Short, Slater, Stanford, Stiern, Tenney, Thompson, Weich and Wilson—34.

Noes, None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1087

On page 2, line 4, strike out the words "any third", and insert in lieu thereof the words "county clerk".

The question being, "Shall the Senate concur in Assembly amend-

[illegible]

[illegible]

[illegible]

actual and necessary expenses: *provided*, he shall not in any one year receive more than three hundred dollars as supervisor, exclusive of mileage, nor more than two hundred dollars as road commissioner, exclusive of traveling expenses."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 736, with instructions to amend, respectfully reports the same back, amended as per instructions.

JUILLIARD, Committee.

Report read and adopted.

Bill ordered to print.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Lyon, the Senate took up the consideration of Assembly amendments to Senate Bill No. 1035.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1035.

AMENDMENT No. 1.

On page 1, line 2, after the comma following the word "establishment," insert the words "where five or more persons are employed,".

AMENDMENT No. 2.

On page 2, strike out Section 4.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1035?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1035 by the following vote:

AYES—Senators Beban, Birdsall, Boynton, Butler, Cammetti, Campbell, Carr, Cobb, Flint, Gerdes, Hare, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Shanahan, Thompson, and Wright—22.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor and also to provide for the distribution and sale of water by said districts.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 265 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 1596*a*.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

PRESIDENT PRO TEM BOYNTON IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY—(RESUMED)

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1911

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly concurred with the Senate amendments to Assembly Bill No. 1001, An act to amend Section 1202 of the Code of Civil Procedure of the State of California, relating to appeals to Supreme Courts and respectfully ask that the Assembly be so informed.

J. E. MALLOTT, Chief Clerk of Assembly.
By Thomas G. Wright, Assistant Chief.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 300

AMENDMENT NO. 1

On page 1, line 18, strike out the words "or by a failure", and after all of lines 19, 20 and 21

AMENDMENT NO. 2

On page 2, line 10, strike out the words "under the appeal or by", and insert in lieu thereof the following: "and subsequent to the suspension"

AMENDMENT NO. 3

On page 2, line 1, after the period following the word "court", add the following: "The appeal from the decision upon which the suspension of the writ of habeas corpus has been based shall be heard and determined by the said Supreme Court within sixty days after the filing of the transcript on appeal, unless for cause shown the said Supreme Court shall extend the time for hearing and determination of the appeal. The provisions of section 1210 of the Code of Civil Procedure relating to delays in the case of bail appeals shall not apply to appeals taken under the provisions of this section."

AMENDMENT NO. 4

On page 2, line 2, strike out the word "thereof"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 300?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 300 by the following vote:

AYES—Senators Ard, Avey, Black, Boynton, Bray, Burnett, Burke, Chandler, Cogswell, Cornwall, Curtin, Curtis, Flint, Gerdes, Hare, Hatch, Hayes, Holohan, Inman, Main, Martin, Rigdon, Saunders, Seawell, Thompson, and Wright—30.

NOES—None.

CONSIDERATION OF ASSEMBLY AMENDMENT.

On motion of Senator Flint, the Senate took up for consideration Assembly amendments to Senate Bill No. 304.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 304

On page 2, line 2, after the word "shall" insert "unanimously", and insert in lieu thereof the following: "; provided, that in the case of a jury composed of not more than twelve men, nine of the jurors may find the verdict and in the case of a jury composed of more than twelve men, three-fourths of the jurors may find the verdict; provided further, however, that in the prosecution for murder power to fix the penalty is reserved to the jury."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 304?"

The roll was called and the Senate refused to concur in Assembly amendments to Senate Bill No. 304 by the following vote:

AYES—None.

NOES—Senators Ard, Avey, Black, Boynton, Bray, Burnett, Burke, Chandler, Cogswell, Cornwall, Curtin, Curtis, Flint, Gerdes, Hare, Hatch, Hayes, Holohan, Inman, Main, Martin, Rigdon, Saunders, Seawell, Thompson, Wright and Mr. President—30.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 134—An Act to amend Section 628f of the Penal Code of the State of California, relating to clams and prescribing a penalty for taking or gathering same under a certain size, or having more than a certain number in possession during any one calendar day.

Also: To Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered 628g, relating to the protection and preservation of salt-water perch.

Also: To Assembly Concurrent Resolution No. 34—Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held thereon on the fourteenth day of April, one thousand nine hundred and thirteen.

Also: To Assembly Bill No. 1060—An Act to amend Section 1274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendment to Assembly Bill No. 803—An Act to add a new section to the Political Code, to be known as Section 1617c, relating to the establishment and maintenance of kindergartens, to the levy of taxes for the support of kindergartens and to the discontinuance thereof.

Also: To Assembly Bill No. 56—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title and Sections 1, 15, 17 and 18 of said Act and adding a new section thereto, so as to permit the organization of irrigation districts for the purpose of distributing to the individual land owners thereof power for pumping water, to provide for the acquisition, development and distribution of electricity or other power by irrigation districts, to provide for the enforcement of bylaws, rules and regulations of such districts and to strike from said Act a provision relating to the assignment of the right to water.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendment to Assembly Bill No. 1452—An Act to amend Section 628b of the Penal Code, relating to the protection of fish.

Also: To Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and laying a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Also: To Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893."

Also: To Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to form of judgments and notice thereof to be given to litigants.

Also: To Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901 and 1902 of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 367—An Act to

[illegible]

[illegible]

[illegible]

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 40—Relative to a national park in Butte County.

Also: Senate Joint Resolution No. 42—Relative to an international congress for the conservation of wild life.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

WRIGHT, Chairman.

Senate Joint Resolutions Nos. 40 and 42 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1645—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 210—have had the same under consideration, and respectfully report the same back without recommendation.

GATES, Chairman.

Assembly Bill No. 1645 ordered on file for second reading.

PROCEEDINGS OF LEGISLATIVE CONFERENCE.

On motion of Senator Cannetti, the Senate ordered printed in the Journal the addresses delivered on the third day of May, 1913, at a conference of the Senate and Assembly, with Hon. Albert J. Wallace, President of the Senate, in the chair, at which were present Hon. William Jennings Bryan, Secretary of State of the United States, and Hon. Hiram W. Johnson, Governor of California, as follows:

Farewell remarks of Hon. William Jennings Bryan, Secretary of State of the United States, as representative of the President of the United States; and of Hon. Lee C. Gates, Senator from the Thirty-fourth District of California, in response thereto, in behalf of the Legislature of the State, delivered at a conference of the members of the Legislature, held May 3, 1913.

Mr. Secretary Bryan addressed the conference as follows:

Governor Johnson, Lieutenant Governor Wallace, Speaker Young and Members of the Legislature:

As I am departing this afternoon for Washington, I deem it proper that I should say a final word to you. My coming, at the President's request, upon the mission that brought me, was unusual, and yet in the President's opinion, not only right in principle but wise in policy. It was in keeping with his own course in appearing in person to deliver a message to Congress. He recognizes the division of the powers of government among the three departments, the executive, the legislative and the judicial, but he feels that, as they must co-operate in the conduct of the government, there should be the utmost frankness and cordiality between them in the performance of their respective duties. In the manner, which he recognizes the division of responsibility between the Federal Government and the several states, he believes that this division should not preclude conference and consultation between the executive of the nation and those entrusted by your state constitution with the exercise of state authority.

A question having arisen, which, while local in its immediate operation, is yet national and even international in some of its phases, he objected to advise against the use of certain language in bills which were under consideration. When it seemed probable that the words would be used, notwithstanding the advice he had earnestly given, he asked whether it would be agreeable to the Legislature to have the Secretary of State visit Sacramento to confer in regard to the national and international phases of the question. The reply made by the Legislature was in the form of a resolution which reads as follows:

> "*Resolved by the Senate of the State of California*, That while this Senate respectfully maintains the right of the Legislature of the State of California to legislate on the subject of land ownership within the state, it will be entirely agreeable to the Senate to have the Secretary of State of the United

Whose said Secretary for the purpose referred to the President a statement and bill as follows:

Resolved, That in view of the pressing press announcement of the Legislature, the Secretary of the Senate be and is hereby instructed to transmit forthwith [illegible] to the President.

At this juncture would not be interrupted by an [illegible]. It is more important [illegible] and that I mentioned this my deeply upon the subject that he and I can have by public view.

I shall not discuss the resolutions [illegible] which have created. The Legislature, as we [illegible] and [illegible] of consideration which [illegible] of its suggestions to [illegible] the President a message to the meeting of the [illegible] to explain [illegible] to [illegible]. While I regret [illegible] to [illegible] to [illegible] to the action of the Executive on [illegible], I deem it [illegible] the President's views that I do not [illegible] a longer [illegible]. On the contrary, I [illegible] I can [illegible] [illegible] in Washington where the President has [illegible] [illegible] and [illegible] the Secretary of [illegible] [illegible] the Legislature.

I [illegible] [illegible] [illegible]

do, that you act not only as the representatives of the State dealing with lands lying within the State, but as the representatives of a state occupying a position among her sister states and sharing with them an interest in and responsibility for international relations.

You are fortunate in this State in having the initiative and referendum. The initiative spurs you on to do that which you believe your people want done, while the referendum empowers those for whom you speak to put their veto upon your acts if you fail to reflect their wishes. It may be assumed, therefore, that if you feel it your duty to enact any legislation on this subject at this time, your people will either manifest their approval by acquiescence, or their disapproval by submitting your action to the judgment of the voters by means of the referendum.

I leave you with renewed assurances of the President's friendly concern in the subject with which you are dealing, and my appreciation of the kind reception which you have accorded me as his spokesman.

Senator Gates, in response, spoke as follows:

MR. PRESIDENT: If I may be permitted to speak the sentiments of this Legislature at this moment, I beg to convey to the Secretary of State of our nation, and through him to the chief executive whom we delight to honor and follow in all respects and to every degree, which we believe consonant with our duty to our State and to the work entrusted to us upon this coast, I would say that this Legislature appreciates to its fullest degree the honor that has been done to this State by the visit of the Secretary of State to join with us in an endeavor to write such legislation as shall be for the protection of our State, of our people, of our civilization upon this coast and the honor of the nation and of our relations with the sister nations of the earth.

We realize that the visit of the Secretary of State upon a mission of this character, traversing the continent from coast to coast to cooperate with us to the end that we are seeking, marks an era in American politics, marks a degree of advance which we believe will be for the benefit of the nation at large and the conduct of public affairs hereafter, in that it brings the national government into closer touch with the individual states and marks a further advance in making of the states each a closer integral part with the great family of states of which this nation is composed.

Mr. President, I beg further to express upon the part of this Legislature our profound appreciation and gratitude for the interest which has been taken by the national government in the problem that confronts the Legislature of California, and to assure the Secretary of State and the President of the United States that even though we may differ in the phraseology and terms which we may feel necessary to employ in legislation of the kind which is responsible for the visit of the Secretary of State that we do it with the profoundest respect for the opinions of the President and his Secretary of State which have animated this visit, and if we feel impelled to depart in the slightest degree from the advice of the President, we still do it with the highest respect for the wishes of the chief executive of our nation.

Speaking finally, I wish to say, and I know that I now express the sentiments of the Legislature here, that it is the purpose and desire upon the part of this Legislature, in so far as it finds or can find it consonant with the duty it has to perform for the people of this State, to comply with the wishes of the chief executive, and that we thank the President and his Secretary for the assistance which they have given to us and to express the hope that this visit may be the forerunner of further activities by the national government in assisting the sister states composing the republic, in the discharge of their duties as parts of our great republic.

And now, upon behalf of this Legislature, I beg Mr. Bryan to express the thanks of the Legislature to the President of the United States for his interest and assistance, and to you for the courtesy and kindness with which you have discharged your ambassadorship to the Legislature of the State of California.

CONSIDERATION OF SPECIAL ORDER

The Senate took up the consideration of Assembly Bill No. 2080, with the pending reports of special committees with instructions to amend.

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority, and, in that behalf, to create a state civil service commission and to make an appropriation therefor.

Read third time.

The question being on the report of Senator Stanford, as a special committee of one, to amend as follows:

On page 3, strike out all of line 30 after the word "Director," and strike out all of line 31 and line 32 through the word "Governor," and insert in lieu thereof the following: "person employed by the state library."

Report read and refused adoption.

The question being on the report of Senator Rush, as a special committee of one, to amend as follows:

By inserting on page 3, line 14, after the word "commissioner" the following: "having by the senate of"

Report read and refused adoption.

RECONSIDERATION ORDERED.

The further consideration of Senate Bill No. 2080 was, on motion of Senator Thompson, temporarily continued.

CONSIDERATION OF BILL—ORDER MADE.

Senator Caminetti asked, and was granted, permission to take up for consideration Senate Bill No. 527, and it was ordered.

Senate Bill No. 527, An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College and making appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 527 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Burnett, Carr, Caminetti, Chandler, Flint, Gerdes, Gerdes, Hewitt, Hoban, Holohan, Hughes, Lanagan, Leavitt, Lewis, Mott, Rush, and Wyllie—20.

NOES—Senators Boynton, Bunkers, Cartwright, Cogswell, Curtis, Finn, Flint, Gerdes, Gerdes, Hewitt, Hoban, Holohan, Hughes, Lanagan, Leavitt, Lewis, Mott, Rush, and Wyllie—20.

Title read and approved.

Bill ordered transmitted to the Assembly.

TIME OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the time of recess was extended until two o'clock p.m.

SPECIAL ORDER CONTINUED.

On motion of Senator Boynton, the consideration of the special order set for this day Assembly Bill No. 442 was continued until three o'clock and thirty minutes p.m. of this day.

CONSIDERATION OF SENATE CHAMBER—POSTPONED.

The consideration of Assembly Bill No. 2080 was resumed.

REPORT OF SENATE COMMITTEE OF ONE.

Senator Stanford moved to refer to Senator Stanford, as a special committee of one, to amend as follows:

By inserting after the period in line 33 page 10, of Assembly Bill No. 2080, the following: "It is further provided that upon the taking effect of this Act all persons

holding offices or positions not exempted under the provisions of this Act shall be subject to and take the examination herein provided for, and if found competent shall be placed upon the eligible lists."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 2080, with instructions to amend, respectfully reports the same back, amended as per instructions.

SANFORD, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Caminetti, Campbell, Cartwright, Cohn, Curtin, Finn, Gerdes, Jones, Juilliard, Kehoe, Larkins, Owens, Regan, Sanford, Shanahan, and Wright—16.

NOES—Senators Anderson, Avey, Beban, Birdsall, Breed, Brown, Bryant, Butler, Carr, Flint, Gates, Hewitt, Lyon, Mott, Rush, Strobridge, Thompson, and Tyrrell—18.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Caminetti moved to refer to Senator Sanford, as a special committee of one, to amend as follows:

By adding a new section to Assembly Bill No. 2080, to be numbered Section 28, to read as follows:

"SEC. 28. This Act shall be in force and take effect on the first Monday after the first day of January, 1915."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 2080, with instructions to amend, respectfully reports the same back, amended as per instructions.

SANFORD, Committee.

Report read and refused adoption.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At one o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority, and in that behalf, to create a state civil service commission and to make an appropriation therefor.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2080 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Mott, Regan, Rush, Strobridge, Thompson, and Tyrrell—25.

NOES—Senators Caminetti, Cartwright, Cohn, Curtin, Juilliard, Kehoe, Larkins, Owens, Sanford, and Shanahan—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

RE CONCURRENT

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

Mr. President: Your Committee on Judiciary to whom was referred Assembly Concurrent Resolution No. 30—Relative to the Executive making emergency proclamation in the recitals and that Congress do the representation of the State of California in the Senate of the United States—have had the same under consideration and respectfully report the same back and recommend that it be adopted.

DAVIS, Chairman.

Assembly Concurrent Resolution No. 30 ordered on file.

SECOND READING OF BILLS (CONTINUED)

Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall the section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

[illegible]

Ayes—Wyman.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1911 passed by the following vote:

[illegible]

Ayes—Wyman.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1224—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health, defining its powers and duties, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1244 passed by the following vote:

[illegible]

Ayes—Wyman.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2118 passed by the following vote:

AYES—Senators Anderson, Avey, Belan, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Hans, Hewitt, Kehoe, Larkins, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1385 passed by the following vote:

AYES—Senators Anderson, Avey, Belan, Boynton, Breed, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Flint, Hans, Hewitt, Kehoe, Larkins, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commission on the sale of certain bonds of the State of California, appropriating money for such purposes and providing for the transfer of money from the San Francisco Harbor Improvement Fund to the General Fund of the state treasury.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2132 passed by the following vote:

AYES—Senators Anderson, Avey, Belan, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Flint, Hans, Hewitt, Kehoe, Larkins, Owens, Rush, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2052 passed by the following vote:

AYES—Senators Anderson, Belan, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Flint, Hans, Hewitt, Jones, Kehoe, Larkins, Owens, Regan, Rush, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2214—An Act appropriating money to pay the claim of Grace Ervin Harwood against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2214 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2264—An Act appropriating money to pay the claim of J. W. Gallivey against the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2264 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2400—An Act to amend Section 4247 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the eighteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2400 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible] morning session

At ten o'clock and fifty minutes a.m., Senator Stockwell of the Thirteenth District, in the chair.

[illegible] session of bills [illegible]

Assembly Bill No. 1399—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1390 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Brown, Butler, Caminetti, Cohn, Finn, Flint, Hans, Hewitt, Jones, Larkins, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Thompson, the Senate took up for consideration Assembly Bill No. 944, out of order.

Assembly Bill No. 944—An Act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same, for the holding of agricultural fairs, exhibitions and displays, creating a commission to select the location or site for such fairs, exhibitions or expositions, appropriating money to pay the expenses of such commission, and repealing all Acts and parts of Acts in conflict with this Act.

Read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 944 passed by the following vote:

AYES—Senators Anderson, Beban, Breed, Brown, Bryant, Butler, Caminetti, Cohn, Finn, Flint, Hans, Hewitt, Jones, Kehoe, Larkins, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Tyrrell—22.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1634—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1634 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cohn, Finn, Flint, Hans, Hewitt, Larkins, Mott, Owens, Regan, Rush, Strobridge, Thompson, and Tyrrell—21.
NOES—Senator Jones—1.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies, relating to future assessments.

Read third time.
The question being on the passage of the bill.
The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Thompson moved a call of the Senate.

Motion carried.

Time: two o'clock and eight minutes p. m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Boyce, Burnett, Carr, Chandler, Chamberlain, Cogswell, Cutten, Flint, Hans Heath, Irwin, Kehoe, Lanktree, Mott, Owens, Rogers, Rose, Stevenson, Thompson, and Wyllie—21.

A quorum responding, Chief Clerk of the Senate instructed to open the doors.

At two o'clock and ten minutes p. m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The roll of absentees was called, and Assembly Bill No. 1061 passed by the following vote:

Ayes: Senators Boyce, Burnett, Carr, Chandler, Chamberlain, Cogswell, Cutten, Flint, Hans, Heath, Irwin, Kehoe, Lanktree, Mott, Owens, Rogers, Rose, Stevenson, Thompson, and Wyllie—21.

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM RESUMES THE CHAIR

At two o'clock and ten minutes p. m., Hon. A. E. Boynton, President pro tem, resumed the chair.

MESSAGE FROM THE ASSEMBLY

On motion, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has this day passed Senate Bill No. 1108, An Act to amend Section 1[illegible] of the Penal Code of the State of California, relating to the establishment of parole for the imprisonment of persons, and to repeal Section 1[illegible] of said Code, relating to the same subject, with the following amendments:

Amendment No. 1. Strike out the enacting clause of Senate Bill No. 1108.

Amendment No. 2. Strike out Section 1 of said bill.

Amendment No. 3. Strike out Section 2 of said bill.

Amendment No. 4. Strike out Section 3 of said bill.

Amendment No. 5. Strike out Section 4 of said bill.

Amendment No.

Also Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Also Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof."

Also Senate Bill No. 1420—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

L. B. MALLORY, Chief Clerk of Assembly
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 539, 1743, 526 and 1420 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581b, relating to the dismissal of actions for want of prosecution after change of place of trial.

Also Senate Bill No. 1745—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County between said county and Placer County.

Also Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County between said county and El Dorado County.

Also Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3938 of the Political Code, relating to the county boundary between Tuolumne and Mariposa counties.

Also Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 532a, relating to secret societies, fraternal societies, orders, or organizations.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 401, 1745, 1746, 1744 and 141 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 33: Relative to leave of absence for certain state officials.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Concurrent Resolution No. 30 ordered to enrollment.

SECOND READING OF BILLS.

On motion of Senator Hewitt, the Senate took up the consideration of the second-reading file of Assembly bills.

Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty one

years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release thereof, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for or contributing to the delinquency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing Ordinance No. [illegible] approved March 6, 1905.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 2029—An Act to prohibit having concurrent rates between cities, fixing rates, collusive competition and charging car companies from allowing "free" to be given to the employees, to prohibit all persons from giving same to employees, to prohibit the employees of hotels, restaurants, cafés, lunch stands, dining cars, railroad companies, and sleeping car companies from receiving same.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1200—An Act to amend Section 1475 of the Political Code of the State of California, with reference to the formation of new portion for changing boundaries of old joint districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1058—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to post in the rooms of guests directions and individual notices for the guests of such hotel.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 813—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 42—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells, and preserving pressure thereto, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1111—An Act appropriating money to pay the claim of Frank P. Doyle against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 87—An Act to amend Section 1502 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS

On motion of Senator Thompson, the Senate took up the consideration of the third reading file of Assembly bills.

Assembly Bill No. 1146—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2550a, relating to the time for notice of loss on casualty or accident insurance policies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1740 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Gates, Gerdes, Hewitt, Jones, Kehoe, Lyon, Regan, Rush, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Gates, Gerdes, Hewitt, Jones, Lyon, Regan, Rush, Thompson, and Wright—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i* and 4225*j*, all relating to county boards of health and sanitary inspectors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 235 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Gerdes, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Rush, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8, 8*a* and 8*b* of, and to add a new section, to be known as Section 8*c* to, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty, for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 907 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Gerdes, Hewitt, Jones, Kehoe, Lyon, Mott, Regan, Rush, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1304—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 4351.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1304 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1305—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1305 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1307—An Act to amend Section 527 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1307 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1414—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Read third time.

The question being on the passage of the bill.

The roll was called

[illegible]

Pending the announcement of the vote, Senator Howe moved a call of the Senate.

Motion carried.

Time, four o'clock and forty minutes p. m.

[illegible]

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Belan, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Carr, Cartwright, Cohn, Curtin, Finn, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—31.

The Secretary announced the absentees.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and forty-five minutes p.m., Senators Cogswell and Breed were brought to the bar of the Senate, and, on motion of Senator Campbell, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and forty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Hewitt.

The roll of absentees was called, and Assembly Bill No. 747 refused passage by the following vote:

AYES—Senators Belan, Benson, Bryant, Butler, Caminetti, Carr, Curtin, Finn, Gates, Gerdes, Hewitt, Jones, Kehoe, Larkins, Rush, Shanahan, and Thompson—17.

NOES—Senators Anderson, Avey, Boynton, Breed, Cartwright, Cohn, Flint, Hans, Juilliard, Mott, Sanford, Tyrrell, and Wright—14.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 556 passed by the following vote:

AYES—Senators Anderson, Belan, Breed, Bryant, Caminetti, Campbell, Cartwright, Cohn, Curtin, Finn, Gates, Gerdes, Hans, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Sanford, Shanahan, Tyrrell, and Wright—23.

NOES—Senators Benson, Boynton, Carr, Cogswell, and Thompson—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 862 passed by the following vote:

AYES—Senators Anderson, Belan, Benson, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Hans, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Rush, Shanahan, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

At three o'clock and fifteen minutes p. m., Senator Thompson of the Thirty-fifth District, in the chair.

[illegible]

The following resolution was introduced:

By Senate Concurrent:

Resolved, That Assembly Bill No. 291, re-called from the Governor at the request of the Senate, be returned to the Governor at the request of the Senate.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes: Senator Andrus, Arthur, Bennett, Brown, Cardinell, Chambers, Cleary, Colton, Dills, Esola, Gaffney, Gallwey, Gates, Gay, Hadley, Hamilton, Hewitt, Hollister, Holmes, Ingram, Jones, Kelly, Knight, Lamb, Lanagan, Lee, Lockwood, Mahoney, Mattimore, Mayer, Mitchell, Moore, Nelson, Nolan, Owen, Pierce, Pollard, Rhoads, Rice, Rickard, Robinson, Rogers, Rosenblum, Sage, Schoeneck, Seeley, Sherman, Smith, Stanchfield, Stanley, Stilwell, Thompson, Tremaine, Van Cott, Wagner, Walker, Ward, Wells, Whitney, Wicks, Wilber, Wilcox, Wilson, Wood, Young—60.

Nays: Senator Bayne, Carr, Cassidy, Cole, Dunn, Gerber, Greenidge, Hakes, Hastings, Hewitt, Lawrence, Lewis, Mackay, Mahoney, Mattimore, Mayer, Mitchell, Moore, Nelson, Nolan, Owen, Pierce, Pollard, Rhoads, Rice, Rickard, Robinson, Rogers, Rosenblum, Sage, Schoeneck, Seeley, Sherman, Smith, Stanchfield, Stanley, Stilwell, Thompson, Tremaine, Van Cott, Wagner, Walker, Ward, Wells, Whitney, Wicks, Wilber, Wilcox, Wilson, Wood, Young—60.

Resolved (if the Assembly concur), That Assembly Bill No. 291, entitled:

An Act to amend the public service law, in relation to the powers, duties and authority of said commission, and its members, providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the suspension of the courts with said commission, providing that certain cases shall take judicial notice of certain acts of the Water Power Commission, specifying the duties of all persons connected as witnesses before said commission, appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, in branches and conditions; defining the regulation of said commission, what water is appropriated, ascertaining what water may be appropriated; directing the duties of those who desire to appropriate water; defining the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the Water Power Commission, by the Attorney General, for the publication of title to water or water rights; specifying certain duties of the comptroller, treasurer or board of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and taking districts from certain provisions of this Act but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

Read first time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Curtin, as a special committee of one, to amend as follows:

On page 30, after line 26, add a new paragraph, to read as follows: "Nothing in this Act shall prevent or be construed to prevent any person, firm, or corporation, from making an appropriation under the provisions of Division II, Part IV, Chapter VIII of the Civil Code, of any unappropriated water in any stream, lake, or other body of water, until the state water commission shall have investigated such stream, lake, or other body of water, and determined by its findings as herein provided the unappropriated rights in such stream, lake, or other body of water."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 642, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARTWRIGHT, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES: Senators Anderson, Birdsall, Boynton, Breed, Campbell, Cartwright, Cohn, Curtin, Juilliard, Owens, Sanford, Shanahan, and Wright—13.

NOES: Senators Benson, Brown, Bryant, Butler, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Hewitt, Jones, Kehoe, Larkins, Lyon, Strobridge, Thompson, and Tyrrell—18.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Wright moved to refer to Senator Cartwright, as a special committee of one, to amend as follows:

Strike out all of Sections 26, 27 and 28 and renumber following sections.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 642, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARTWRIGHT, Committee.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES: Senators Anderson, Birdsall, Boynton, Breed, Campbell, Cartwright, Cohn, Curtin, Juilliard, Owens, Sanford, Shanahan, and Wright—13.

NOES: Senators Beban, Benson, Brown, Bryant, Butler, Carr, Cogswell, Finn, Flint, Gates, Hewitt, Jones, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Strobridge, Thompson, and Tyrrell—21.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 642 passed by the following vote:

AYES: Senators Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Regan, Rush, Strobridge, Thompson, and Tyrrell—28.

NOES: Senators Anderson, Cohn, Curtin, Owens, Sanford, and Wright—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF SELECT COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 23, 1917.

Mr. President: Your Committee on Elections to whom was referred Assembly Bill No. 1026—An Act to add a new section to the Code of Civil Procedure, relating to the disposition of contested compensation of the successful candidate at general election—have had the same under consideration and respectfully report the same back without recommendation.

GATES, Chairman.

Assembly Bill No. 1054 ordered on file for second reading.

CONSIDERATION OF ENROLLED BILLS.

On motion of Senator Hewitt, the consideration of Assembly Bill No. 1049—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate, approved March 27, 1897"—was taken up.

Read third time.

The question being on the passage of the bill.

The said bill was ordered, and Assembly Bill No. 1049 refused passage by the following vote:

AYES—Senators Avey, Boynton, Brown, Campbell, Carr, Caldwell, Hewitt, Irwin, Kehoe, Lewis, Rominger, and Wallace—13.

NOES—Senators Anderson, Benson, Breed, Burnett, Chamberlain, Finn, Flint, Gerdes, Gillis, Griffin, Hare, Holohan, Inman, Leake, Lee, Lukens, Mott, Owens, Shearer, Stetson, Strobridge, Tyler, Curtis, Ellis, Flint, Jones, Hans Kalloch, Lawrence, Muller, Owens, Regan, and Rominger—28.

MESSAGE FROM THE ASSEMBLY—BILLS SIGNED.

The message of Secretary Hopkins, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1917.

Mr. President: I am directed to inform your Honorable body that the Assembly concurs with the Senate amendments to Assembly Committee substitute for Senate Bill No. 1128—An Act to provide revenue funds for the use of the State of California, pursuant to the provisions of Section 24 of Article XI of the Constitution of the State of California, and to provide for the levy and collection of taxes for such use—and has passed the same as amended.

Senate Bill No. 1001—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes for such use of municipal, county and other governmental purposes as may be authorized by the laws of the State of California, and to provide for the payment of the fees, and to provide for the compensation and salaries of certain officers and to provide that those fees may be paid, charged to certain officers of the county, and fixing the compensation to be received by certain officers and the services to be rendered to such compensated officers, and the manner in which such fees shall be collected, and to provide for the payment of such compensation, and such moneys collected and the services so rendered to such compensated officers, and to provide for the disposition of such moneys, approved March 20, 1911, and to amend and to repeal a certain section of said Act, approved March 20, 1911, and to amend and to repeal a certain section of said Act, approved March 20, 1911, and to amend and to repeal a certain section of said Act, approved March 20, 1911, by adding a new section thereto to be known as Section 3a thereof, relating to the compensation of county officers in counties containing a population of over seventy and under the assembly, relating to the classification of cities, counties and townships

AMENDMENT NO. 2.

On page 5, after line 5, insert the following:

SEC. 5. A new section is hereby added to said Act to read as follows:

Section 9w. Any county organized under a charter for its own government, framed under the provisions of section seven and one half of Article XI of the Constitution of the State of California; or any city or town situated within said county, organized, or incorporated under the provisions of section six of said article; or any city or town situated within said county heretofore or hereafter organized by charter authorized by section eight of said article shall have the power to prescribe, whenever such county charter so provides and the said county consents thereto, such other consolidation of county and municipal officers and the assumption and discharge of such functions thereof, as may be consistent with, and subject to said constitution.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 787?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 787 by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Butler, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Lyon, Mott, Owens, Regan, Strobridge, Thompson, and Tyrrell—27.

NOES—None.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1758.

On page 2, line 4, strike out the words "the toll bridge", and insert in lieu thereof the following: "a point SIXTY feet below the westerly line of Lawrence street, in the city of Napa".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1758?"

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1758 by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Cammetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Hans, Hewitt, Jones, Juilliard, Mott, Rush, Shanahan, Thompson, Tyrrell, and Wright—27.

NOES—None.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Boynton, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts, and for the issuance of county irrigation district bonds and the payment thereof.

Also: Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

And respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 982.

AMENDMENT NO. 1.

On page 1, of the amended bill, strike out all of line 9, following the word "headlights", and all of line 10 down to and including the semicolon, and in lieu thereof, insert the following: "which will project sufficient light to enable the locomotive engineer to observe clearly a dark object the size of an average man, at a distance of not less than 800 feet on a dark, clear night while his train is running at a rate of speed not less than 30 miles per hour;".

ASSEMBLY NO. 3

On page 1, of the amended bill, strike out the period in line 13, and in lieu thereof insert a colon and the following: "but no assessment or duration which at short time of land right notice to the completion of the railroad commissioners, may hereinafter hereby provided for in any provision for the construction of public utilities."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 382?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 382 by the following vote:

Ayes—Senators Anderson, Arkush, Baker, Bennett, Bills, Boyle, Brown, Chandler, Cobey, Cronin, Curtis, Dennett, Finn, Flint, Hare, Hewitt, Hoyt, Kelly, Lewis, Lyon, Mott, Nelson, Owen, Reed, Rigdon, Rush, Sanders, Sanford, Shearer, Simpson, Smith, Stanton, Stetson, Strobridge, Thompson, Tuttle, Wagner, Walker, Wallace, Wilson, Wright and Young—41.

Noes—None.

Absent—None.

ASSEMBLY NO. 4

SENATE CHAMBER, SACRAMENTO, May 11, 1916.

Mr. President: I am directed to inform your honorable body that the Assembly concurs with the Senate amendments to Assembly Bill No. 1005, An act relating to the [illegible] and providing penalties for violation thereof.

Also that the Assembly has passed Senate Bill No. 1005, An act relating to the [illegible] and providing penalties for violation thereof.

Also that the Assembly has passed Senate Bill No. 1006, An act [illegible] and providing penalties for violation thereof.

Also that the Assembly has passed Senate Bill No. 1007, An act [illegible] and providing penalties for violation thereof.

Also that the Assembly has passed Senate Bill No. 1008, An act [illegible] and providing penalties for violation thereof.

Also that the Assembly has passed Senate Bill No.

CONSIDERATION OF ASSEMBLY AMENDMENTS—RESUMED.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 513.

On page 2, line 5, strike out the period and insert in lieu thereof the following: "*provided*, that the provisions of this section shall not apply to crates, coops, or cages in which are confined birds or fowls known as poultry while being transported from one place to another during a period not exceeding ten hours."

On page 1, line 9, strike out the word "erect".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 513?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 513 by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Caminetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—26.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1740.

AMENDMENT NO. 1.

On page 1, lines 1 and 2, strike out the words "Political Code", and insert in lieu thereof the words "Civil Code of the State of California".

AMENDMENT NO. 2.

On page 1, line 15, strike out the period after the word "earned", and insert in lieu thereof a comma and the following: "except for the necessaries of life and then only to the person or persons furnishing such necessaries of life directly, and then only for the amount needed to furnish such necessities"

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1740?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1740 by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Hans, Hewitt, Juilliard, Kehoe, Mott, Owens, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

SENATOR THOMPSON IN THE CHAIR.

At six o'clock and twenty-five minutes p. m., Senator Thompson of the Thirty-fifth District, in the chair.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 897.

AMENDMENT NO. 1.

On page 2, of the printed bill, strike out all of lines 6, 7 and that portion of line 8 preceding the comma, and insert in lieu thereof the following: "of not more than five hundred dollars for each and every violation, or in the discretion of the court, to imprisonment not more than six months."

AMENDMENT NO. 2.

On page 3, of the printed bill, at the end of Section 1, add the following: "This section shall not apply to any contract of insurance upon or in connection with marine or transportation risks or hazards other than contracts for automobile insurance."

AMENDMENT NO. 3.

On page 4, line 1, Section 2, of the printed bill, following the word "agent", strike out the comma, and insert in lieu thereof the word "or", also, in the same line, strike out the words "or broker".

AMENDMENT NO. 4.

On page 4, of the printed bill, at the end of line 2, strike out the comma, and insert in lieu thereof the word "or".

AMENDMENT NO. 5.

On page 4, line 3, of the printed bill, strike out the words "or broker".

[illegible]

[illegible]

[illegible]

shall any applicant be examined or given a license who is not twenty-one years of age."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1308?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 1308 by the following vote:

AYES—None.

NOES—Senators Avey, Birdsall, Boynton, Breed, Carr, Cartwright, Cogswell, Cohn, Curtin, Flint, Hewitt, Jones, Juilliard, Kehoe, Lyon, Owens, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—21.

MOTION TO RECALL BILL FROM COMMITTEE.

Senator Caminetti moved that Senate Bill No. 1783—An Act to provide for a census of the Japanese population of California; to provide for the gathering, compiling, printing and distribution of statistics and information regarding Japanese in this State and concerning the class and acreage of lands and the value and number of city and town lots, owned or leased by Japanese in California, and to make an appropriation to carry out the purposes of this Act, be recalled from the Finance Committee of the Senate and thereafter placed on second-reading file of the Senate.

The question being on the motion.

The roll was called, and the motion lost by the following vote:

AYES—Senators Caminetti, Cartwright, Cohn, Juilliard, and Shanahan—5.

NOES—Senators Benson, Birdsall, Boynton, Breed, Butler, Carr, Cogswell, Flint, Hans, Jones, Kehoe, Mott, Strobridge, Thompson, Tyrrell, and Wright—16.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Breed, the Senate took up for consideration Assembly amendments to Senate Bill No. 297.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 297.

Strike out Section 5 of the bill, and insert in lieu thereof the following:

SEC. 5. Any person over the age of legal majority desiring to engage in the practice of optometry in this state may file an application duly verified by his oath for an examination before said board or for a certificate of registration without examination, as hereinafter provided, such application to be filed with the secretary of said board at least two weeks prior to the date of any meeting at which an examination is to be held, and shall set forth the following:

(*a*) The name, age and address of the applicant.

(*b*) The name of the optometry school attended, if any, and for what period of time such school was attended by the applicant.

(*c*) The previous experience, if any, of the applicant in the practice or in assisting in the practice of optometry.

(*d*) A statement of the previous examinations, if any, taken before the board and the dates of such examinations.

Such applications shall be accompanied by a fee of $20.00. In case an applicant for a certificate of registration has attended a public school of optometry, accredited as provided in Section 4 S. subdivision 6, of this Act and shall accompany his application with a certificate from such accredited school, acknowledged before an officer authorized to take acknowledgments, showing the applicant to have successfully completed one year's work in such school, the board shall issue to him a certificate entitling him to practice optometry in the State of California without examination.

Public schools within the meaning of this Act are schools maintained as part of the public school system of the state by public funds and furnishing free instruction, and none other.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 297?"

The roll was called and the Senate convened as Assembly, and the Assembly resumed its session with Mr. Fitts in the following chair:

[illegible]

[illegible]

Assembly Bill No. 1481—An Act creating a state board of forestry, prescribing its powers and duties, creating the office of state forester and providing for the appointment and promotion of employees of a police patrol, thereof, and the prohibition of his employees; prescribing the power and duties of the state forester and firms in relation thereto; providing for the appointment and termination of appointment of assistant foresters and firms their duties and salaries; providing for the appointment of and expenses of appointment of deputies and prescribing their duties and mode of compensation; providing for cooperative agreements between the state board of forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations, or corporations, declaring certain fires to be public nuisances and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain acts and omissions likewise to be public nuisances; providing for their abatement and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the use of the provisions of certain provisions a lien upon the land on which said nuisances are situated; providing for the filing of said lien and the enforcing of claims for such liens and the recovery of same; providing for said filing and enforcement; providing for the exemption of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violations the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the Laws of 1905 as amended by the acts of April 1, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of time for

Read third time

[illegible]

Senator Kehoe moved to refer to Senator Shanahan, as a special committee all bills he should so direct.

[illegible]

Motion carried.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

Mr. President: Your special committee to act in above case referred Assembly Bill No. [illegible] with instructions to report favorably without amendment and do pass.

SHANAHAN, Chairman.

Report read and adopted.

Bill ordered to print.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1034, An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain dangerous persons, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, approved April 14, 1911, as amended

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1034 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1188—An Act for the relief of purchasers of state lands.

Also: Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

Also: Senate Bill No. 1666—An Act to provide for the alteration of the boundaries of and for the annexing of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the governing, government and municipal control of such annexed territory.

Also: Senate Bill No. 1457—An Act appropriating moneys in the "accident prevention fund" for the purpose of enforcing and promoting safety in employment and places of employment.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1188, 440, 1666 and 1457 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in the State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

Also: Refusal adoption to Senate Constitutional Amendment No. 36—To propose to the people of State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 29—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

Also: Senate Joint Resolution No. 34—Relative to the amendment of the postal law of the United States to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Concurrent Resolution No. 29 ordered to enrollment.

Senate Joint Resolution No. 34 ordered to enrollment.

Also,

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

[illegible]

[illegible] MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Joint Resolutions Nos. [illegible] and [illegible] ordered to enrollment.

Senate Concurrent Resolution No. 11 ordered to enrollment.

Also,

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

[illegible]

[illegible] MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. [illegible] and [illegible] ordered to enrollment.

Also,

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

[illegible]

[illegible] MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. [illegible] and [illegible] ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1076—An Act defining and regulating the carrying for sale, exhibiting for sale or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas (awnings excepted), wagon covers, tents, grain and hay covers, stacks or tent ropes and supporting the same to be printed, labeled as to weight, size and use of fibers or other preparations.

Also: Senate Bill No. 1458—An Act creating an "unclaimed moneys fund" and appropriating money therefor.

Also: Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in prescribed cities, incorporated cities and cities and counties, and to provide penalties for the violation thereof.

Also: Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Also: Senate Bill No. 1465—An Act to amend Section 1780 of the Code of Civil Procedure of the State of California, relating to giving notice to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1076, 1458, 1407, 1091 and 1465 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 327—An Act providing for the establishment and maintenance of cemeteries and cemetery lands or parts of either, by cemetery corporations, or associations, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Also: Senate Bill No. 672—An Act to amend section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 1723—An Act providing for the distribution and redistribution of surplus moneys from state prisons.

Also: Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of connected and secondary schools of the State of California.

Also: Senate Bill No. 907—An Act to amend Section 1668 of the Political Code of the State of California, relating to the care of schoolrooms, health of pupils and to proper exercise of pupils in the public schools.

Also: Senate Bill No. 675—An Act in relation to prostitution and to persons cohabiting, dwelling or residing with prostitutes; to define and prohibit the same; to provide for punishment therefor and for the competency of certain evidence at the trial therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 365 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day also passed Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

[illegible]

[illegible]

[illegible]

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1731—An Act to amend Section 1203a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

Also: Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Also: Assembly Bill No. 2095—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any rebate or discount or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes.

Also: Senate Bill No. 1062—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to a decedent's estate.

Also: Senate Bill No. 1035—An Act to amend Section 384 of the Penal Code, relating to forest fires.

Also: Senate Bill No. 72—An Act to amend Section 167 of the Penal Code of California relating to false certificates and acknowledgments of notaries public and other officers.

Also: Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

Also: Senate Bill No. 502—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

Also: Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Also: Senate Bill No. 1259—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Also: Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 956—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 1204—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

Also: Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and term of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof.

And report that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1913, at five o'clock and thirty minutes p.m.

JONES, Acting Chairman.

on adverse committee

SENATE CHAMBER, SACRAMENTO, May 11, 1915.

MR. PRESIDENT: The Committee on Municipal Corporations, to which was referred Assembly Bill No. 1000, an act to amend Section [illegible] of the Political Code, relating to [illegible], has had the same under consideration, and respectfully report the same back without recommendation.

CARR, Chairman.

Assembly Bill No. 2048 ordered on the [illegible] second reading

on motion

SENATE CHAMBER, SACRAMENTO, May 11, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2048, an act [illegible], has had the same under consideration, and respectfully report the same back without recommendation.

STRINGHAM, Chairman.

Assembly Bill No. 2048 ordered on the [illegible] second reading

SENATE CHAMBER, SACRAMENTO, May 11, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 2048, an act [illegible], has had the same under consideration, and respectfully report the same back without recommendation.

STRINGHAM, Chairman.

Assembly Bills Nos. 1438 and 2223 ordered on the [illegible] second reading

recess

At [illegible] o'clock and [illegible] minutes p.m., on motion of Senator Kehoe, the acting President declared the Senate to recess until eight o'clock p.m.

evening session.

At eight o'clock p.m. the Senate reconvened.

Present—Senator E. E. Benson, President pro tem. of the Senate, in the chair.

The President pro tem. called before the Senate the consideration of the special order:

Assembly Bill No. 2266—An act to define investment companies, investment brokers, solicitors and agents, to provide for the registration, supervision and licensing thereof, to provide penalties for the violation hereof, and making an appropriation therefor.

Said order then on a previous day

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2266 passed by the following vote:

Ayes—Senators Aitken, Ard, Avey, Benson, Boynton, Breed, Brown, Burnett, Campbell, Chandler, Cogswell, Curtin, Cutten, Flint, Gerdes, Hare, Hatch, Holohan, Inman, Irwin, Jones, Kehoe, Leavitt, Lewis, Lukens, Owens, Rigdon, Rolfe, Rush, Sanford, Shearer, Stetson, Stevens, Strobridge, Tyler, Wallace, Wolfe, Wright, Young—35.

Noes—Senator Curtis—1.

The roll was then read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Strobridge asked, and was granted, unanimous consent to take up for consideration Senate Bill No. 422, out of order.

CONSIDERATION CONTINUED.

On motion of Senator Hewitt, the further consideration of Senate Bill No. 422 was continued till nine o'clock p.m.

THIRD READING OF ASSEMBLY BILLS.

On motion of Senator Thompson, the Senate took up the consideration of the third-reading file of Assembly bills.

Assembly Bill No. 500—An Act to amend Section 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing and time of service of jurors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 520 refused passage by the following vote:

AYES—Senators Beban, Benson, Caminetti, Campbell, Carr, Finn, Gerdes, Jones, Kehoe, Lyon, Regan, Shanahan, and Tyrrell—13.

NOES—Senators Avey, Birdsall, Boynton, Breed, Brown, Butler, Cartwright, Cogswell, Curtin, Flint, Gates, Hewitt, Juilliard, Mott, Thompson, and Wright—16.

Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1598 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Brown, Caminetti, Campbell, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.

NOES—None.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1147 passed by the following vote:

[illegible]

Title read and approved.

[illegible]

Assembly Bill No. 1223—An act to make an appropriation for the maintenance expenses of the Asylum for the Insane of the Fourth Legislature of the State of California during the sixty-fourth fiscal year.

[illegible]

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called and the [illegible] section passed by the following vote:

[illegible]

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1223 passed by the following vote:

[illegible]

Assembly Bill No. 1226—An act relating to appropriations in aid of the cost of printing, purchasing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Read third time.

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

[illegible]

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2136 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—31

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2128 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Lyon, Mott, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR AVEY IN THE CHAIR

At seven o'clock and fifteen minutes p. m., Senator Avey, of the Thirtieth District, in the chair.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Strobridge asked, and was granted, unanimous consent for the consideration, out of order, of Senate Bill No. 422—An Act to provide for and regulate primary elections and providing for the election of candidates at such primary elections, and providing the method whereby electors may express their choice at such primary elections for United States Senator, and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911, and amendments thereto.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 422 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Lyon, Mott, Regan, Thompson, and Tyrrell—26

NOES—Senators Cammetti, Curtin, Juilliard, Owens, Sanford, Shanahan, and Wright—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Mr. President: I voted "no" on Sen. Bill number 9 but am now convinced it is unconstitutional as a matter thereof, and ask to be recorded as voting "yes" on the amendment which different subscribers could have been given for the constitutional. On the last ballot on the motion, reconsideration would not have been necessary. Now, as previously announced, I am for the measure.

A. CAMINETTI.

[illegible]

All those in favor of the motion [illegible] Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

[illegible]

Assembly Bill No. 770—An Act [illegible] Section 4223 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 770 passed by the following vote:

[illegible]

Title was read approved.

Bill ordered transmitted to the Assembly.

[illegible]

All those in favor of the motion [illegible] Lieutenant-Governor Albert A. Wallace, presiding, will the Senate in the chair.

[illegible]

The following resolution was offered by Senator Thompson:

[illegible]

The resolution was read and adopted by the following vote:

[illegible]

Assembly Bill No. [illegible]—An Act providing for the organization of water districts by the board of supervisors of the different counties of the State [illegible] petition therefor by the landowners; providing for the [illegible] and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of such county in which any of the lands contained in said districts are

located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Brown, Butler, Campbell, Cogswell, Curtin, Finn, Gates, Hans, Hewitt, Kehoe, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—23.

NOES—Senators Larkins and Mott—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Boynton, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 2086—An Act to define investment companies, investment brokers and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof, to create the office of corporate commissioner and making an appropriation therefor—and requests that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

The question being, "Shall the Senate recede from its amendments to Assembly Bill No. 2086?"

The roll was called, and the Senate refused to recede from its amendments to Assembly Bill No. 2086 by the following vote:

AYES—Senators Benson, Caminetti, and Kehoe—3.

NOES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Butler, Campbell, Cartwright, Finn, Gates, Gerdes, Hans, Hewitt, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Thompson, Tyrrell, and Wright—24.

COMMITTEE ON CONFERENCE APPOINTED.

The acting President announced the appointment of Senators Birdsall, Benson and Curtin as a committee on conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 2086.

[illegible]

[illegible]

The question being "Shall the Senate accept [illegible] adopted May 9, 1921 to Assembly Bill No. 944?"

The roll was called, and the Senate refused to accept from said amendments to Assembly Bill No. 944 by the following vote:

[illegible]

CONFERENCE COMMITTEE APPOINTED

The President pro tem. announced the appointment of Senators Burnett, Gaffney and Caldwell as a committee on conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 944.

[illegible]

Assembly Bill No. 1126—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1126 ordered passage by the following vote:

[illegible]

Assembly Bill No. 1218—An Act to add a new section to the Penal Code, to be known as Section 1203c, relating to indeterminate sentences.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1218 passed by the following vote:

[illegible]

Absent—Nielsen.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 914—An Act to amend Section 4300 of the Political Code, relating to the fees of notaries.

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 911 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Finn, Gates, Gerdes, Hans, Jones, Leonard, Kehoe, Rush, Sanford, Shannahan, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—Senators Larkins and Regan—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 912—An Act to amend Section 1142a of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 912 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Bryant, Butler, Carr, Cartwright, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Jones, Leonard, Kehoe, Regan, Rush, Sanford, Shannahan, Strobridge, Tyrrell, and Wright—25.

NOES—Senator Larkins—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 60.

A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section seven and one half, Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

The Legislature of the State of California at its forty-first regular session commencing on the sixth day of January, 1913, two thirds of all the members elected to each of the two houses of said Legislature voting therefor, proposes to the people of the State of California that section seven and one half of Article XI of the Constitution of the State be amended so as to read as follows:

Section 7½. Any county may frame a charter for its own government consistent with and subject to the constitution, and having framed such a charter, may frame a new one or amend and relating to matters permitted by the constitution, by choosing a board of fifteen freeholders who have been for at least five years qualified electors thereof, to be elected by the qualified electors of said county, at a general or special election. Said board of freeholders may be so elected in pursuance of an ordinance adopted by the vote of three fifths of all the members of the board of supervisors of such county, declaring that the public interest requires the election of such board for the purpose of preparing and proposing a charter for said county, or in pursuance of a petition of qualified electors of said county as hereinafter provided. Such petition, signed by fifteen per centum of the qualified electors of said county, computed upon the total number of votes cast therein for all candidates for governor at the last preceding general election at which a governor was elected, praying for the election of a board of fifteen freeholders to propose and prepare a charter for said county, may be filed in the office of the county clerk. It shall be the duty of said county clerk, within twenty days after the filing of said petition, to examine the same, and to ascertain from the record of the registration of electors of the county, whether said petition is signed by the requisite number of qualified electors. If required by said clerk, the board of supervisors shall authorize him to employ persons specially to assist him in the work of examining said petition, and shall provide for their compensation. Upon the completion of such examination, said clerk shall certify to and attach to said petition his certificate, properly dated, showing the result thereof, and if, by said certificate, it shall appear that the said petition is signed by the requisite number of qualified electors, said clerk shall immediately present said petition to the board of supervisors. If it be in session, otherwise at its next regular meeting after the date of such certificate. Upon the adoption of such ordinance, or the presentation of such petition, said board of supervisors shall order the holding of a special election for the purpose of electing such board of freeholders, which said special election shall be held not less than twenty days nor more than sixty days after the adoption of the ordinance or resolution or the presentation of said petition to said board of supervisors, *provided*, that if a general election shall occur in said county not less than twenty days nor more than sixty days after the

all candidates for governor at the last general election, at which a governor was elected, is filed in the office of the county clerk of said county, petitioning the board of supervisors thereof to submit any proposed amendment or amendments to the charter of such county, which amendment or amendments shall be set forth in full in such petition, to the qualified electors thereof, such petition shall forthwith be examined and certified by the county clerk as to it signed by the requisite number of qualified electors of such county, shall be presented to the said board of supervisors, by the said county clerk, in the manner provided for petitions for the election of boards of freeholders. Upon the presentation of said petition to said board of supervisors, said board must submit the amendment or amendments set forth therein to the qualified electors of said county at a general or special election held not less than thirty days nor more than sixty days after the publication or posting of such proposed amendment or amendments in the same manner as hereinbefore provided in the case of the submission of the proposed amendment or amendments to such charter proposed and submitted by the board of supervisors. In submitting any such charter or amendments thereto, any Alternative article or proposition may be presented for the choice of the electors, and may be voted on separately without prejudice to others.

Every special election held under the provisions of this section for the election of boards of freeholders or for the submission of proposed charters, or any amendment or amendments thereto, shall be called by the board of supervisors, by ordinance, which shall specify the purpose and time of such election, and shall establish the election precincts and designate the polling places therein, and the names of the election officers for each such precinct. Said ordinance, prior to such election, shall be published five times in a daily newspaper, or twice in a weekly newspaper, if there be no such daily newspaper, printed, published and circulated in said county: *provided*, that if no such daily or weekly newspaper be printed or published in such county, then a copy of such ordinance shall be posted by the county clerk in three public places in such county and at or near the entrance to at least one public schoolhouse in each school district therein. In all other respects, every such election shall be held and conducted, the returns thereof canvassed and the result thereof declared by the board of supervisors in the same manner as provided by law for general elections. Whenever boards of freeholders shall be elected or any such proposed charter, or amendment or amendments thereto, submitted, at a general election the general laws applicable to the election of county officers and the submission of propositions to the vote of electors, shall be followed in so far as the same may be applicable thereto.

It shall be competent, in all charters, framed under the authority given by this section to provide, in addition to any other provisions allowable by this constitution, and the same shall provide, for the following matters:

1. For boards of supervisors and for the constitution, regulation and government thereof, for the times at which and the terms for which the members of said board shall be elected, for the number of members, not less than three that shall constitute such boards, for their compensation and for their election, either by the electors of the counties at large or by districts; *provided*, that in any event said board shall consist of one member for each district, who must be a qualified elector thereof; and

2. For sheriffs, county clerks, treasurers, recorders, license collectors, tax collectors, public administrators, coroners, surveyors, district attorneys, auditors, assessors and superintendents of schools, for the election or appointment of said officers, or any of them, for the time at which and the terms for which, said officers shall be elected or appointed and for their compensation, or for the fixing of such compensation by boards of supervisors, and, if appointed, for the manner of their appointment; and

3. For the number of justices of the peace and constables for each township, or for the number of such judges and other officers of such inferior courts as may be provided by the constitution or general law, for the election or appointment of said officers, for the times at which and terms for which said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and if appointed, for the manner of their appointment; and

4. For the powers and duties of boards of supervisors and all other county officers, for their removal and for the consolidation and segregation of county offices, and for the manner of filling all vacancies occurring therein: *provided*, that the provisions of such charters relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws; and

4½. For the assumption and discharge by county officers of certain of the municipal functions of the cities and towns within the county, whenever, in the case of cities and towns incorporated under general laws, the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under section eight of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto, of such cities or towns.

5. For the fixing and regulation by boards of supervisors, by ordinance, of the appointment and number of assistants, deputies, clerks, attaches and other persons to be employed from time to time in the several offices of the county, and for the

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 60 adopted by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Bryant, Butler, Carr, Cartwright, Cogswell, Gates, Gerdes, Hans, Hewitt, Jones, Leonard, Kehoe, Larkins, Mott, Regan, Rush, Sanford, Savage, Stetson, Strobridge, Thompson, Tyrrell, and Wright—27.

Noes—None.

Constitutional amendment ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 81.

A resolution to propose to the people of the State of California an amendment to section six of article eleven of the Constitution of the State of California relating to municipal corporations.

The Legislature of the State of California, at its regular session commencing on the sixth day of January, 1913, two thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section six of article eleven of the Constitution of the State of California be amended to read as follows:

Section 6. Corporations for municipal purposes shall not be created by special laws, but the legislature shall, by general laws, provide for the incorporation, organization, and classification, in proportion to population, of cities and towns, which laws may be altered, amended, or repealed; and the legislature may, by general laws, provide for the performance in county officers or boards of the municipal functions of cities and towns so incorporated, whenever a majority of the electors of any such city or town voting at a general or special election shall so determine. Cities and towns heretofore organized or incorporated may become organized under the general laws passed for that purpose, whenever a majority of the electors voting at a general election shall so determine, and shall surrender its corporate existence. Cities and towns hereafter organized under charters framed and adopted by authority of this constitution are hereby empowered, and cities and towns heretofore organized by authority of this constitution may amend their charters, in the manner authorized by this constitution so as to become likewise empowered hereunder, to make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters, and in respect to other matters they shall be subject to and controlled by general laws. Cities and towns heretofore or hereafter organized by authority of this constitution may, by charter provision or amendment, provide for the performance by county officers of certain of their municipal functions, whenever the doing of such municipal functions by county officers is authorized by general laws or by the provisions of a county charter framed and adopted by authority of this constitution.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 81 adopted by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Breed, Brown, Bryant, Butler, Campbell, Carr, Cartwright, Cogswell, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Rush, Sanford, Savage, Stetson, Strobridge, Thompson, Tyrrell, and Wright—28.

Noes—None.

Constitutional amendment ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 87.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XII thereof to be numbered Section 23a in addition to the power of the railroad commission to fix the just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings.

The Legislature of the State of California at its regular session commencing on the sixth day of January, 1913, two thirds of all of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California by adding a new section to Article XII thereof to be numbered Section 23a of Article XII, to read as follows:

Sec. 23a. The railroad commission shall have and exercise such power and jurisdiction as shall be conferred upon it by the legislature to fix the just compensation to be paid for the taking of any property of a public utility in eminent

[illegible]

The question being on the adoption of the constitutional amendment.

The roll was called and [illegible] constitutional amendment by 31 ayes to [illegible] nays, as follows:

[illegible]

Constitutional amendment ordered transmitted to the Assembly.

Assembly Bill No. 2357—An act to amend Sections 270, 270a, 270d and 270f of the Penal Code of the State of California, relating to the protection of [illegible].

First third time.

The question being on the passage of the bill.

The bill was ordered read [illegible] passed by the following vote:

[illegible]

Bill ordered transmitted to the Assembly.

[illegible]

The following resolution was introduced:

By Senator [illegible]:

Resolved, That the Senator whose name appears on the [illegible] from the list of members of the Senate:

[illegible]	$4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day
[illegible]	4.00 per day

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

[illegible]

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 697 passed by the following vote:

AYES—Senators Ayer, Boynton, Breed, Brown, Butler, Cartwright, Campbell, Carr, Cartwright, Cogswell, Flint, Voigt, Gates, Gerdes, Hare, Hewitt, Jones, Juilliard, Kehoe, Lee, Owens, Rush, Sanford, Shumaker, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—Senators Bryant and Regan—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 699 passed by the following vote:

AYES—Senators Ayer, Boynton, Breed, Brown, Butler, Campbell, Cartwright, Cogswell, Flint, Gates, Gerdes, Hare, Hewitt, Jones, Kehoe, Owens, Rush, Sanford, Shumaker, Strobridge, Thompson, Tyrrell, and Wright—23.

NOES—Senators Breed, Lee, and Regan—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 698 passed by the following vote:

AYES—Senators Ayer, Boynton, Breed, Brown, Campbell, Cartwright, Cogswell, Flint, Gates, Gerdes, Hewitt, Jones, Kehoe, Lee, Owens, Rush, Sanford, Shumaker, Strobridge, Thompson, Tyrrell, and Wright—22.

NOES—Senators Bryant and Regan—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Sanford, the Senate took up the consideration of Assembly amendment to Senate Bill No. 1735.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1735.

On page 2, strike out Section 2 and insert in lieu thereof the following: "2. To [illegible] personally a penalty not which shall not exceed one dollar and twenty-five cents on each one hundred dollars."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1735?"

The roll was called, and the Senate ordered to proceed to Assembly Amendment to Senate Bill No. 1370 by the following vote:

[illegible]

[illegible]

[illegible]

The following message from the Assembly was at reading of Senate Journal [illegible]

[illegible]

[illegible]

The following report was received and read:

[illegible]

[illegible]

[illegible]

The roll was called and Assembly Bill No. 1110 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cole, Curtin, Finn, Flint, Gates, Gerdes, Hans, Jones, Kehoe, Larkins, Lyon, Owens, Rush, Shanahan, Stephens, Thompson, Tyrrell, and Wright—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1118 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Bryant, Butler, Caminetti, Campbell, Carr, Finn, Flint, Gerdes, Hans, Heacock, Jones, Kehoe, Lyon, Regan, Shanahan, and Tyrrell—22.

NOES—Senators Larkins, Mott, and Wright—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States and to provide a punishment therefor.

Read third time on a previous day.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 483 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hans, Heacock, Jones, Kehoe, Larkins, Owens, Regan, Rush, Shanahan, Stephens, Thompson, and Tyrrell—28.

NOES—Senator Wright—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 16—An Act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California and to provide for the maintenance of the same out of the school fund of the State of California, and providing for the conduct and management of the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 16 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Brown, Butler, Caminetti, Campbell, Cartwright, Cogswell, Carr, Curtin, Finn, Flint, Gates, Gerdes, Hans, Heacock, Jones, Kehoe, Lyon, Regan, Stephens, Stephens, Thompson, Tyrrell, and Wright—28.

NOES—Senators Birdsall, Larkins, and Rush—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1378—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a divorce of marriage and right of action in the Superior Court [illegible]

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2 of Article XIII thereof, relative to taxation and exempting certain household furniture.

The question being on the adoption of the resolution.

The roll was called, and Assembly Constitutional Amendment No. 2 refused adoption by the following vote:

[illegible]

[illegible]

At five o'clock and forty minutes p. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

[illegible]

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to armory and taxation.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 1 refused adoption by the following vote:

[illegible]

Assembly Bill No. 1359—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

Read third time.

The question being on the passage of the bill

[illegible]

The roll was called, and Assembly Bill No. 1654 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Butler, Cannetti, Cartwright, Caswell, Cohn, Curtin, Flint, Gates, Gerdes, Hans, Hewitt, Kehoe, Lyon, Owens, Regis, Rush, Sanford, Strobridge, and Thompson—24.
NOES—Senator Tyrrell—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1183 passed by the following vote:

AYES—Senators Avey, Birdsall, Boynton, Breed, Brown, Butler, Cannetti, Carr, Cartwright, Caswell, Cohn, Curtin, Flint, Gates, Gerdes, Hans, Hewitt, Kehoe, Larkins, Lyon, Mott, Owens, Regis, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1938 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cannetti, Cartwright, Curtin, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Regis, Rush, Shanahan, Thompson, Tyrrell, and Wright—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR LYON IN THE CHAIR.

At ten o'clock and fifty minutes p.m., Senator Lyon, of the Twenty-ninth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1939 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cannetti, Caswell, Cartwright, Caswell, Cohn, Curtin, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Jolliffe, Kehoe, Larkins, Lyon, Mott, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 963—An Act to regulate the practice of occupations of direct employment in the State of California, providing for the registration and licensing of persons to carry on such practice or occupations; providing for a board of examiners and a clerk thereof, to be known the appointment and employment of the Commissioner of the Bureau of Labor Statistics, fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners, fixing the fees to be paid by persons authorized to practice under the provisions of this Act; and creating a fund to be kept by the State Treasurer for the purposes of this Act.

Third Third Time

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 963 passed by the following vote:

Ayes, Senators Anderson, Avey, Bonnet, Boynton, Brandt, Breed, Butler, Campbell, Canepa, Carr, Chan, Chapel, Chesbro, Cogswell, Curtin, Dennett, Dennison, Drew, Finn, Flint, Gerdes, Gerlach, Gerrity, Hadley, Hans, Hatch, Holohan, Kennedy, Lewis, Lukens, Mahoney, Mathews, Mayo, Nelson, Nichols, Owen, Parkinson, Peterson, Rains, Rush, Sanford, Shearer, Shippee, Smith, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wallin, Welch, Wilson, Wolfe, Young and Wright—57.

Noes, Senators Anthoni, Caminetti, Cartwright, Curtis, Jackson, Leake, Metz, Owens, Regan, Rush, Scott and Wright—11.

Bill read and passed.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 36.

A resolution to propose to the people of the State of California an amendment to Section 4 of Article XVII of the Constitution of the State of California, relating to homestead and Commission of the State of California.

The Legislature of the State of California, at its regular session commencing on the thirty-first day of January, 1913, two thirds of the members elected to each of the two houses of which concurring, voting to have proposed to the qualified electors thereof, pursuant to Section 1 of Article XVIII of the Constitution of the State of California the following amendment to said Constitution.

Section 1. Whenever two thirds of the members elected to each house of the Legislature shall deem it necessary to revise and amend the Constitution, they shall recommend in the journals of the respective houses such revision or amendment as they may deem necessary to the electors to vote at the next general election, but not sooner than ninety days after the publication of the same, and if a majority of the electors voting at such election adopt the same, such revision or amendment shall become part of the Constitution. Should more than one amendment be submitted at the same election, they shall be voted upon by the electors so as to give each elector an opportunity to vote separately for or against each amendment. No convention shall ever be called to revise the Constitution of this State, but the Legislature may, by a vote of two thirds of the members elected to each house, propose amendments to this Constitution, and submit the same to the electors for their ratification or rejection at the next general election, but not sooner than ninety days after the publication of the same. Any such amendment or amendments may relate to one or more subjects, and may be voted upon separately or jointly, as the Legislature may deem best. If more than one amendment be submitted at the same election, they shall be so prepared by the Secretary of State that the electors may vote for or against each amendment separately. The Legislature shall also provide for the publication of such amendment or amendments for at least twenty days before the election at which they are to be voted upon, in at least one newspaper in each county, if such there be, in which a newspaper is published.

The question being on the adoption of the constitutional amendment.

The roll was called and Assembly Constitutional Amendment No. 36 adopted by the following vote:

Ayes, Senators Anderson, Avey, Bonnet, Boynton, Brandt, Breed, Butler, Campbell, Canepa, Carr, Chan, Chapel, Chesbro, Cogswell, Curtin, Dennett, Dennison, Drew, Finn, Flint, Gerdes, Gerlach, Gerrity, Hadley, Hans, Hatch, Holohan, Kennedy, Lewis, Lukens, Mahoney, Mathews, Mayo, Nelson, Nichols, Owen, Parkinson, Peterson, Rains, Rush, Sanford, Shearer, Shippee, Smith, Stetson, Strobridge, Thompson, Tyrrell, Walker, Wallace, Wallin, Welch, Wilson, Wolfe, Young and Wright—57.

Noes, Senators Anthoni, Caminetti, Cartwright, Curtis, Jackson, Leake, Metz, Owens, Regan, Rush, Scott and Wright—11.

Constitutional amendment ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 90.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX, a new section to be numbered 17½, relating to the conditions of labor and welfare of employees.

The Legislature of the State of California, at its regular session commencing on the sixth day of January, 1913, two thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California by adding to Article XX thereof a new section to be numbered as 17½ to read as follows:

SEC. 17½. The legislature may, by appropriate legislation, provide for the establishment of a minimum wage for women and minors and may provide for the comfort, health, safety and general welfare of any and all employees. No provision of this constitution shall be construed as a limitation upon the authority of the legislature to confer upon any commission, now or hereafter created, such power and authority as the legislature may deem requisite to carry out the provisions of this section.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 90 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Carr, Cartwright, Cohn, Finn, Gates, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Rush, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—Senators Bryant, Curtin, Owens and Regan—4.

Constitutional amendment ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 6

Relative to the printing of the report of the State Controller provided for by Section 243 of the Political Code.

WHEREAS, The State Controller, in compliance with the provisions of Section 243 of the Political Code, has made the report therein called for to the Governor and both branches of the Legislature but he states in said report that it is necessarily incomplete and cannot at the present time be made in such form as to give a complete list of proposed appropriations; therefore, be it

Resolved by the Assembly, the Senate concurring, That the report as made be returned to the Controller, with the request that he shall complete the same immediately after the adjournment of the Legislature for the recess provided for by Section 2 of Article IV of the Constitution, and that as soon as possible thereafter said report shall be printed and a copy thereof furnished to each member of the Assembly and Senate.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 6 adopted by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Bryant, Caminetti, Cartwright, Cogswell, Curtin, Finn, Flint, Gates, Gerdes, Hans, Hewitt, Jones, Kehoe, Larkins, Lyon, Owens, Regan, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—Senators Butler, Carr, Cohn, Juilliard, and Mott—5.

Concurrent resolution ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 17.

A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the sixth day of January, one thousand nine hundred and thirteen, two thirds of all the members elected to each house concurring, hereby recommend that the electors of the state vote at the next general election upon the proposition to call a convention to revise the state constitution, such proposition to read as follows:

SECTION 1. Two thirds of the members elected to each branch of the legislature for the fortieth session of the legislature of the State of California, commencing

The question being on the adoption of the resolution

The roll was called and Assembly Constitutional Amendment No. 17 adopted by the following vote:

Ayes—Assembly members Anderson, Bell, Bill, Boynton, Brown, Brown, Chandler, Chenoweth, Cogswell, Crittenden, Curtis, Dale, Dillon, Evans, Gaffey, Gerdes, Gerlach, Gesford, Gleason, Graves, Hall, Hans, Harris, Hayes, Hinkle, Hoffman, Holland, Hornbrook, Irwin, Jones, Kehoe, Kerrigan, Kiesel, Lewis, Lyon, Mathews, McKinley, Merrill, Morrison, Nelson, Norton, Pedrini, Rosenberg, Rutherford, Schabarum, Scott, Shannon, Stevens, Stewart, Stone, Strobridge, Thompson, Wallace, Young, Zenovich, Speaker Stanley—60.

Noes—Assembly members Bonelli, Bonnett, Cowan, Cogswell, Fulbright, Kehoe, Lockwood, Mitchell, Roseberry, Sanford, Wright, Young—12.

Constitutional amendment ordered transmitted to the Assembly.

RESOLUTIONS AND MISCELLANEOUS BUSINESS

At fifteen o'clock p.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the Chair:

CONSTITUTIONAL AMENDMENT NO. 20.

A RESOLUTION to propose to the people of the State of California, an amendment to Section 18a of Article IV of the Constitution of the State of California, relative to the expenses of officers and employees of the Legislature.

The Legislature of the State of California at its regular session, commencing the sixth day of January, 1915, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, proposes to the electors of the State of California, the following amendment to the Constitution of the State of California:

Section 18a. The Legislature shall not provide for the employment of help; nor shall the total expenses for officers, employees and attendants of the Senate or of any committee thereof, exclusive of mileage, exceed the sum of ; nor shall the total expenses for officers, employees and attendants of the Assembly or of any committee thereof, exclusive of mileage, exceed the sum of ; nor shall the total expenses of temporary employees for the use of all the Legislative Bodies and their committees, exclusive of mileage, exceed the sum of , unless in case of special or extraordinary sessions, and then the pay of said officers, employees or attendants provided for in this section shall be fixed by the Legislature.

The question being on the adoption of the report of the committee on conference and the measure being the Senate amendments to Assembly Bill No. 944

The roll was called and the report refused adoption by the following vote:

AYES (Senators Anderson, Ashe, Bates, Beard, Campbell, Carpenter, Cudahy, Dilworth and Dwyer—11)

NOES (Senators Brown, Burnett, Christ, Crittenden, Del Valle, Finn, Gerlach, Hatch, Hollingsworth, Jones, Kuchel, Lagomarsino, Lanterman, Lewis, Luckel, Mahoney, Nourse, Pettis, Regan, Rich, Seawell, Shelley, Sharkey, Stanford, Swing, Tenney, Thomson, Tyrrell, and Weaver—25)

PERSONNEL OF THE CONFERENCE COMMITTEE

The acting President announced the appointment of Senators Shelley, Thomson, and Dwyer as a committee on the conference to meet with a like committee from the Assembly to consider Assembly Bill No. 944

PETITION RELATIVE TO STATE HIGHWAYS

Assembly Bill No. 2005—An Act to amend Section 777 of, and certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2005 passed by the following vote:

AYES—Senators Anderson, Ashe, Bates, Beard, Brown, Burnett, Campbell, Carpenter, Christ, Crittenden, Cudahy, Del Valle, Finn, Flint, Gerlach, Hatch, Hewitt, Hollingsworth, Jones, Kuchel, Lagomarsino, Lanterman, Lewis, Luckel, Mahoney, Nourse, Pettis, Regan, Rich, Seawell, Shelley, Sharkey, Stanford, Swing, Tenney, Thomson, Tyrrell, and Weaver—36

NOES—None.

This read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1702—An Act validating the formation and organization of reclamation District number eight hundred ten, in the county of Contra Costa, State of California, lying, defining and establishing the boundaries thereof, providing for the management and control thereof by the provisions of the Political Code of the State of California, and by other laws of said State relative to reclamation districts and repealing all acts and parts of acts inconsistent herewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1702 passed by the following vote:

AYES—Senators Anderson, Ashe, Bates, Brown, Burnett, Beard, Brown, Butler, Campbell, Carpenter, Cudahy, Cartwright, Colm, Curtin, Finn, Flint, Gerlach, Hewitt, Jones, Kuchel, Lagomarsino, Lanterman, Lewis, Luckel, Mahoney, Nourse, Pettis, Regan, Rich, Seawell, Shelley, Sharkey, Stanford, Swing, Tenney, Thomson, Tyrrell, and Weaver—36

NOES—None.

This read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2008—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1016 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Hewitt, Juilliard, Kehoe, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the State Forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable débris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys, and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest;" appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Senators Avey, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cartwright, Cogswell, Finn, Gerdes, Hans, Hewitt, Juilliard, Kehoe, Rush, Strobridge, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or

[illegible] purposes and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 6, 8, 9, 11, 13, 16 and 19 thereof, and by repealing Section 12 thereof and by adding a new section to said act which section shall be numbered 12, relating to the manufacture, sale, adulteration and misbranding of commodities or ingredients or materials used for commercial purposes in certain cases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 622 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1238—An Act to amend Section 1210 of the Political Code, relating to weight, tallies and construction cords.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1238 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1264—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2091 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Curtin, Flint, Gerdes, Hans, Jones, Leonard, Kehoe, Owens, Sanford, Thompson, Tyrrell, and Wright—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California, by striking out 1194 and putting in place thereof 1210.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1752 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Owens, Rush, Sanford, Strobridge, Thompson, Tyrrell, and Wright—26
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1934—An Act to amend Section 1104 of the Political Code, relating to the registration of voters.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1934 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Breed, Butler, Carr, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Owens, Rush, Sanford, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 31.

Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads.

Resolved by the Assembly, the Senate concurring, That an advisory committee consisting of two members of the Assembly and two members of the Senate be appointed to confer with the State Engineer and the State Board of Control regarding location, construction and maintenance of state roads other than state highways constructed under and by virtue of the "State Highway Act" of California and to report back with recommendations to the forty-first session of the Legislature. The speaker of the Assembly shall appoint the Assembly members of the committee and the President of the Senate shall appoint the Senate members of the committee.

Resolved, That the sum of fifteen hundred dollars is hereby made available for the purpose of defraying the expenses of such committee; one half of the amount to be paid from the Contingent Fund of the Assembly, and one half to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said joint committee for such expenditures as the same may be certified to him from time to time by the chairman of the said committee, and the State Treasurer is hereby authorized and directed to pay the same.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 31 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Carr, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Owens, Regan, Rush, Sanford, Strobridge, Thompson, and Tyrrell—24.
NOES—None.

Concurrent resolution ordered transmitted to the Assembly.

Assembly Bill No. 1429—An Act to amend Sections 632 and 633 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1431 passed by the following vote:

AYES—Stephens, Anderson, Attig, Bolton, Brown, Bryant, Burke, Cartwright, Carr, Cobb, Conrey, Finn, Flint, Gerdes, Hans, Healy, Mill, Nelson, Ogden, Rush, Tenney, Terrell, and Wilson—24.

NOES—None.

So said bill was approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1721—An Act to amend Section 739 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and providing his duties and compensation.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1721 passed by the following vote:

AYES—Stephens, Anderson, Attig, Bolton, Brown, Bryant, Burke, Cartwright, Carr, Cobb, Conrey, Finn, Flint, Gerdes, Hans, Healy, Mill, Nelson, Ogden, Rush, Tenney, Terrell, and Wilson—24.

NOES—None.

So said bill was approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1134—An Act to amend Section 4002 of the Political Code of the State of California, relating to the salary of the State Librarian.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1134 passed by the following vote:

AYES—Stephens, Anderson, Attig, Bolton, Brown, Bryant, Burke, Carr, Cartwright, Conrey, Cobb, Finn, Flint, Gerdes, Hans, Healy, Mill, Nelson, Ogden, Rush, Tenney, Terrell, and Wilson—24.

NOES—None.

So said bill was approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1428—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 23, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1428 passed by the following vote:

AYES—Stephens, Anderson, Attig, Bolton, Brown, Bryant, Burke, Carr, Cartwright, Conrey, Cobb, Finn, Flint, Gerdes, Hans, Healy, Jones, Mill, Nelson, Ogden, Rush, Tenney, Terrell, and Wilson—24.

NOES—None.

So said bill was approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1439—An Act to amend Section 637*a* of the Penal Code of the State of California, relating to the protection of fish and game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1439 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Brown, Butler, Carr, Cartwright, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Regan, Rush, Thompson, Tyrrell, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 101 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Bryant, Butler, Carr, Cartwright, Cogswell, Cohn, Finn, Gerdes, Hans, Hewitt, Jones, Owens, Regan, Thompson, Tyrrell, and Wright—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 100—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 544*a*, relating to service of civil process on all corporations or firms other than state, county, municipal or district corporations doing business in more than one county in this State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 100 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Breed, Brown, Bryant, Butler, Carr, Cogswell, Cohn, Curtin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cammetti, Cartwright, Cohn, Curtin, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1711—An Act to establish a tax on gifts, legacies, inheritances, successions, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to enjoin the payment of taxes arising hereunder; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, successions, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to enjoin the payment of taxes arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, legacies and successions, to provide for the collection, and to direct the disposition of the proceeds," approved March 23, 1905, and all amendments thereof, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1907, and all amendments thereof, and all Acts and parts of Acts in conflict with this Act" approved April 1, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1711 passed by the following vote:

[illegible]

Absent—Senators Boynton, Cutten, Gerdes, Hatfield, Leavitt, Lewis, Rush, Strobridge, Wolfe, Wright and Young—11.

Abstaining—Senator Wyllie—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1668—An Act to amend Sections 4 and 11 of an Act entitled "An Act to regulate and license the conducting and operating of employment agencies and to provide a penalty therefore, for the enforcement of the provisions of this Act and other Acts relating to employment agents and employment agencies," approved March 6, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1668 passed by the following vote:

Ayes—Senators Anthony, Avey, Boynton, Caminetti, Campbell, Cartwright, Chandler, Cogswell, Curtin, Curtis, Flint, Gerdes, Hatfield, Inman, Johnson, Leavitt, Lewis, Mott, Rush, Strobridge, Thompson, Wolfe, Wright, Wyllie and Young—27.

Noes—None.

Absent—Senators Black, Boynton, Cutten, Finn, Hatfield, Leavitt, Rush, Strobridge, Thompson and Tyrrell—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1671 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Cannetti, Campbell, Cogswell, Cole, Curtin, Finn, Gerdes, Gerdes, Hewitt, Jones, Kehoe, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1582—An Act to amend an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911.

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1582 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cannetti, Campbell, Carr, Cartwright, Cogswell, Curtin, Finn, Gerdes, Hewitt, Kehoe, Mott, Owens, Regan, Shanahan, Strobridge, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1903—An Act to amend Section 4300*a* of the Political Code, relating to justices of the peace fees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1903 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cannetti, Campbell, Carr, Cartwright, Cole, Curtin, Finn, Gerdes, Hans, Hewitt, Jones, Juilland, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR FINN IN THE CHAIR.

At eleven o'clock and fifteen minutes p.m., Senator Finn, of the Twenty-third District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and to erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the costs and expense of said

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1975 passed by the following vote:

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESENTATION OF THE GOVERNOR

At eleven o'clock and twenty minutes p.m., Hon. A. E. Boynton, President pro tem, of the Senate, in the chair.

MESSAGE OF GOVERNOR RECEIVED

Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to Section 22 of Article IV of the Constitution of the State of California, relating to the compensation of members of the Legislature.

REFERRED TO SPECIAL COMMITTEE OF ONE

Senator Byrd caused to be referred to Senator Cunningham as a special committee of one, to consist as follows:

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 15, 1951.

Report read and adopted.

Constitutional amendment ordered to print.

Assembly Bill No. 1756—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1785 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Curtin, Flint, Flint, Gerdes, Hewitt, Juilliard, Lyon, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 944—An Act to form agricultural districts providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act—report that we have met a like committee of the Assembly, consisting of Assemblymen Gulberson, Judson and Nelson, and we report that the free conference committee agreed upon and recommend that the Senate do recede from the Senate Committee Amendments Nos. 1, 2, 4, 5, and 6 and that the Assembly concur in Senate Committee Amendment No. 2.

STROBRIDGE,
BENSON,
SHANAHAN,
Senate Committee on Free Conference.

NELSON,
GULBERSON,
JUDSON,
Assembly Committee on Free Conference.

AMENDMENT NO. 1.

On page 1, of the printed bill, on line 4, after the words, "District No. 1", strike out the words "counties of San Francisco, Napa, Solano", and all the lines 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Also: On page 2, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, and insert in lieu thereof the following:

"Counties of Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, Marin and San Francisco.

District No. 2—Counties of Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Glenn, Butte, Sierra, Colusa, Sutter, Yuba, Nevada, Yolo, Solano, Placer and El Dorado.

District No. 3—Counties of Amador, Stanislaus, Sacramento, San Joaquin, Calaveras and Tuolumne.

District No. 4—Counties of Alameda, Alpine, Contra Costa, Santa Clara and San Mateo.

District No. 5—Counties of Santa Cruz, San Benito, Monterey, San Luis Obispo, Santa Barbara and Ventura.

District No. 6—County of Los Angeles (no appropriation requested).

District No. 7—Counties of Merced, Mariposa, Madera, Fresno, Kings, Tulare and Kern.

District No. 8—Counties of Mono, Inyo, San Bernardino, Orange, Riverside, San Diego and Imperial."

AMENDMENT NO. 2.

On page 2, of the printed bill, line 20 strike out the period (.) and insert in lieu thereof a semicolon (;) and add the following: *provided, however*, in all cases where district fairs are held by or under the auspices of corporations organized under the laws of this state, nothing in this section shall be so construed to prohibit the stockholders or members of such corporation from electing the directors thereof."

AMENDMENT NO. 3.

On page 3, of the printed bill, line 26, strike out the words "for and in the name of the state."

AMENDMENT NO. 4.

On page 6, of the printed bill, strike out all of lines 4 to 31, inclusive, and insert in lieu thereof the following:

"For aid to agricultural district number one, five thousand (5,000) dollars.

For aid to agricultural district number two, five thousand (5,000) dollars.

[illegible]

AMENDMENT No. 5

[illegible]

AMENDMENT No. 6

[illegible]

The question being on the adoption of the report of the committee on free conference and the Senate recalling from Assemblyman Nos. 1, 2, 3, 4 and 6 as amended but No. 5.

The roll was called and the Senate adopted the report of the committee on free conference and receded from Assemblyman Nos. 1, 2, 3, 4, 5 and 6 by the following vote:

[illegible]

PUBLIC HEARINGS BY SENATE—CONCURRED.

Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing the methods whereby electors of political parties may express their choice at such primary elections for United States Senator and providing a method for choosing the delegates for political parties to state conventions and for nominating the delegates of political parties to national conventions, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved [illegible] 28, 1911, amending Sections 1, 2, 5, 7, 10, 12, 13, 17, 19 and 24 of the said direct primary law, and also to repeal all other acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1812 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

At [illegible] o'clock and twenty-five minutes p.m., Senator Mott, of the Twenty-fifth District, in the chair.

PUBLIC HEARING BY SENATE— RECALLED.

Assembly Bill No. 702—An Act creating the office of inspector of mines, fixing his duties and powers, providing for the appointment of a

[illegible]

deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the Attorney General and district attorney in relation to suits instituted by the inspector of mines.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 752 refused passage by the following vote:

AYES—Senators Beban, Birdsall, Bryant, Cannetti, Campbell, Finn, Gerdes, Lewis, Rogers and Shanahan—10.

NOES—Senators Anderson, Benson, Boynton, Brown, Barker, Carr, Flint, Hewitt, Juilliard, Kehoe, Mott, Owens, Strobridge, Thompson, Tyrrell, and Wright—16.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 92.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 20 of Article V thereof, relating to the election of United States senators.

The Legislature of the State of California at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California the following amendment to the Constitution of the State of California so that Section 20 of Article V of said Constitution shall read as follows:

Section 20. United States senators shall be elected by the people of the state in the manner provided by law.

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

Time, eleven o'clock and thirty minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called and the following answered to their names:

Senators Anderson, Beban, Benson, Birdsall, Boynton, Brown, Barker, Cannetti, Caldwell, Carr, Caswell, Chan, Curtis, Flint, Finn, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Lewis, Mott, Rogers, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—29.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and thirty-five minutes p.m., Senators Gates, Breed, and Cartwright were brought to the bar of the Senate, and, on motion of Senator Jones, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The roll of absentees was called.

[illegible]

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

Time three o'clock and thirty minutes having arrived, the presiding Chairman directed the Sergeant-at-Arms to close the doors. The doors were closed, and the Secretary was directed to call the roll. The roll was called, and the following answered to their names:

[illegible]

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and forty minutes p.m., Senator Hare was brought to the bar of the Senate, and, on motion of Senator Lyon, he was excused the absentees from the Senate Chamber.

[illegible]

At eleven o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wilson.

The roll of absentees was called, and Secretary Constitutional Amendment No. 38 adopted by the following vote:

[illegible]

[illegible]

Constitutional amendment ordered transmitted to the Assembly.

[illegible]

SECRETARY CONSTITUTIONAL AMENDMENT NO. 38

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by repealing Section 24 of Article XX, relating to elections.

The Legislature of the State of California, by two-thirds of all the members elected to each of the two Houses thereof, hereby proposes to the people of the State of California, on the first Tuesday after the first Monday in November, 1974, or at any general election which may be held on the same day, an amendment to the Constitution of the State of California, to be voted upon by the people of the State of California, as provided by law, to repeal Section 24 of Article XX of the Constitution of the State of California, relating to elections.

Section 24. Every qualified elector in this commonwealth is entitled to vote at all elections which are now or hereafter may be authorized by law, and in all districts and precincts created pursuant to law. But no person shall be entitled to vote at any election unless he be a citizen of the United States, and unless his name shall have been duly entered on the great register or index of voters, at such time prior to such election as may be prescribed by law. No soldier, seaman, or marine in the army or navy of the United States, or of any of the allies of the United States, shall be deemed a resident of this State in consequence of being stationed within the same, nor shall any such person be allowed to vote unless he shall have resided in this State one year next preceding the election at which he offers to vote. No person shall be entitled to vote at any election unless he be able to read the Constitution in the English language and write his name; provided, however, that the provisions of this amendment relative to the ability to read and write shall not apply to any person who is prevented by a physical disability from complying with its requirements, or to any person who had the right to vote at any election held in this State prior to January 1, 1912. The Legislature shall have power to provide for the registration of voters, and for the manner, time and place of holding all elections in this State, and all such laws shall be uniform. No person in the military, naval or municipal service of the United States shall be deemed to have gained a residence by reason of being stationed on any military reservation in this State.

The question being on the adoption of the constitutional amendment,

The roll was called, and Assembly Constitutional Amendment No. 19 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Lyon, Mott, Owens, Regan, Shanahan, Strobridge, and Thompson—27.

NOES—Senators Rush and Wright—2.

Constitutional amendment ordered transmitted to the Assembly.

Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 459 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Regan, Strobridge, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 451—An Act to amend Section 1195*a* of the Political Code of the State of California relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions, and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 451 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by amending Section 1 of said Act so as to make said Act applicable to all jails and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1091 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 321.—An Act to amend an Act entitled "An Act to add a new section to the Political Code, to be known as Section 1662a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools in which shall be taught the French, Italian and German languages in connection with the English branches," approved March 18, 1909, relating to cities of the first and first and one half classes.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 321 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1139.—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 4036, relating to the giving of bonds by the deputy state treasurer, cashier and head officer of the Treasurer and providing for the payment of premiums thereon.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1139 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1240.—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1240 passed by the following vote:

Ayes—Senators Anderson, Avey, Baker, Boynton, Brownell, Bryant, Bryant, Butler, Caminetti, Carr, Caswell, Cline, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Leviston, Mahan, Rush, Scott, Shanahan, Thompson, and Tyrrell—24.

Noes—Senators Curtin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national convention, and to repeal an Act approved December 24, 1911, known as the presidential primary act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1813 passed by the following vote:

Ayes—Senators Anderson, Avey, Boltz, Bonzo, Burnett, Bourns, Brown, Caminetti, Carr, Chipman, Cogswell, Colton, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Metz, Strobridge, Thompson, and Tyrrell—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1814 passed by the following vote:

Ayes—Senators Anderson, Avey, Boltz, Bonzo, Burnett, Bourns, Brown, Caminetti, Carr, Chipman, Cogswell, Colton, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Metz, Strobridge, Thompson, and Tyrrell—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 882—An Act to add a new section to the Penal Code to be designated as Section 378a, relating to the transportation of offal, swill, garbage, the carcasses of dead animals, and other refuse from one county or city and county into another county, and providing regulations governing the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 882 passed by the following vote:

Ayes—Senators Anderson, Avey, Boltz, Bonzo, Burnett, Bourns, Brown, Caminetti, Carr, Chipman, Cogswell, Colton, Flint, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Metz, Strobridge, Thompson, and Tyrrell—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1487 passed by the following vote:

AYES—Senators Ambrose, Arnett, Beard, Bergeson, Boatwright, Carpenter, Cusanovich, Dills, Dunn, Fazio, Garamendi, Green, Hayden, Holmdahl, Kapiloff, Keene, Marks, Mills, Nejedly, Petris, Rains, Richardson, Roberti, Russell, Schmitz, Stevens, Torres, Walgren, Way, Wedworth, Weggeland, Wiggins, and Zenovich—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1487—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of supervisors of counties and cities and counties.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1487 passed by the following vote:

AYES—Senators Ambrose, Arnett, Beard, Bergeson, Boatwright, Carpenter, Cusanovich, Dills, Dunn, Fazio, Garamendi, Green, Hayden, Holmdahl, Kapiloff, Keene, Marks, Mills, Nejedly, Petris, Rains, Richardson, Roberti, Russell, Schmitz, Stevens, Torres, Walgren, Way, Wedworth, Weggeland, Wiggins, and Zenovich—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1335—An Act to amend Section 4450 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, first class, deputies and assistants.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1191 passed by the following vote:

AYES—Senators Ambrose, Arnett, Beard, Bergeson, Boatwright, Carpenter, Cusanovich, Dills, Dunn, Fazio, Garamendi, Green, Hayden, Holmdahl, Kapiloff, Keene, Marks, Mills, Nejedly, Petris, Rains, Richardson, Roberti, Russell, Schmitz, Stevens, Torres, Walgren, Way, Wedworth, Weggeland, Wiggins, and Zenovich—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An Act to amend Section 1203 of the Political Code of the State of California, relating to the manner of voting.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Senators Ambrose, Arnett, Beard, Bergeson, Boatwright, Carpenter, Cusanovich, Dills, Dunn, Fazio, Garamendi, Green, Hayden, Holmdahl, Kapiloff, Keene, Marks, Mills, Nejedly, Petris, Rains, Richardson, Roberti, Russell, Schmitz, Stevens, Torres, Walgren, Way, Wedworth, Weggeland, Wiggins, and Zenovich—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1415—An Act to amend Section 1105 of the Political Code, relating to the cancellation of registrations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1935 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Cammetti, Cogswell, Cohn, Finn, Gerdes, Hans, Hewitt, Jones, Juilliard, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration.

Read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1937 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1697—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1083*a*.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1697 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 991 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Bryant, Butler, Cammetti, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1666—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1686 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1694—An Act to amend Section 296 of the Civil Code of the State of California relative to articles of incorporation and were they were not filed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1694 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled "An Act creating a state commission on voting or ballot-ing machines, defining their powers, and providing for the use at the option of individual local authorities of voting or ballot machines for receiving and registering the vote of any or all persons voting at any election held therein, and for inspecting the result at such elections, and providing for the punishment of all violations of the provisions of this Act," approved March 20, 1903, as subsequently amended.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 815 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1456—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 846 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1710. An Act to amend Section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1710 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Caminetti, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1450. An Act to amend Section 627 of the Penal Code of the State of California, relating to the protection of fish and game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1450 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Caminetti, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 996. An Act to amend Section 1 of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands; to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches a misdemeanor," approved March 21, 1907.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 996 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Caminetti, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 36

Relative to granting to the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days.

Resolved by the Assembly of the State of California, the Senate concurring, That leave of absence from the State for a longer period than sixty days, during their term of office, is hereby granted to his Excellency, Hiram W. Johnson, Governor of the State of California, Lieutenant Governor A. J. Wallace, of the State of California, and the following members of the Assembly and Senate of the fortieth session of the Legislature of the State of California, said leave of absence to take effect after the adjournment of said session:

ASSEMBLY. John K. Ambrose, Thomas L. Bagby, Henry C. Beck, George A. Bene-

[illegible]

ABSENT

[illegible]

The question being on the adoption of the resolution,

The roll was called, and Assembly Concurrent Resolution No. 39 adopted by the following vote:

[illegible]

Concurrent resolutions ordered Transmitted to the Assembly.

Assembly Bill No. 426—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 426 passed by the following vote:

[illegible]

The senate adjourned

[illegible] to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 40

[illegible]

Whereas, The present committee of the Park Redwood along the water front of the city and county of San Francisco, from the mouth of Baker street to the Presidio Army reservation, thence west to the boat house at the foot of Van Ness avenue, is composed of piles and other debris of the old wharves; and

Whereas, It is the sentiment of the residents of San Francisco that a park be laid out on the one of the most picturesque drives, extending and leading public conveyances thereon, shall be charged for the public and carriage for the exercise thereon, and

Whereas, The foot of Van Ness avenue there are at least two and three feet of water at which a channel is [illegible] with a large [illegible] and vessels in the Bay at a distance of [illegible]

WHEREAS, Said water lots owned by the State are available for said yachting, swimming and boating purposes.

Resolved by the Assembly, the Senate concurring, That the board of state harbor commissioners is be requested to set aside for the use of the yachting, swimming and boating clubs of San Francisco and for the use of bona fide amateur yachting, swimming and boating clubs of San Francisco, the water lots comprising one state block owned by the State of California and bounded by Polk and Larkin, and Fougan and Lewis streets, city and county of San Francisco.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 40 adopted by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Caminetti, Cogswell, Colin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Concurrent resolution ordered transmitted to the Assembly.

Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number 2982*a*, providing for a sanitary engineer to the State Board of Health and fixing his salary.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 592 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Caminetti, Colin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—21.

NOES—Senator Cogswell—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1343—An Act to regulate the construction, operation and maintenance of elevators in buildings during course of construction, providing for inspection of the same by the Bureau of Labor Statistics, and providing for a penalty for violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1343 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Bryant, Butler, Caminetti, Cogswell, Colin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1278—An Act to amend Section 435*a* of the Political Code in relation to the funds in the state treasury.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1278 passed by the following vote:

AYES—Senators Avey, Beban, Birdsall, Boynton, Breed, Bryant, Butler, Caminetti, Cogswell, Colin, Finn, Flint, Gerdes, Hans, Hewitt, Jones, Kehoe, Mott, Owens, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1007—An Act to amend Section 1202 of the Penal Code of the State of California, relating to the probation of persons convicted by their plea of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the imposition of such sentence after full compliance with the terms of probation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

[illegible]

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1009—An Act to amend an act entitled "An Act to regulate the sale of eggs and hatch that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect, and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1009 passed by the following vote:

[illegible]

Bill ordered transmitted to the Assembly.

MESSAGE RECEIVED FROM THE STATE

At eleven o'clock and thirty-five minutes p.m., Senator Thompson, of the Thirty-fifth District, to the floor.

SENATE BILLS ON CONSENT CALENDAR—SECOND READING.

Assembly Bill No. 1424—An Act to amend Section 630½ of the Penal Code of the State of California, relating to the shooting of wild ducks.

Read third time.

The question being on the passage of the bill.

The roll was called.

HOUR OF TWO O'CLOCK.

Pending the announcement of the vote, Senator Gerdes moved a call of the Senate.

Motion carried.

Time, eleven o'clock and forty-four minutes p.m.

The acting President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The roll of absentees was called, and Assembly Bill No. 1416 refused passage by the following vote:

AYES—Senators Anderson, Boynton, Chan, Flint, Gerdes, Hewitt, Jones, Kehoe, Main, and Thompson—10.

NOES—Senators Avey, Belshaw, Bradshaw, Braunhart, Caminetti, Cogswell, Hare, Owens, Strobridge, and Tyrrell—11.

UNANIMOUS CONSENT GRANTED.

Senator Tyrrell asked, and was granted, unanimous consent to introduce a Senate constitutional amendment, out of order.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

The following constitutional amendment was introduced:

By Senator Tyrrell:

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

Constitutional amendment referred to Committee on Banking.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Gates, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1770—An Act to require private corporations, individuals or associations of individuals to procure licenses to permit them to construct, maintain and use lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purposes for an aggregate distance of thirty-five or more miles, now owned or controlled by corporations, individuals or associations of individuals, and which said lines are operated other than as common carriers, and prohibiting the construction of any more such lines for such purposes across, along, over or under any public highway or any public road, and providing for the issuance of such licenses, and fixing fees to be paid for and upon such licenses, and regulating such licenses, and fixing penalties for violations of this Act; and conferring certain proceedings by and before the Railroad Commission in connection therewith, and authorizing certain court proceedings in connection therewith.

Also: Senate Bill No. 1763—An Act to declare certain contracts, combinations, agreements and conspiracies between certain railroads and pipe lines for the transportation of crude oil and pipe lines constructed for the transportation of crude oil, petroleum or the products thereof, to be in restraint of trade and unfair practices contrary to public policy and void; to authorize such pipe lines to utilize lands, rights of way and public utilities of railroads to permit laying and repairing pipes and fixing penalties for violations, and authorizing certain court proceedings.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1770 and 1763 ordered to enrollment.

S.B.

Senator [illegible] Introduced, Feb. 21, 1951.

Mr. President, I ask unanimous consent that the Committee on [illegible] be discharged from further consideration of Senate Bill No. [illegible] and be placed on the [illegible] calendar.

[illegible]

S.B.

Senator [illegible] Introduced, Feb. 21, 1951.

Mr. President, I am informed by [illegible] that the Committee on [illegible] has agreed to report favorably on Senate Bill No. [illegible] and I ask unanimous consent that it be placed on the [illegible] calendar.

[illegible]

Also: Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools.

Also: Senate Bill No. 1749—An Act to amend Section 1196 of the Political Code, relating to providing and printing ballots for elections.

Also: Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1774, 1768, 1489, 1749 and 1367 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 256—An Act to amend Section 754 of the Political Code of the State of California relating to the salary of the stenographer of the Supreme Court.

Also: Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Also: Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered sections 1625, 1626, 1627, 1628, 1629 and 1630, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

Also: Senate Bill No. 1589—An Act to amend Sections 643, 644, and 645 of the Code of Civil Procedure relating to the reports of referees.

Also: Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 256, 257, 1311, 1589 and 1075 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body, that the Assembly on this day passed Senate Bill No. 591—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 140, relating to the creating of a lien during the pendency of actions for divorce by filing a notice of *lis pendens*, and providing methods for the release thereof.

Also: Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 591 and 369 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Mare Island straits and the straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1535 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1953.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed Senate Bill No. 1000, An Act to amend Section 928 and 929 of the Penal Code, relating to grand juries, and requests concurrence.

Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

J. T. MALLOY, Chief Clerk of Assembly.
By Thomas O. Walker, Assistant Clerk.

Senate Bills Nos. 928, 934, 1027 and 1169 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1953.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day passed Senate Bill No. 1000, An Act to amend Section 928 and 929 of the Penal Code, relating to grand juries, and requests concurrence.

Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 1203 of the Penal Code, relating to the suspension and pronouncing judgment in criminal cases.

Also: Senate Bill No. 1000 [sic] An Act to amend Section 4107 of the Labor Code, relating to employers and carriers to be insured by the State Compensation Insurance Fund, to provide for the payment of the premium for insurance and to prescribe the duties of the Industrial Accident Commission and the Director of Finance with respect thereto, and to repeal Section 4108 of the Labor Code, relating to the payment of premiums for insurance by the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

J. T. MALLOY, Chief Clerk of Assembly.
By Thomas O. Walker, Assistant Clerk.

Senate Bills Nos. 928, 934, 1027 and 1169 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

Also: Senate Bill No. 1294—An Act providing for the designation of money in the state treasury as interest bearing, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased.

Also: Senate Bill No. 1297—An Act authorizing and empowering the Regents of the University of California to exercise certain water rights, and water rights for the use of said university.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1171, 1294 and 1297 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 252—An Act to amend Section 1313 of the Civil Code relating to restrictions on devises or bequests for charitable uses.

Also: Senate Bill No. 1291—An Act to amend an Act, entitled, "An Act to provide a system of street improvement bonds to accompany certain assessments for the cost of street work and improvements with interest coupons and uses for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections to be numbered 10 to 13 inclusive.

Also: Senate Bill No. 1292—An Act to amend an Act entitled, "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within such streets," approved March 18, 1885, by adding thereto six new sections to be numbered 55 to 60 inclusive.

Also: Senate Bill No. 1293—An Act to amend an Act entitled, "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks, and for sewerage and other purposes connected therewith, and the payment of the cost thereof, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections to be numbered 85 to 89 inclusive.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 252, 1291, 1292 and 1293 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 336—An Act to repeal Section 1298 of the Civil Code, and to enact Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man and [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1326—An Act to amend an Act entitled "An Act to provide for the organization and management of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 64 thereof and inserting a new section relating to joint use of irrigation works.

Also: Senate Bill No. 1459—An Act appropriating moneys to the use of the state compensation insurance fund.

Also: Senate Bill No. 1469—An Act to amend Section 1236 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Also: Senate Bill No. 1664—An Act to provide for the consolidation of municipal corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1326, 1459, 1469 and 1664 ordered to enrollment.

A bill

Assembly Chamber, Sacramento, May 11, 1911.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Amendments No. 1 to Senate Amendments No. 1 to Assembly Bill No. 1330, An Act to amend Section 1 of an Act entitled "An Act to establish a Board of Control for the State Penitentiary, defining its powers and duties, providing for the appointment of a Secretary and other employees, and fixing their salaries, and making an appropriation therefor," approved March 4, 1911, and to add a new section thereto to be numbered Section 1a, relating to the powers and duties of the Board of Control, and providing a penalty for the violation thereof, and to amend the title of said Act and said Act were passed by the Assembly May 11, 1911.

J. B. MALLADY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

A bill

Assembly Chamber, Sacramento, May 11, 1911.

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed Assembly Amendments No. 1 to Senate Amendments No. 1 to Assembly Bill No. 1330, An Act to amend Section 1 of an Act entitled "An Act to establish a Board of Control for the State Penitentiary, defining its powers and duties, providing for the appointment of a Secretary and other employees, and fixing their salaries, and making an appropriation therefor," approved March 4, 1911, and to add a new section thereto to be numbered Section 1a, relating to the powers and duties of the Board of Control, and providing a penalty for the violation thereof, and to amend the title of said Act and said Act were passed by the Assembly May 11, 1911.

J. B. MALLADY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

A bill

Assembly Chamber, Sacramento, May 11, 1911.

Mr. President: I am directed to inform your honorable body that the Assembly has this day concurred in Senate amendments to Assembly Bill No. 1330, An Act to amend Section 1 of an Act entitled "An Act to establish a Board of Control for the State Penitentiary, defining its powers and duties, providing for the appointment of a Secretary and other employees, and fixing their salaries, and making an appropriation therefor," approved March 4, 1911, and to add a new section thereto to be numbered Section 1a, relating to the powers and duties of the Board of Control, and providing a penalty for the violation thereof, and to amend the title of said Act and said Act were passed by the Assembly May 11, 1911.

J. B. MALLADY, Chief Clerk of Assembly.
By THOMAS C. WILSON, Assistant Clerk.

Assembly Bill No. 1344—An Act appropriating money to pay the claim of Joseph Tillson against the State of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1346—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of surveying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1347—An Act to provide a state highway from Harris Grove, Eel River Canyon, to Orleans Bar, Humboldt County.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1348—An Act to amend section one of an Act entitled "An Act to provide for the alteration of the boundaries of, and the annexation of territory to, incorporated towns and cities and for the incorporation of such annexed territory in, and as a part of, such municipalities and for the changing government and municipal name of annexed territory," approved March 19, 1889.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1349—An Act to add a new section to the Civil Code to be numbered Section 377, relating to the deposition by commissary interrogatories of the testimony of sick or bedfast persons.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1351—An Act to amend Section 631 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Bill read second time and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

COMMITTEE ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 11, 1903.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Joint Resolution No. 12, relating to a bounty on the Dolly bird in the Pacific Ocean, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

WRIGHT, Chairman.

Assembly Joint Resolution No. 12 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1903.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 10, relating to a new coast harbor for Inland Waters and Tides, have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

WRIGHT, Chairman.

Senate Joint Resolution No. 10 ordered on file.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p. m., on motion of Senator Hans, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, May 12, 1913.

The Senate met at ten o'clock a.m.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. Dent Naylor.

READING OF THE JOURNAL.

During the reading of the Journal of Sunday, May 11, 1913, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Hewitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment of May 6, 1913, and refused to concur in Senate amendment of May 8, 1913, to Assembly Bill No. 1879, "An Act to amend Sections 626, 626a, 626d, and 626f of the Penal Code of the State of California, relating to the protection of fish and game," and respectfully request your honorable body to recede from said amendment of May 8, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By F. J. TRUDE, Assistant Clerk.

SENATE RECEDES.

The question being, "Shall the Senate recede from its amendment to Assembly Bill No. 1879 adopted May 8, 1913?"

The roll was called, and the Senate receded from said amendment by the following vote:

AYES—Senators Anderson, Boynton, Brown, Bryant, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Gerdes, Grant, Hans, Kehoe, Lyon, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, and Tyrrell—22.

NOES—None.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 514, "An Act to amend Section 599c of the Penal Code of the State of California, relating to old, diseased or disabled animals," and respectfully request your honorable body to concur in the amendments.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Ayes:

Assembly Chamber, Sacramento, May 31, 1955

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred with amendments to a bill of Senate, Senate Bill No. 1401—An Act to amend Section 1203 of the Penal Code, relating to the service of sentence and giving such credit pursuant to law a person who has been convicted of crimes made by another nation or dependency of foreign countries, and the following vote appearing for concurring in the amendments made by the Assembly, which was read:

Ayes: [illegible]

Noes: None

Senate Bill No. 1401 ordered to engrossment.

Ayes:

Assembly Chamber, Sacramento, May 31, 1955

Mr. President: I am directed to inform your honorable body that the Assembly concurred in the amendments to Senate Bill No. 1413—An Act to amend Section 1203 and Section 1203.1 of the Penal Code, relating to the service of sentence and to add two new sections thereto to be numbered 1203.1a and 1203.1b, relating to the duties of Probation Officers and to repeal an act entitled An Act providing for the placing the names of candidates for United States Senators in Congress upon the official ballot at general elections, for canvassing, canvassing and taking account of the votes thereof, providing for the method of marking the ballots and the duties of each officer, and making an appropriation therefor, approved March 7, 1911, and respectfully ask that the amendments be concurred in.

J. H. MALARKEY, Chief Clerk of Assembly.
By Thomas G. Wilson, Assistant Clerk.

Ayes:

Assembly Chamber, Sacramento, May 31, 1955

Mr. President: I am directed to inform your honorable body that the Assembly amended, and as amended does pass, Senate Bill No. 1510—An Act to amend Section 776 of the Welfare and Institutions Code relating to the service of notices required with the Superior Court.

Also, Senate Bill No. 1511—An act to amend Section 637 of the Code of Civil Procedure of the State of California, relating to the compensation of jurors in certain counties.

Also, Senate Bill No. 1512—An Act to amend Section 4852 of the Penal Code of the State of California, authorizing the board of supervisors of the several counties of this state to divide municipal election districts for the purpose of voting and providing for the use of the same.

Also, Senate Bill No. 1513—An Act to amend Section 59 of the Penal Code of the State of California, relating to perjury.

Also, Senate Bill No. 1514—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to jurors.

And respectfully ask that the amendments be concurred in.

J. H. MALARKEY, Chief Clerk of Assembly.
By Thomas G. Wilson, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1401

On page 1, line 4, after the word "Penal" insert "Code"; and insert at the end of line 5 the following:

"or the application of any individual, association or corporation interested, the board of supervisors of any county of this state may by ordinance declare all or any portion of any county road, road easement, road or street, except those portions

[illegible]

[illegible]

[illegible]

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1214 by the following vote:

[illegible]

Senate Bill No. 1217 referred to committee

[illegible]

Assembly Amendment No. 1

On page 1, line 1, of the amendment, after the word "the" insert the word "first"

Assembly Amendment No. 2

On page 1, line 11, after the sentence following the words "shall" insert the following: "and the chief of the appellate court shall forthwith notify the parties or their attorneys of record, with notice thereof, in writing, by mail, that such case has been argued, fully submitted to the court and is ready for decision"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 361?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 361 by the following vote:

[illegible]

Senate Bill No. 387 referred to committee

[illegible]

Assembly Amendment No. 1

On page 2, line 10, after the word "January", insert the following: "and twenty-second day of February"

Assembly Amendment No. 2

On page 2, line 11, after the word "June", insert the following: "and ninth day of September"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1301?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1301 by the following vote:

[illegible]

Senate Bill No. 1303 referred to committee

[illegible]

Assembly Amendment No. 1

On page 2, line 10, after the sentence following the word "January", insert the following: "and twenty-second day of February"

Assembly No. 2

On page 2, line 11, after the sentence following the word "June", insert the following: "and ninth day of September"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1303?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 790 by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Larkins, Mott, Owens, Rush, Sanford, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

Senate Bill No. 790 ordered to enrollment.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and five minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY AMENDMENT TO SENATE BILL NO. 514.

On page 2, line 3, strike out the comma after the word "unfit", and insert in lieu thereof the following: "and when there is no reasonable probability of such animal ever becoming fit."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 514?"

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 514 by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Larkins, Mott, Owens, Rush, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

Senate Bill No. 514 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof—and respectfully ask that the amendment be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 1004.

On page 2, line 10, after the word "investigation," insert the following: "No person employed in a public barber shop or shaving parlor shall shave any other person unless he or she shall use upon himself some method or device to prevent the exhalation of his or her breath into or upon the face of the person being by them shaved."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1004?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1004 by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Boynton, Breed, Brown, Butler, Campbell, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Hans, Jones, Juilliard, Larkins, Mott, Owens, Rush, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.
NOES—None.

Senate Bill No. 1004 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, May [illegible], 1937

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

[illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May [illegible], 1937

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May [illegible], 1937

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] of public buildings and structures," approved [illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. [illegible]

AMENDMENT No. 1.

On page 1, of printed bill, in the title thereof, insert a period after the word [illegible]

AMENDMENT No. 2.

On page 1, of printed bill, strike out everything from and inclusive of the word [illegible] in line 4 of the bill.

AMENDMENT No. 3.

On page 1, line [illegible], of printed bill, strike out the word [illegible] and insert in lieu thereof the word [illegible].

AMENDMENT No. 4.

On page 1, line [illegible], of printed bill, strike out the word "[illegible]", and insert in lieu thereof the word "[illegible]".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 242?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 242 by the following vote:

Ayes—Senators [illegible] Bryant, [illegible] Flint, [illegible] Sanford, [illegible] and Wright—[illegible].

Noes—None.

Senate Bill No. 242 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 79.

AMENDMENT No. 1.

On page 2, line 10, after the comma (,) following the word "January", insert the following: "the twenty-second day of February,".

AMENDMENT No. 2.

On page 2, line 11, after the comma (,) following the word "July", insert the following: "the ninth day of September,".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 791?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 791 by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Cassidy, Caswell, Cobb, Cogswell, Colby, Flint, Geddes, Grant, Hans, Jones, Juilliard, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—30.

NOES—None.

Senate Bill No. 791 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 291.

AMENDMENT No. 1.

On page 1, line 8, of printed bill, strike out the words "for at least three years".

AMENDMENT No. 2.

On page 3, line 4, of printed bill, strike out the words "in whole or".

AMENDMENT No. 3.

On page 3, line 6, of printed bill, strike out the period after the word "applicants", and in lieu thereof insert a semicolon and add thereafter the following: "*provided, however*, that the results of all examinations conducted by the board of law examiners shall be subject to review by the supreme court at its discretion".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 291?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 291 by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Burke, Cassidy, Caswell, Cobb, Cogswell, Colby, Curtis, Flint, Grant, Hans, Jones, Juilliard, Larkins, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Tyrrell, and Wright—30.

NOES—None.

Senate Bill No. 291 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 737.

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Whenever by any law of this state power is granted to any legislative body, or to any board, commission or other officer of any county, municipal corporation, district or other public corporation, to erect or construct or cause to be erected or constructed, any public building, a structure for such county, municipal corporation, district or other public corporation, it shall be the duty of such legislative body, board, commission, or other officer, to obtain complete architectural plans, specifications, details and estimates of construction for any such building or structure, the cost of construction of which shall exceed two thousand dollars, from an architect or architects holding a certificate to practice architecture in this state under the laws thereof relating to the practice of architecture.

SEC. 2. Any architect or architects whose architectural services are obtained under the provisions of section one of this Act may be appointed by the legislative body, board, commission or other officer having power to erect or construct such public building or structure, or to purchase the same to be erected or constructed, without the submission of competitive plans therefor, or such legislative body, board, commission or other officer may at its discretion, call for competitive plans for such building or structure, and employ the architect or architects whose plans are found and determined by such legislative body, board, commission or other officer to be most satisfactory.

Mr. Speaker: I am directed to inform your honourable House that the Assembly has passed the following Bills, to which they desire the concurrence of this House:—

Bill No. 137, An Act to amend the Criminal Code.

Bill No. 138, An Act to amend the Criminal Code.

Bill No. 139, An Act to amend the Criminal Code.

Bill No. 140, An Act to amend the Criminal Code.

Bill No.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 587.

AMENDMENT No. 1.

On page 1, line 7, strike out the word "property", and insert in lieu thereof the following: "curbline, or if there be no curbline then up to the property".

AMENDMENT No. 2.

On page 1, line 8, strike out the words "without charge, unless", and insert in lieu thereof the word "if".

AMENDMENT No. 3.

On page 1, line 11, strike out the word "whereon", and insert in lieu thereof the word "such".

AMENDMENT No. 4.

On page 2, line 2, strike out the words "reasonable distance", and insert in lieu thereof the words "four hundred feet".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 587?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 587 by the following vote:

Ayes—Senators Anderson, Ayer, Benson, Boynton, Breed, Brown, Bryant, Butler, Campbell, Campbell, Cartwright, Cogswell, Cole, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Metz, Owens, Rerdan, Rush, Sanford, Shanahan, and Tyrrell—26.
Noes—None.

Senate Bill No. 587 ordered to enrollment.

SENATOR THOMPSON IN THE CHAIR.

At ten o'clock and ten minutes a.m., Senator Thompson, of the Thirty-fifth District, in the chair.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(RESUMED).

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 286.

AMENDMENT No. 1.

On page 1, line 15, strike out the words "this part", and insert in lieu thereof the following: "Division two of part one of this code."

AMENDMENT No. 2.

On page 1, beginning in line 29, strike out all of Subdivision 5, and insert in lieu thereof the following:

"5. To convey, mortgage, divide, dismember or alter real property in accordance with the provisions creating the trust, subject to the limitations of the same title."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 286?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 286 by the following vote:

Ayes—Senators Anderson, Ayer, Benson, Boynton, Breed, Bryant, Chimmetty, Campbell, Cartwright, Cogswell, Cole, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Metz, Owens, Rush, Sanford, Shanahan, Thompson, and Tyrrell—28.
Noes—None.

Senate Bill No. 286 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1472.

AMENDMENT No. 1.

On page 1, line 4, strike out all that follows and including "636½", and insert in lieu thereof the following:

"636½. Every person who at any time shall cast, extend, set, draw, use, or continue, or assist in casting, extending, setting, drawing, using, or continuing, any

[illegible]

[illegible]

[illegible]

such deed, and the acknowledgment of all such deeds shall be taken by the county clerk free of charge. Said deed shall be prima facie evidence of all the facts recited therein and shall operate to convey all of the interest of the state in and to said property.

3. Within ten days after each sale as provided in the preceding section the tax collector shall report to the assessor and recorder, giving the name or names of all persons to whom deeds have been issued under the provisions of this section, together with the dates of such deeds, the amount for which the property was sold, a description of the property conveyed, together with the numbers and dates of the certificates of sale and of the tax deeds by which title to such property so granted was conveyed to the state.

4. The recorder shall note on the margin of each certificate of sale and of each tax deed unvoted in the sale and transfer of such property the name of the purchaser, the date of the deed to the purchaser and the book [illegible] number thereof. The assessor shall use such report in his determination of the ownership of such property for assessment purposes.

5. Whenever in any action at law, it shall be determined by a court that the sale and conveyance provided for in this act was unwarranted and for any reason and that the purchaser from the state may not be legally awarded the property so purchased, no claim of the state shall be barred by the passing of the statutes until the former owner, or other party in interest, shall have repaid to the purchaser the full amount of taxes, penalties and costs paid out and expended by him, to be determined by the court, in pursuit of the state's title to the property so sold. The said purchaser may also present a claim against the county, in the manner provided by law, for a refund of the amount paid into the county treasury as the purchase price of such property in excess of the amount for which he may have been reimbursed for taxes, penalties, and costs as herein provided, and such excess shall be refunded in accordance with section three thousand eight hundred four of this code.

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1085?"

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1085 by the following vote:

AYES—Senators Anderson, Ayer, Beban, Benson, Boynton, Breed, Butler, Campbell, Cartwright, Chipman, Colgan, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Leland, Main, Owens, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Senate Bill No. 1085 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1753

AMENDMENT No. 1.

Amend the title of the engrossed bill as follows: In line 3 of the title insert the word "distribution" immediately after the word "water" and before the word "districts".

AMENDMENT No. 2.

Amend the title of the engrossed bill as follows: In line 5 of the title, immediately after the word "water" at the end of said line 5, add the word "distribution".

AMENDMENT No. 3.

On page 1, line 4, of the engrossed bill, immediately after the word "water" and before the word "district", insert the word "distribution".

AMENDMENT No. 4.

On page 1, line 5, of the engrossed bill, immediately after the word "water" and before the word "district", insert the word "distribution".

AMENDMENT No. 5.

On page 1, line 7, of the engrossed bill, after the period immediately following the word described, add the following to Section 1: "The term 'water district' when used in this Act means a 'water distribution district' provided for or formed under this Act, and whenever the words water district are used in this Act they refer to and mean such 'water distribution district.'"

AMENDMENT No. 6.

On page 2, line 34, of the engrossed bill, immediately after the word "water" and before the word "district", insert the word "distribution".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1753?"

The roll was called and the Senate concurred in Assembly amendments to Senate Bill No. 1734 by the following vote:

Ayes—Senators Ashhurst, Avey, Beban, Bryant, Burke, Cary, Duke, Gates, Gerdes, Grant, Hans Dewey, Leonard, Mott, Owens, Roth, Stanford, Stanton, Wallace, Tinnaman, Yarwell, and Wright—20.

Noes—None.

Senate Bill No. 1733 ordered to enrollment.

CONCURRENCE IN AMENDMENTS TO SENATE BILL NO. 1815.

AMENDMENT No. 1.

On page 2, strike out all of lines 1 to 14, inclusive, and in lieu thereof insert the following:

"Section 1. The term 'compensation' as used in this Act shall mean and include the liability imposed upon and all obligations of duties to compensate those employees and the dependents of such employees for any injury sustained by the said employees by accident arising out of and in the course of their employment irrespective of the fault of either party.

The term 'employee' as used in this Act shall be construed to mean: Every person who performs services for another for a pecuniary consideration, whether such services are performed by the day, week, month or year, or by the piece, or by the job, or by the hour, and whether such consideration be paid directly by the employer or indirectly through the employer's agent or servant, or by any other person, and whether such consideration be in money or in kind, and whether such services are performed in the employer's place of business or elsewhere, and whether such services are performed under a contract of hire, express or implied, oral or written, and whether such services are performed for a profit or not, and whether such services are performed for the State or any political subdivision thereof, or for any municipal corporation, or for any person, firm or corporation, private or public, and whether such services are performed for the United States or any agency thereof, or for any person, firm or corporation, private or public, who has elected to come under the provisions of this Act in the manner provided for in this Act, and every person in the service of the State or any political subdivision thereof, or of any municipal corporation, who has any person in service under any appointment or contract of hire or apprenticeship, express or implied, oral or written, and the legal representatives of any deceased employee.

The term 'employer' as used in this Act shall be construed to mean: Every person for the services of an employee as defined by this Act under any appointment, or contract of hire or apprenticeship, express or implied, oral or written, including lessees and owners of railroads.

The term 'insurance carrier' as used in this Act shall be construed to mean and include any stock corporation, company, fund and any private association or person engaging in or transacting the business of insurance in this State as an insurer, guarantor or surety against liability for compensation. Whenever such insurance carrier has insured the employer against such liability the insurance carrier shall thereby be deemed to have assumed and agreed to pay the liability for the additional amount of compensation accorded unto the employee by this Act and such insurance carrier shall be assumed within the terms 'employer' as defined by this Act."

AMENDMENT No. 2.

On page 2, strike out all of lines 1 to 32, inclusive, and in lieu thereof insert the following:

"Sec. 2. Where liability for compensation under this Act with respect to the death of an employee exists, irrespective of whether any other liability for damages on account of such death exists or not, and irrespective of whether compensation for such death was claimed or awarded or not, the employer shall be liable to the state for the difference between the amount actually paid or to be paid as compensation for such death and the amount for which such employer would have been liable if such deceased employee had left a person or persons wholly dependent for support upon his wages.

Sec. 3. The liability imposed upon employers under the terms of this Act shall be enforced in the manner and in the cases provided for in Section 3306 of the Political Code, as amended by an Act entitled 'An Act to amend Section 3306 of the Political Code relating to certain persons who are dependent,' approved March 23, 1911.

Sec. 4. Any sections referred under the provisions of this Act shall be paid into the state treasury for the credit of a fund to be known as the 'industrial accident fund,' which fund is hereby created.

Sec. 5. That the engross of the industrial accident commission."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1815?"

The roll was called and the Senate concurred in Assembly amendments to Senate Bill No. 1815 by the following vote:

Ayes—Senators Ashhurst, Avey, Beban, Bryant, Burke, Cary, Duke, Gates, Gerdes, Grant, Hans Dewey, Leonard, Mott, Owens, Roth, Stanford, Stanton, Wallace, Tinnaman, Yarwell, and Wright—20.

Noes—None.

Senate Bill No. 1414 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Constitutional Amendment No. 74—Proposed amendment to Article XI of the Constitution, relative to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT.

Senator Tyrrell asked, and was granted, unanimous consent for the consideration of Senate Constitutional Amendment No. 74.

SENATE CONSTITUTIONAL AMENDMENT NO. 74.

A resolution to propose to the people of the State of California an amendment to the constitution of the state, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the state or to any county or municipality within the state in any bank or banks.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the sixth day of January, nineteen hundred and thirteen, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose to the qualified electors of the State of California that Section 16½ of Article XI of the constitution of said state be amended to read as follows:

Section 16½. All moneys belonging to the state or to any county or municipality within this state may be deposited in any national bank or banks within this state, or in any bank or banks organized under the laws of this state, in such manner and under such conditions as may be provided by any law adopted by a two-thirds vote of each house of the legislature and approved by the governor; *provided*, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized.

The question being on the adoption of the constitutional amendment. The roll was called, and Senate Constitutional Amendment No. 74 was adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Butler, Caminetti, Campbell, Cartwright, Cogswell, Cohn, Curtin, Finn, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Lyon, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.

NOES—None.

Constitutional amendment ordered engrossed, and transmitted to the Assembly.

CONSIDERATION OF JOINT RESOLUTION.

Senator Boynton asked, and was granted, unanimous consent to take up the consideration of Senate Joint Resolutions Nos. 40 and 42, out of order.

SENATE JOINT RESOLUTION NO. 40.

Relative to setting apart a district of land in Butte County, State of California, as a national park, and memorializing the Congress of the United States to create such national park.

WHEREAS, There has been discovered in Butte County, State of California, a region of great waterfalls, towering precipices and mammoth trees, including the famous Fall River Falls, Bald Rock Canyon and other points of interest; and

WHEREAS, One of these waterfalls alone has a drop of five hundred feet and others are of almost equal grandeur, thus entitling them to a place among the world's great falls; and

WHEREAS, Owing to the marvelous beauty of this whole region, a movement has been started to set this district apart for the people of the United States as a new wonderland and playground; and

WHEREAS, The territory, situated on the middle fork of the Feather River, included in the six square miles thus desired to be set apart, is now government land; now, therefore, be it

WHEREAS, The Congress of the United States has appropriated the sum of $[illegible] to be expended by the Commissioners of the United States to the [illegible] Exposition to be held in San Francisco in 1915; and

WHEREAS, The Commissioners of the State of California have appointed [illegible] Commissioners to represent the State of California at the [illegible] Exposition; and

WHEREAS, The Commissioners of the State of California have requested the Governor of the State of California to call a special session of the Legislature of the State of California for the purpose of providing for the appropriation of the sum of $[illegible] for the purpose of defraying the expenses of the Commissioners of the State of California to the [illegible] Exposition; and

WHEREAS, The Governor of the State of California has refused

Also: Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Also: Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth of January, the date of the discovery of gold in California, by James W. Marshall.

Also: Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American Street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Also: Senate Bill No. 638—An Act making an appropriation to pay the claim of the directors of the State Board of Agriculture against the State of California.

Also: Senate Bill No. 681—An Act to create a "state bureau of criminal identification and investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Also: Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "for printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from Section 4 of this Act) ten thousand dollars," available for the distribution of said Blue Book.

Also: Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

Also: Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Also: Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, by amending Sections 1, 3, and 4 of said Act, and adding sixteen new sections to said Act to be designated as Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19; creating a drainage district to be known as Sacramento and San Joaquin Drainage District, appointing a reclamation board, providing for the management and control of said district and defining the powers and duties of the reclamation board and the State Engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the flood thereof; the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer and the Reclamation Board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, to passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento River and making an appropriation for carrying out the purposes of this Act.

Also: Senate Bill No. 1563—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating seven thousand five hundred dollars therefor.

Also: Senate Bill No. 1689—An Act appropriating money to provide a cash working fund for the use of the Adjutant General and defining its use and the liability therefor.

Also: Senate Bill No. 1795—An Act providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California, creating the "Gold Dis-

Also: Senate Bill No. 1701—An Act making an appropriation to pay for portraits painted and purchased for the State Capitol (1913).

Also: Senate Bill No. 1702—An Act appropriating money for the support and maintenance of the state prison at Folsom.

Also: Senate Bill No. 1703—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Also: Senate Bill No. 1704—An Act to amend Section 4750 of the Political Code of the State of California, relating to salaries of board officers in counties of the second class.

Also: Senate Bill No. 1705—An Act to amend Section 4757 of the Political Code, relating to salaries and fees of officers of counties of the second class.

Also: Senate Bill No. 1706—An Act to provide for selecting, locating and securing and holding the indemnity of the Advisory Council of this State and making an appropriation to pay the said land claimants of this State.

Also: Senate Bill No. 1707—An Act making an appropriation to pay the claim of Louise Wise against the State of California.

Also: Senate Bill No. 1708—An Act to amend Section 3740 of the Political Code of the State of California, relating to expense of the members of the State Board of Equalization and also assessors (same).

Also: Senate Bill No. 1709—An Act appropriating money for the construction of new buildings at Folsom State Prison.

Also: Senate Bill No. 1710—An Act to authorize the directors of the State Agricultural Society to expend additional to such the deficiency in the funds of the State Agricultural Society during the years 1912 and 1913 during local years and for the improvement of the State Fair grounds during said local years.

Also: Senate Bill No. 1711—An Act appropriating the thousand dollars there for and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Stanislaus State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 1712—An Act appropriating money for repairing the old cabinet shop building, the old bedding school building and the old domestic science building at the Home Teachers' School.

Also: Senate Bill No. 1713—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one hundredths dollars out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Also: Senate Bill No. 1714—An Act appropriating money for the purchase of a dairy farm at Stockton State Hospital.

Also: Senate Bill No. 1715—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Senate Bill No. 1716—An Act appropriating money for the construction and equipment of new Ward No. 40, at Stockton State Hospital.

Also: Senate Bill No. 1717—An Act appropriating money for the purchase and installing of an elevator for the female building at Stockton State Hospital.

Also: Senate Bill No. 1718—An Act appropriating money for refloering main buildings at Stockton State Hospital.

Also: Senate Bill No. 1719—An Act providing for the construction and equipment of a commerce building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Also: Senate Bill No. 1720—An Act to amend Section 2056 of the Political Code of the State of California relating to salaries in the Adjutant General's department.

Also: Senate Bill No. 1721—An Act to add a new section to the Penal Code, to be numbered Section 337, relating to a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theater or other place of indoor amusement and fixing the penalty thereof.

And begs leave that the same has been correctly enrolled, and presented the same to the Governor on the fourteenth day of May, 1913, at two o'clock P. M.

GRANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 25a of Article XI thereof, relating to the deposit of moneys belonging to the State, or to any county or municipality within the State in any bank or banks—and report that the same has been correctly engrossed.

GRANT, Chairman.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Finn, the Senate took up the consideration of Assembly amendments to Senate bills.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 150.

On page 1, line 9, strike out the word "one", all of line 10, and in line 11 the words "graphic reporter, twenty-four hundred dollars;", and insert in lieu of all the above the following: "two phonographic reporters, each, three thousand dollars;".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 150?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 150 by the following vote:

AYES—Senators Avey, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Cogswell, Cohn, Finn, Gates, Gerdes, Grant, Hans, Jones, Juilliard, Kehoe, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—25.
NOES—None.

Senate Bill No. 150 ordered to enrollment.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2131 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Benson, Boynton, Breed, Bryant, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Finn, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Owens, Regan, Sanford, Shanahan, Strobridge, Thompson, and Wright—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1252—An Act prohibiting the destruction of food stuffs, food products or food articles.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1252 passed by the following vote:

AYES—Senators Anderson, Avey, Beban, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Curtin, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Larkins, Mott, Owens, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines, and tunnel smoke and gases generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction

sometimes gives negligence in case of actions for damage to health of employees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1308 received passage by the following vote:

[illegible]

Assembly Bill No. 1062—An Act to amend section 1 of an Act entitled "An Act supplying the scope of employment in underground mines and in sanding and retention works" approved March 16, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1062 refused passage by the following vote:

[illegible]

REPORT OF COMMITTEE ON CONFERENCE.

The following report of committee on conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1911.

Mr. President: Your Committee on Free Conference concerning Assembly Bill No. [illegible] an Act to define [illegible] and [illegible] to provide [illegible] the [illegible] to employees [illegible] and [illegible] at legislative session [illegible] the [illegible] of the Assembly [illegible] the [illegible] and [illegible] to recommend the following [illegible] shall be amended to the Senate May 10, 1911, as follows, [illegible] and [illegible] the following "[illegible]" and insert in lieu thereof the following "[illegible]"

[illegible]

[illegible]

[illegible]

[illegible]

J. D. BOGNETT,
G. T. JENNETT,
T. J. WELDON,
LEE C. GATES,
A. H. BREED,
Committee on Free Conference.

The question being, "Shall the Senate adopt the report of the committee on free conference and the amendments to Assembly Bill No. [illegible]?"

The roll was called and the report of the committee on free conference and the amendments adopted by the following vote:

[illegible]

Noes—None.

THIRD READING OF BILLS—(RESUMED).

Senator Cartwright asked, and was granted, unanimous consent for the consideration of Assembly Bill No. 813, out of order.

Assembly Bill No. 813—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cartwright moved to refer to Senator Wright, as a special committee of one, to amend as follows:

By inserting in Section 1, line 1, after the word "person", the words "over the age of eighteen years".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 813, with instructions to amend, respectfully reports the same back, amended as per instructions.

WRIGHT, Committee.

Report read and adopted.

Bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1487—An act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau for the purpose of regulating barbers and their occupation and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants, and necessary clerical, expert and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and to the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1487 passed by the following vote:

AYES—Senators Beban, Boynton, Breed, Bryant, Caminetti, Campbell, Cartwright, Cohn, Finn, Gates, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Larkins, Lyon, Regan, Shanahan, Thompson, and Tyrrell—21.

NOES—Senators Carr, Cogswell, and Wright—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 62.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

The Legislature of the State of California at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two

fifths of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, this following amendment to the Constitution of the State of California, to take effect on and after the 3rd day of said November, when voted on for ratification.

Section 19. Every agreement, combination, and contract by means whereby the operation of any railroad, railroad system, steamboat line, or steamship line, or other transportation system within this State is directly or indirectly controlled, operated, managed, or maintained, or the earnings thereof shared, in whole or in part, by any person or corporation, or any agreement, combination, or contract between any person or corporation within this State and any person or corporation without this State, relating to the operation of any railroad, railroad system, steamboat line, or steamship line, or other transportation system, or any agreement, combination, or contract between any railroad, railroad system, steamboat line, or steamship line, or other transportation system, or any agreement, combination, or contract between any railroad, railroad system, steamboat line, or steamship line, or other transportation system, and any person or corporation, relating to the operation of any railroad, railroad system, steamboat line, or steamship line, or other transportation system within this State, or relating to the division of earnings, or any part thereof, or the fixing of rates, fares, charges, or other compensation for the transportation of passengers or freight within this State, or any part thereof, or the giving or receiving of rebates, concessions, or discriminations in relation thereto, is hereby declared to be unlawful and void, and shall subject any railroad corporation, railroad system, steamboat line, or steamship line, or other transportation system, or any person or corporation, to forfeiture of franchise, or charter rights, or both, in the discretion of the court, and may be restrained by injunction at the suit of the State, or of any district, county, city and county, city or town within this State through or into which any railroad, railroad system, steamboat line, or steamship line, or other transportation system, may operate, or at the suit of any person or corporation damaged thereby. The Legislature may enact additional laws for the enforcement of this section.

Section 20. Every person, company, or corporation, or lessee, trustee, or receiver thereof, operating within this State any railroad, railroad system, steamboat line, or steamship line, or other transportation system, which has been or shall be declared by the Railroad Commission to be a public utility subject to such control and regulation, shall file with the Railroad Commission within such time and in such form as the Railroad Commission may prescribe, such maps, profiles, contracts, agreements, reports, and other information as may be required by the Railroad Commission, and every such person, company, or corporation, or lessee, trustee, or receiver thereof, failing so to do, shall forfeit to the State the sum of one hundred dollars for each day during which such failure continues, which forfeiture may be recovered in a civil action brought by any district attorney in the name of the People of the State of California.

Section 21. The Railroad Commission shall have and exercise such power and jurisdiction to supervise and regulate every railroad in the State of California, and to do this as fully and completely as may be necessary to carry into effect the powers which are granted by this article to the Railroad Commission, notwithstanding any prior or subsequent declaration by the Legislature that any railroad, railroad system, steamboat line, or steamship line, or other transportation system, is a public utility subject to control by the Railroad Commission.

Section 22. The Railroad Commission shall have power, after a hearing had upon notice, by order in writing, to fix rates, tolls, charges, classifications, and schedules, and to establish rules, which shall be observed by any railroad, railroad system, steamboat line, or steamship line, or other transportation system, or any person or corporation operating any railroad, railroad system, steamboat line, or steamship line, or other transportation system within this State, and to prescribe regulations to govern the mode and manner of all connections and crossings of railroads, railroad systems, steamboat lines, or steamship lines, or other transportation systems, and to require the publication of tariffs and schedules of rates, tolls, charges, and classifications, and to prescribe the form and style of the same, and the time when the same shall take effect, and to prescribe regulations to govern the mode and manner of all transfers of passengers and property between railroads, railroad systems, steamboat lines, or steamship lines, or other transportation systems, and to require the filing with it of contracts, agreements, or arrangements for the exchange, interchange, transportation, and use of cars, motive power, and other railroad equipment, and for the facilities for operating the same, and to require the filing with it of such annual reports and such special reports concerning any matter connected with the railroads, railroad systems, steamboat lines, or steamship lines, or other transportation systems, as it may require, and to require the keeping of uniform accounts in such manner as it may prescribe, and to require the publication of such portions of the reports as it may deem proper, and to require the filing with it of monthly reports of earnings and expenses, and to require any railroad, railroad system, steamboat line, or steamship line, or other transportation system, to make public such information as may be required by the Railroad Commission, and to make such examination of the accounts, records, and memoranda of any railroad, railroad system, steamboat line, or steamship line, or other transportation system, as it may deem necessary or convenient, and to prescribe the manner in which such accounts, records, and memoranda shall be kept, and to require the production of papers, and the attendance of witnesses, and to administer oaths. Whenever the Railroad Commission, after a hearing had upon notice, shall find that the rates or tolls charged by any railroad, railroad system, steamboat line, or steamship line, or other transportation system, for the transportation of persons or property within this State, or any portion thereof, are unjust, unreasonable, discriminatory, or preferential, the Railroad Commission shall determine and fix such rates or tolls as may be just, reasonable, and nondiscriminatory to be charged for such transportation service to be furnished in the future within this State, or any portion thereof. The Railroad Commission shall have power to establish through routes and joint rates, and to determine the proportion of such joint rates accruing to each participating railroad, railroad system, steamboat line, or steamship line, or other transportation system, and to make reasonable rules and regulations to govern the exercise of such power, and in case any railroad, railroad system, steamboat line, or steamship line, or other transportation system, refuses to participate in any such through route and joint rate, the Railroad Commission may determine the reasonable proportion of such joint rate accruing to each participating railroad, railroad system, steamboat line, or steamship line, or other transportation system, and may make reasonable rules and regulations to govern the exercise of such power. The Railroad Commission shall have power to require the establishment of such reasonable through routes and joint rates

under the authority of congress of the United States or of the legislature of California, may frame a charter for its own government, consistent with and subject to this constitution; and any city, or city and county having adopted a charter may adopt a new one. Any such charter shall be framed by a board of fifteen freeholders chosen by the electors of such city at any general or special election; but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city. An election for choosing freeholders may be called by a two thirds vote of the legislative body of such city, and, on presentation of a petition signed by not less than fifteen per cent of the registered electors of such city, the legislative body shall call such election at any time not less than thirty nor more than sixty days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city or city and county, and the expenses of such verification shall be provided by the legislative body thereof. Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections. The board of freeholders shall, within one hundred and twenty days after the result of the election is declared, prepare and propose a charter for the government of such city; but the said period of one hundred and twenty days may with the consent of the legislative body of such city be extended by such board not exceeding a total of sixty days. The charter so prepared shall be signed by a majority of the board of freeholders and filed, in the office of the clerk of the legislative body of said city. The legislative body of said city shall within fifteen days after such filing cause such charter to be published once in the official paper of said city; (or in case there be no such paper, in a paper of general circulation); and shall cause copies of such charter to be printed in convenient pamphlet form, and shall, until the date fixed for the election upon such charter, advertise in one or more papers of general circulation published in said city a notice that such copies may be had upon application therefor. Such charter shall be submitted to the electors of such city at a date to be fixed by the board of freeholders, before such filing and designated on such charter either at a special election held not less than sixty days from the completion of the publication of such charter as above provided, or at the general election next following the expiration of said sixty days. If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the legislature, if then in session, or at the next regular or special session of the legislature. The legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city or city and county, and supersede any existing charter and all laws inconsistent therewith. One copy of the charter so ratified and approved shall be filed with the secretary of state, one with the recorder of the county in which such city is located, and one in the archives of the city, and thereafter the courts shall take judicial notice of the provisions of such charter. The charter of any city or city and county may be amended by proposals therefor submitted by the legislative body of the city on its own motion or on petition signed by fifteen per cent of the registered electors, or both. Such proposals shall be submitted to the electors only during the six months next preceding a regular session of the legislature or thereafter and before the final adjournment of that session and at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the legislative body of the city or city and county not less than sixty days prior to the general election next preceding a regular session of the legislature. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have a sufficient number of signatures the legislative body of the city or city and county shall so submit the amendment or amendments so proposed to the electors. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon held at a date to be fixed by the legislative body of such city, not less than forty days after the completion of the advertising in the official paper, and prior to the regular session of the legislature. If a majority of the qualified voters voting on any such amendment vote in favor thereof it shall be deemed ratified and shall be submitted to the legislature at the regular session next following such election, and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter. In submitting any such charter or amendment sets rate propositions, whether alternative or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related if more than one receive a majority of the votes, the proposition receiving the larger number of votes shall control as to all matters in conflict. It shall be competent in any charter framed under the authority of this section to provide that the municipality

[illegible]

The question being on the adoption of the constitutional amendment.

The roll was called.

[illegible]

The constitutional amendment ordered engrossed and to the Assembly

Assembly Constitutional Amendment No. 1

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XXII, relating to revenue and taxation.

The Legislature of the State of California, at its [illegible] session, commencing on the sixth day of January, eighteen hundred and [illegible], two-thirds of all members of each house of said Legislature voting in favor thereof, hereby proposes to the Constitution of the State of California, by adding to Article XXII a new section.

Section 1. Article XIII of the Constitution of the State of California, as [illegible] relating thereto, is hereby repealed.

Section 2. Any person, who has served [illegible] in the military, naval or auxiliary service of the United States during any war in which the United States was engaged, and who is a resident of this State at the time of his application for exemption under this section, shall be entitled to an exemption from taxation of property to the value of [illegible] dollars ($[illegible]). Such exemption shall be allowed only upon claim duly made by or on behalf of the person entitled thereto, at the time and in the manner prescribed by law. Such claim shall be made only once, and shall be filed with the assessor of the county in which the property of the claimant shall be assessed at the time of making the claim. Such claim shall be verified by the oath of the claimant, and shall state that he is entitled to the exemption provided by this section, and that he has not previously received the exemption provided by this section. Such claim shall also contain a description sufficient to identify the property upon which the exemption is claimed, and shall state the value thereof. Such claim shall be presented to the assessor between the first Monday in March and the first Monday in April of the year in which the exemption is claimed. Any person who shall knowingly present a false claim for the purpose of obtaining the exemption provided by this section shall be guilty of a misdemeanor, and shall forfeit the exemption provided by this section for the year in which the false claim is presented. Any person who shall knowingly present a false claim for the purpose of obtaining the exemption provided by this section shall be guilty of a misdemeanor, and shall forfeit the exemption provided by this section for the year in which the false claim is presented.

The question being on the adoption of the constitutional amendment.

The roll was called.

[illegible]

Pending the announcement of the vote, Senator Thomas moved a call of the Senate.

Motion carried.

Time, ten o'clock and twelve minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

[illegible]

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and thirteen minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boynton.

The roll of absentees was called, and Assembly Constitutional Amendment No. 7 adopted by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cohn, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Larkins, Lyon, Regan, Rush, Shanahan, and Tyrrell—27.
NOES—Senators Anderson, Cogswell, Gates, Mott, Thompson, and Wright—6.

Constitutional amendment ordered engrossed, and transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Boynton, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended, Senate Constitutional Amendment No. 53—A resolution proposing to the people of the State of California an amendment to Section 19 of Article XI of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

The question being, "Shall the Senate concur in Assembly amendment to Senate Constitutional Amendment No. 53?"

The roll was called, and Assembly amendment to Senate Constitutional Amendment No. 53 concurred in by the following vote:

AYES—Senators Anderson, Avey, Beban, Birdsall, Boynton, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cohn, Curtin, Finn, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Juilliard, Kehoe, Rush, Shanahan, Thompson, Tyrrell, and Wright—27.
NOES—None.

Senate Constitutional Amendment No. 53 ordered to enrollment.

LEAVE OF ABSENCE.

Senator Larkins was, on his own motion, granted leave of absence for the remainder of the session.

THIRD READING OF BILLS—(RESUMED).

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 23.

A resolution to propose to the people of the State of California, an amendment to Section 23*a* of Article IV of the Constitution of the State of California, relative to the limitation of expense for officers and employees of the legislature.

The Legislature of the State of California, at its regular session, commencing the sixth day of January, 1913, two thirds of the members elected to each of the two houses of said Legislature, voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California:

Section 23*a*. The legislature may also provide for the employment of help; but in no case shall the total expense for officers, employees and attachés of the senate exceed the sum of five hundred dollars per day, and in no case shall the total expense for officers, employees and attachés of the assembly exceed the sum of six hundred dollars per day, at any regular or biennial session, nor the sum of two hundred dollars per day in either house at any special or extraordinary session, nor shall the pay of any officer, employee or attaché be increased after he is elected or appointed.

The question being on the adoption of the constitutional amendment. The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Hare moved a call of the Senate.

Motion carried.

Time, ten o'clock and fourteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Avey, Boynton, Caldwell, Chandler, Cogswell, Dan, Gaylord, Gerdes, Hare, Hatch, Holohan, Inman, Jones, Kehoe, Leake, Lee, Lewis, Lukens, Mahan, Mansfield, Mitchell, Nelson, Nutting, Otis, Owens, Phelps, Pierce, Rigdon, Rolfe, Rominger, Rush, Sanford, Sisk, Stetson, Strobridge, Tait, Thompson, Tyrrell, Walker, Wallace, Wallin, Welch, Wilson, Wolfe, Young and Mr. President—40.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At ten o'clock and fifteen minutes p.m., Senators Jones and Rush were brought to the bar of the Senate and, on motion of Senator Hare, they were excused for absence from the Senate Chamber.

SENATE CONCURRENCE TAKEN UP IN THE SENATE CHAMBER.

At ten o'clock and fifteen minutes p.m., further proceedings under roll of the Senate were dispensed with, on motion of Senator Hare.

The roll of absentees was called, and Assembly Constitutional Amendment No. 22 adopted by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Caldwell, Chandler, Dan, Gaylord, Gerdes, Hare, Hatch, Holohan, Inman, Jones, Kehoe, Leake, Lee, Lewis, Lukens, Mahan, Mansfield, Mitchell, Nelson, Nutting, Otis, Owens, Phelps, Pierce, Rigdon, Rolfe, Rominger, Rush, Sanford, Sisk, Stetson, Strobridge, Tait, Thompson, Tyrrell, Walker, Wallace, Wallin, Welch, Wilson, Wolfe, Young and Mr. President—40.

Noes—None.

Constitutional amendment ordered transmitted to the Assembly.

PRIOR ACTION OF ASSEMBLY (CONCURRENCE).

Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to Section 22 of Article IV of the Constitution of the State of California, relative to the compensation of members of the Legislature.

The question being on the adoption of the Assembly constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 22 was [illegible] adopted by the following vote:

Ayes—Senators Anderson, Avey, Boynton, Burnett, Caldwell, Chandler, Dan, Gaylord, Gerdes, Hatch, Holohan, Inman, Jones, Kehoe, Leake, Lee, Lewis, Lukens, Mahan, Mansfield, Mitchell, Nelson, Nutting, Otis, Owens, Phelps, Pierce, Rigdon, Rolfe, Rominger, Rush, Sanford, Sisk, Stetson, Strobridge, Tait, Thompson, Tyrrell, Walker, Wallace, Wallin, Welch, Wilson, Wolfe, Young and Mr. President—40.

Noes—Senators Hare, Chandler, Cogswell, Dan, Gaylord, Gerdes, Holohan, Nelson, Sisk, Thompson, and Wolfe—11.

CONSIDERATION OF SENATE BILL.

Assembly Bill No. 948—An Act to amend Sections 1641, 1643, 1644, 1649, 1651, 1653 and 1722 of the Political Code of the State of California, relating to the State Board of Education.

Read first time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shanahan moved to refer Assembly Bill No. 836 to Senator Kehoe, as a special committee of one, to amend as follows:

By striking out all except enacting clause of said bill and inserting in lieu thereof the following substitute for said bill:

An Act to amend Article 1 of Chapter 3, Title 3, Part 3, of the Political Code of the State of California, and amending Sections 1517, 1518, 1519, 1520, 1521 and 1522, and adding four new sections thereto to be numbered 1523, 1524, 1525 and 1526, establishing a state board of education and commissioners of education and defining their powers and duties, also, to amend Section 1874 of the Political Code and to repeal Section 1874a of the Political Code, relating to school text-books.

The people of the State of California do enact as follows:

SECTION 1. Sections 1517, 1518, 1519, 1520, 1521 and 1522 of the Political Code are hereby amended to read as follows:

1517. There shall be established a state board of education, for the purpose of performing the duties hereinafter set forth, and for the direction of the educational interests of the State of California.

1518. The state board of education shall consist of five members appointed by the governor of the state, at least one of whom shall be a woman. The members first appointed shall classify themselves by lot, so that two shall hold office for two years and three shall hold office for four years and thereafter the members of the state board of education shall be appointed for the term of four years. The state board of education shall elect one of its members chairman and the state superintendent of public instruction shall be ex officio the secretary of the board. No member of the state board of education shall during his membership upon said board, hold any salaried educational position.

1519. The concurrence of a majority of all the members of the state board of education is necessary to the validity of any act of the board.

1520. The board shall meet at the call of the chairman and not less than twice in each year.

1521. The powers and duties of the state board of education are as follows:

1. To adopt and use in authentication of its acts, an official seal.

2. To keep a record of its proceedings.

3. To appoint solely upon the basis of their professional ability and special fitness for the services they are to perform, not less than three commissioners of education and to fix their salaries.

4. To outline and direct the work of the commissioners of education and to provide plans for the administration of the schools of the state, as it may deem best.

5. To provide for the appointment of such additional commissioners of education and such deputies, assistants, secretaries and clerks, as may from time to time in their judgment be required to carry on the work of the board.

6. To receive at least once each year at a time to be designated by it, detailed reports of the activities of the commissioners of education and of educational institutions, supported in whole or in part by the State of California.

7. To administer through the commissioners of education and its other appointed officers the free text-book system of the state and to provide for such rules and regulations as shall check waste and extravagance and establish sanitary conditions in the use of free text-books and such other rules and regulations as may be necessary: *provided*, that the system of distribution of free text-books shall be such as to incur no cost for distribution to those who are entitled to use them.

1522. The members of the state board of education shall be paid their actual expenses incurred in attending the meetings of the board, which shall be allowed by the state board of control, audited by the controller and paid out of the general fund.

SEC. 2. Four new sections are hereby added to the Political Code of the State of California to be numbered Sections 1523, 1524, 1525 and 1526, to read as follows:

1523. The state superintendent of public instruction shall have and perform ex officio the powers and duties of a commissioner of education.

1524. The state board of education shall adopt rules and regulations not inconsistent with the laws of the state for its own government and the government of the schools and shall supervise and direct the commissioners of education in the execution of the following powers and duties:

1. To prescribe by general rule the credentials upon which persons may be granted certificates to teach in the high schools of this state.

2. To prescribe by general rule the credentials upon which persons may be granted certificates to teach in such intermediate schools and introductory high schools as are now in existence, or may be established by law.

3. To provide by general rule the condition under which special certificates may be granted in special branches and in such grades as are named in such certificates.

4. The commissioners of education shall also consider the cases of individual applicants who have been successful teachers for a period of not less than twenty

of the state board of education for the direction of educational interests in all reform schools, penitentiaries and institutions for the defective, delinquent and dependent, supported by and under the direction and control of the state.

3. Each commissioner shall be charged with specific responsibility to investigate and direct the educational interests referred to him by the state board of education, but the commissioners of education as a whole, shall endorse by a majority vote, such acts or recommendations of the individual members, as shall be made the subject of deliberation by the commission as a whole, under rules established by the state board of education.

1526. The state board of education shall provide, compile or cause to be compiled and adopt the uniform series of text-books for use in the day and evening elementary schools of the state, and shall provide a list of text-books available for adoption as high school text-books, as provided in Section 1750 of this code, in the following manner:

1. The commissioners of education shall under rules provided by the state board of education, study the use of the text-books in the elementary and secondary schools of the state and shall report to the state board of education by majority vote their recommendations as to the adoption of such books as may be needed as state text-books (and such improvements as may be necessary in the text-books) in use and such plans for publication and distribution of text-books as they may deem advisable.

2. The commissioners of education in considering the adoption of state text-books, may consider manuscripts and copyrights submitted in competition or may otherwise compile or cause to be compiled the books to be recommended to the state board of education. The rules of the state board of education shall in so far as possible eliminate from the consideration and adoption of state text books the commercial and business interests of any and all publishing houses and individuals, and all opinions, preference or recommendations that may arise directly or indirectly in response to such special interests.

3. The commissioners of education shall recommend to the board of education the list of text-books eligible for adoption as high school text-books and it shall be their duty to limit the books recommended for such use at the expiration of existing adoptions to a small number of the best books that may be found, with the intent and for the purpose of standardizing as speedily as may be possible and advisable the text-books in use in the high schools of the state.

SEC. 3. Section eighteen hundred and seventy-four of the Political Code is hereby amended to read as follows:

1874. 1. The commissioners of education shall have power, subject to the approval of the state board of education, to revise in whole or in part and to manufacture such text-books as are now in use; to provide, compile or cause to be compiled under its direction, and to manufacture such other or additional text book or books as it may deem necessary or proper for use in the elementary schools of the state; to purchase or hire maps and engravings of copyright matter; to purchase or lease copyrights, for the purpose of being used in compiling, printing and publishing such books; to provide for the payment of royalties or for the making of the whole or any part of a book or books, and to do any and all acts that may be necessary for the purpose of procuring a uniform series of text-books for use in all the elementary schools of the State of California. Said commissioners shall have power, subject to the approval of the state board of education, to prescribe and enforce the use of a uniform series of text-books. As soon as any text-book shall have been compiled, printed, adopted, and is ready for distribution, it shall be the duty of every county and city and county superintendent of schools in the state to order a sufficient number thereof to give at least one copy of every such book to every public school district library in the county or city and county in which he is superintendent, and payment therefor shall be made by him drawing his order on the unappropriated county school fund.

2. The elementary schools of this state shall furnish instruction as provided in Section 1665 of this code, and it shall be the duty of the said commissioners to revise such of the books of the present state series or publish such new books in any of the subjects named in Section 1665 of this code as may be necessary for the proper study and teaching of them, and for the purposes of compilation and publication may purchase manuscripts and may make use of any copyright matter deemed suitable, and may purchase or hire maps or engravings of such copyright matter, may contract and arrange for the payment of royalties, and shall designate such book or books, when published, as belonging to and forming a part of the state series of school text-books, subject to the approval of the state board of education.

3. The said commissioners may secure copyrights, in the name of the people of the State of California, to any book that may be compiled under the Act, and whenever any one or more of the state school text books shall have been compiled, published and adopted, the superintendent of public instruction shall issue an order to all county and city and county boards of education by sending notice by registered mail to the secretaries of all such boards requiring the uniform use of said book or books in all the elementary schools of this state, and when said order shall have thus been given and published, the same shall remain in force and effect for a term of not less

opinions on the merits of any book or books or parts of a book that may be taken under consideration, and the terms for payment of such copies should be fixed in the manner as other terms are fixed and in the state text-book fund; provided, that the expense of such expert examination and opinion shall not exceed the sum of two hundred dollars ($200.00) for any one book that may be adopted and purchased as a book of the state series.

9. The state board of education shall provide in its rules regulating the distribution and use of free text-books:

(a) That no text-book shall be distributed for the use of any pupil unless supplied with such book.

(b) That all unlawful loss and neglect or other delinquencies in these use shall be discouraged by suitable penalties and fines.

(c) That all books issued shall be maintained in service for a maximum period of time to be established for each book, and to be enforced by such regulations as it may provide.

(d) That a system of requisitions, records and accounts shall be established by which the duties of all school officers pertaining to the distribution and use of free text-books shall be reduced to an ordinary and business-like system.

(e) For the redistribution of books.

(f) Such other rules and regulations as may be necessary.

10. The county, city, and city and county superintendents may receive free text-books for use in their schools and exercise for the custody of such books from their offices to the schools where they are to be used and for the collection of books no longer needed in schools to which they have been distributed, pay the expenses of such distribution and collection shall be a charge against the state free text-book fund and shall be paid in the manner provided for the payment of other claims against said fund. Distribution to points shall be made at the schools where the books are to be used. All text-books distributed for free use shall remain the property of the State of California and shall be subject to the orders of the superintendent of schools, the county, city and city and county and the state superintendent of public instruction for such redistribution as may be necessary.

11. The state board of education shall provide regulations for the sale of state text-books for use outside the state to such persons as are not entitled by law to the free use of text-books, or such as may desire to buy such books, and shall fix the price postpaid, and f.o.b. train or boat at Sacramento.

12. The state superintendent of public instruction shall send out all text-books sold or distributed for free use and shall receive for text-books returned and shall account for moneys paid for the same and shall transmit such moneys monthly with the state treasurer to the credit of the state free text-book fund.

SEC. 4. Section 1874*a* of the Political Code is hereby repealed.

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Motion carried

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 836, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and refused adoption.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 836 passed by the following vote:

AYES—Senators Anderson, Avey, Boynton, Birdsall, Burnett, Breed, Brown, Butler, Carr, Cartwright, Caminetti, Chrisman, Finn, Flint, Gerdes, Grant, Hans, Howard, Jones, Kehoe, Regan, Rush, Strobridge and Thompson—24.

NOES—Senators Cutten, Saylor, and Wright—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Curtin was, on his own motion, granted leave of absence for the remainder of the session.

CONSIDERATION OF JOINT RESOLUTION.

On motion of Senator Campbell the rules were suspended and Senate Joint Resolution No. 23

Senate Joint Resolution No. 23--Relative to the rights of the State of California to lands, on the courses of the sacramento or land within the State by certain plats, and surrendering the President, the Senate and House of Representatives of the United States and granting the consent and permitting for the appointment of a commission to represent the State of California in diplomatic or other negotiations at Washington, D. C.

The question being on the adoption of the resolution.

The roll was called and Senate Joint Resolution No. 23 was adopted by the following vote:

[illegible]

SECOND READING OF RESOLUTIONS.

All bills relating to [illegible] were [illegible] of the Thirteenth District, on the [illegible]

THE ADOPTION OF THE RESOLUTION.

The motion of Senator Wright, Assembly Bill No. 134 was received from Committee on Finance.

THIRD READING OF BILLS (CONTINUED)

Assembly Bill No. 1344--An act to regulate the practice of employing persons known as so-called "spotters" to investigate and report to the employer information concerning persons upon the employment, and providing that the violation of the provisions and making the employer liable in damages to any employee sustaining injury.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1344 was adopted by the following vote:

[illegible]

MESSAGE FROM ASSEMBLY (CONTINUED)

The following letter of message was received and read:

[illegible]

Senate Chamber, Sacramento, May 22, 1917.

Mr. Secretary: I am directed to inform the Senate that Assembly Bill No. 1344, entitled [illegible]

Senate Bill No. 909--An act to provide for the [illegible]

Senate Bill No. 1180--An act to appropriate money for the purpose of [illegible]

in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Also: Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Also: Senate Bill No. 1727—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Senate Bill No. 1728—An Act to provide for the completion of the armories and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 489—An Act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Also: Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Also: Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State prison.

Also: Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento and making an appropriation therefor.

Also: Senate Bill No. 296—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

Also: Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

Also: Senate Bill No. 267—An Act appropriating $101000 to further develop, and increase the water supply and to extend the water system of the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing the work and improvement to be done.

Also: Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Also: Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Also: Senate Bill No. 61—An Act appropriating money for the purchase of material to enlarge boilerhouse and equipment at San Jose State Normal School.

Also: Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, merchandise and accounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Also: Senate Bill No. 215—An Act to amend Section 1 of and to add new Sections 4, 5 and 6 to an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Also: Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the general fund.

Also: Senate Bill No. 191—An Act providing that the State Board of Equalization shall determine the net loss to county revenue sustained by any county in the State by the withdrawal of railroad property from county taxation, in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, and providing for the payment of such loss by the State, when no objection is made to the amount thereof and making an appropriation for the payment of such loss, and to authorize any county in the State which claims to have sustained any such net loss in county revenue, and which said county has objected to the amount of such net loss as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of such loss, prose-

Also: Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the City of Chico and providing for a commission to select and locate by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Senate Bill No. 170—An Act to make an appropriation for the location and survey of a proposed highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the eastern boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Senate Bill No. 741—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of modifying, improving and dredging the channel of San Rafael Creek.

Also: Committee Substitute for Senate Bill No. 742—An Act to amend Sections 2, 3, 10, 12, and 25 of an Act entitled "An Act to provide for street improvements, fixing street grades, sidewalk and curbing, and for the construction of sewers within municipalities," approved March 18, 1885, and adding a new section to said Act to be known as Section 12½, relating to reassessments.

Also: Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fabes for certain swamp and overflowed land in Tuolumne County, California.

Also: Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, successions, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act" approved April 7, 1911.

Also: Senate Bill No. 376—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Also: Senate Bill No. 866—An Act to amend Sections 368, 690 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Also: Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Also: Senate Concurrent Resolution No. 18—A resolution relative to the adjournment *sine die* of the forty-fifth session of the Legislature of the State of California, and fixing the date for said adjournment.

And report that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1913, at nine o'clock and thirty minutes a.m.

JONES, Acting Chairman.

CASE OF URGENCY.

The following resolution was offered by Senator Wright:

Resolved, That Assembly Bill No. 534 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and Section 15 of Article IV of the Constitution suspended by the following vote:

AYES—Senators Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Cogswell, Cohn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Kehoe, Mott, Regan, Rush, Shanahon, Strobridge, Thompson, Tyrrell, and Wright—28.

NOES—None.

Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 144 entered passage by the following vote:

AYES—Senators Campbell, Cartwright, Flint, Frank Gould, Hatch, Hays, Hughes, Kehoe, Lee Wright—10.

NOES—Senators Bates, Boynton, Brown, Burnett, Chandler, Finn, Gerdes, Hewitt, Leavitt, Lee Walker, Lewis, Lukens, Mahan, Mott, Nicholas, Peterson, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wolfe, Wyman and Young—29.

Senator Wallace moved to amend Assembly Bill No. 144, an act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities, their officers, duties to persons and classes and the rights, remedies, of persons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and to other persons and corporations, creating the "Railroad Commission Fund," and appropriating the moneys thereof to carry out the provisions of the act, and repealing the Railroad Commission Act approved February 10, 1911, and also repealing an act entitled "An act to amend the Railroad Commission Act for amending Section 12 thereof relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 12 thereof relating to fees and salaries and terminating the duties and powers of the Railroad Commissioners appointed April 8, 1911, and all acts and parts of acts inconsistent with the provisions of this act," by amending Section 47 thereof, as more particularly that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, incorporated city or town, or municipal water district for the taking or damaging of property or franchises of any existing public utility or lands, property and rights of any character whatsoever connected with said existing public utility, or any part or portion thereof.

Said motion was lost, a division was demanded.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 144 passed by the following vote:

AYES—Senators Bates, Brown, Burnett, Chandler, Finn, Frank Gould, Hatch, Hewitt, Leavitt, Lee Walker, Lewis, Lukens, Mahan, Mott, Nicholas, Peterson, Rush, Sanford, Shearer, Stetson, Strobridge, Thompson, Tyrrell, Wallace, Walsh, Wolfe, Wyman and Young—29.

NOES—Campbell, Cartwright, Flint, Gerdes, Hays, Hughes, Kehoe, Lee Wright—8.

Bill read and approved.

Bill ordered transmitted to the Assembly.

The following report of enrolling committee was received and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

MR. PRESIDENT: Your Committee appointed and instructed has examined the following:

Assembly Bill No. 1, an act to provide for a Board of Land Commissioners of the State of California, and to prescribe their duties and compensation, and to provide for the sale of the lands belonging to the state and reclaimed lands.

After having been instructed by the Secretary of the Senate to examine the accompanying bill, we report the same correctly enrolled.

And report that the same was found correctly enrolled.

GRANT MAHAN.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—RESUMED.

ASSEMBLY CONCURRENT RESOLUTION No. 38.

Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California and the problems of dependency and delinquency, both as to cause and as to effect, and the need of any of amending the juvenile court law.

Resolved by the Assembly of the State of California, the Senate concurring, That a committee of seven persons be appointed, consisting of one member of the Senate, and one member of the Assembly, and five other persons, for the purpose of studying, investigating and reporting upon the problems of administration of juvenile courts in California and the problems of dependency and delinquency, both as to cause and as to treatment, and the need of any of amending the present juvenile court law.

The President of the Senate shall appoint the Senate members of said committee, and the Speaker of the Assembly shall appoint the Assembly members of said committee, and the Governor shall appoint the remaining five members of said committee, so as to represent, as far as possible, all persons interested in the welfare of the child in the State of California.

Said committee shall make such study and investigation and report from time to time to the Governor and on or before the first day of November, 1914, shall make a final report to the Governor, to be transmitted to the next regular session of the Legislature. For the purpose of such study, investigation and report, such committee may hold and attend sittings. All [illegible] created under the concurrent resolution shall be used by said committee for the purposes above set forth, and in such report said committee shall give a detailed account of all receipts and expenditures.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 38 was adopted by the following vote:

AYES—Senators Ayer, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cannetti, Campbell, Carpenter, Caggwell, Cobb, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—27.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relative to the distribution of the laws, resolutions and journals of Legislature, of reports of Supreme Court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1491 passed by the following vote:

AYES—Senators Ayer, Beban, Birdsall, Boynton, Breed, Brown, Butler, Cannetti, Campbell, Carpenter, Caggwell, Cobb, Flint, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Mott, Regan, Rush, Strobridge, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the

issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 31, 1903.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2043 passed by the following vote:

[illegible]

Bill ordered enrolled.

Assembly Bill No. 1111—An Act granting to the town of Placerville, for wharf purposes, all the right, title and interest of the State of California, including the right to wharf out therefrom to the town of Placerville, and regulating the management, use and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1111 passed by the following vote:

[illegible]

This read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2071—An Act to provide for the establishment of school free districts and for the conducting and the maintenance of the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2071 passed by the following vote:

[illegible]

This read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1744—An Act to amend the Vehicle Code by amending Sections 2252, 2253, 2254 and 2255, by adding thereto two new sections to be numbered 2252a and 2252b, and by repealing Sections 2256, 2257 and 2258 thereof, and to repeal an Act entitled "An Act to provide for the compilation, printing, binding, publishing and distribution of a legislative manual and State Blue Book, or roster and repealing conflicting Acts," approved February 27, 1905.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1144 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cannetti, Campbell, Cartwright, Carr, Flint, Gates, Gerdes, Hans, Hewitt, Juilliard, Kehoe, Mott, Rush, Thompson, Tyrrell and Wright—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 29—An Act to amend Sections 2643, 2651, 2654 and 2655 of the Political Code of the State of California, relating to the levy and apportionment of road tax, and to the acquisition, construction and maintenance of roads.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 refused passage by the following vote:

AYES—Senators Beban, Birdsall, Breed, Butler, Cannetti, Campbell, Cartwright, Cohn, Flint, Hans, Hewitt, and Juilliard—12.
NOES—Senators Avey, Benson, Boynton, Cogswell, Finn, Gerdes, Kehoe, Regan, Thompson, Tyrrell, and Wright—11.

Assembly Bill No. 1559—An Act providing for the construction of highways by the State in counties, cities and counties and cities, and providing for the payment for the expenses of the construction and maintenance thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1559 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Butler, Cannetti, Campbell, Cartwright, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to invest the title in the State of California, to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishing thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1407 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cannetti, Campbell, Carr, Cartwright, Cogswell, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Mott, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible] ENGROSSED BILLS READ

[illegible] [illegible] and twenty-day notices [illegible], Senator Hendricks, of the Thirteenth District, on the floor.

[illegible] [illegible] [illegible]

Assembly Bill No. 2014—An act to amend Sections 1, 4 and 5 of an Act entitled "An act to enforce the constitutional rights of children, and providing penalties for violation of the act," approved March 20, 1874, and as amended by Act approved March 4, 1907, and as amended by Act approved April 15, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2014 passed by the following vote:

[illegible] [illegible] [illegible] [

The roll was called, and Assembly Bill No. 992 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Campbell, Carr, Cartwright, Caswell, Cohn, Flint, Gerdes, Grant, Hewitt, Juilliard, Kehoe, Regan, Rush, Strobridge, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. BOYNTON IN THE CHAIR.

At ten o'clock and twenty-seven minutes a. m., Hon. A. E. Boynton, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California defining the powers and duties of boards of school trustees and city boards of education.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Butler, Caminetti, Campbell, Cartwright, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Regan, Rush, Strobridge, Thompson, Tyrrell, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2137—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco, and making an appropriation for the establishment and maintenance of the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2137 passed by the following vote:

AYES—Senators Avey, Beban, Benson, Birdsall, Boynton, Breed, Brown, Butler, Caminetti, Campbell, Cartwright, Cohn, Flint, Gerdes, Grant, Hans, Hewitt, Juilliard, Kehoe, Regan, Rush, Strobridge, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Butler, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public

[illegible] and Director" approved April 7, 1927--was ordered [illegible] Banks, Bolton and Lee, as members of the committee from the Senate.

L. M. GILLETT, Chief Clerk of Assembly
L. Ferguson, Minute Assistant Clerk

CONCURRENCE IN CONFERENCE

President Breidenbach, Chappell and Hall were appointed as a committee on conference to meet with a similar committee from the Assembly to consider Assembly amendments to Senate Bill No. 1115.

FINAL PASSAGE OF BILLS TODAY

Assembly Bill No. 2174--An act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to make any appropriate to pay compensation on the sale of certain lands of the State of California and surrounding waters for such purposes. Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2174 passed by the following vote:

[illegible] Ayes: Senators Burns, Dilworth, Fenton, Grunsky, Hall, Harris, Hatfield, Hollingsworth, Kuchel, Lagomarsino, Lincoln, Miller, Nejedly, Regan, Richards, Rodda, Sheridan, Thompson, Tickle and Weaver--20.

Noes--None.

Bill passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1115--An act to amend Section 1, 2, 3 and 10 of an Act entitled "An Act to provide for the formation, organization and government of water users districts, for the purpose of providing for land therein lying within such water users districts from which water may be supplied by such water users district, or which may be benefited by the construction of the necessary works of protection and conservation of such waters or land within said district, and for the levying of taxes and assessments to pay for the cost of construction, repairing and maintaining such improvements," approved March 31, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1115 passed by the following vote:

Ayes: Senators Burns, Dilworth, Fenton, Grunsky, Hall, Harris, Hatfield, Hollingsworth, Kuchel, Lagomarsino, Lincoln, Miller, Nejedly, Regan, Richards, Rodda, Sheridan, Thompson, Tickle and Weaver--20.

Noes--None.

Bill read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT UNTIL TWO O'CLOCK

At two o'clock and thirty minutes p.m. Senator Lincoln, as the Thirty-fourth District, in the chair

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 1574—An Act to provide for a trial by jury in certain cases of contempt of court.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Carr, as a special committee of one, to amend as follows:

In Section 1, line 4, after the word "court", add the words "growing out of any labor dispute".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your special committee of one, to which was referred Assembly Bill No. 1574, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and refused adoption.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1574 refused passage by the following vote:

AYES—Senators Bryant, Caminetti, Campbell, Cohn, Finn, Grant, Regan, and Tyrrell—8.

NOES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Carr, Cartwright, Caswell, Flint, Gates, Hans, Hewitt, Jones, Juilliard, Kehoe, Rush, Strobridge, Thompson, and Wright—22.

Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2133 passed by the following vote:

AYES—Senators Anderson, Avey, Benson, Birdsall, Boynton, Breed, Brown, Butler, Cartwright, Caswell, Cogswell, Flint, Gates, Gerdes, Grant, Hans, Hewitt, Jones, Kehoe, Rush, Strobridge, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1098 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1098.—An Act authorizing municipalities of the fifth and sixth classes to initiate tenth principal upon public schools to be a balance, permitting a levy for the discharge of such obligations, and validating the sale of existing such bonds from the receipts of such levy.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1098 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1101.—An Act to amend Section 4300 of the Political Code of the State of California, relating to the sale and service of county officers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1101 passed by the following vote:

[illegible]

Assembly Bill No. 1102.—An Act to amend Sections 314 and 318 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1903.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1102 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1103.—An Act to prohibit banks, endowment, realty, banker shows, finding some refused companies and charging any companies from allowing "free" to be given to the employees, to prohibit all persons from giving such to employees; to prohibit the

employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2059 refused passage by the following vote:

AYES—Senators Anderson, Brown, Jones, and Rush—4.

NOES—Senators Benson, Birdsall, Broas, Caminetti, Campbell, Carr, Cartwright, Finn, Flint, Gates, Hans, Hewitt, Juilliard, Kehoe, Lyon, Regan, Tyrrell, and Wright—18.

Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California, with reference to the formation of new petition for changing boundaries of old joint districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1285 passed by the following vote:

AYES—Senators Anderson, Avey, Birdsall, Broas, Butler, Caminetti, Campbell, Carr, Cartwright, Finn, Flint, Gates, Hans, Hewitt, Jones, Juilliard, Kehoe, Regan, Rush, Sanford, Strobridge, Tyrrell, and Wright—23.

NOES—Senator Lyon—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CARTWRIGHT IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Senator Cartwright, of the Twenty-sixth District, in the chair.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to provide sheets of certain dimensions and individual towels for the guests of such hotel.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1052 refused passage by the following vote:

AYES—Senators Anderson, Behrens, Birdsall, Boynton, Brown, Butler, Caminetti, Finn, Flint, Gates, Grant, Hans, Jones, Kehoe, Strobridge, and Tyrrell—16.

NOES—Senators Avey, Benson, Broas, Campbell, Carr, Cartwright, Hewitt, Juilliard, Lyon, Mott, Regan, Sanford, Thompson, and Wright—14.

PRESIDENT WALLACE IN THE CHAIR.

At ten o'clock and forty minutes a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 813—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 413 passed by the following vote:

[illegible]

Time and roll omitted
Bill ordered transmitted to the Assembly.
Assembly Bill No. 441--An Act to amend [illegible] to amend the state and fire of [illegible] and [illegible] and [illegible] and

Resolved by the Senate and Assembly of the State of California, That we, the representatives of the people of the State of California, do hereby join in recommending to the Congress of the United States the passage of the bill to the end that effective provision may be had to conserve the water of this stream, during their spawning season, to reach their spawning beds in the upper stretches of the Truckee River; be it further

Resolved, That the Secretary of the Senate be instructed to forward a copy of the foregoing preamble and resolution to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to the United States Senators and Representatives in Congress of the State of California.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 12 was adopted by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Cogswell, Carr, Cartwright, Caminetti, Gates, Gerdes, Grant, Hatch, Hewitt, Jones, Juilliard, Kehoe, Leale, Main, Regan, Rush, Sanford, Stetson, Thompson, Tyrrell, and Wright—28.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State, and making an appropriation to pay the cost and expenses of the same.

Read third time.

On motion of Senator Boynton, Assembly Bill No. 1580 was ordered to the file of unfinished business.

Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California to be known as Section 2567*a*, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1739 passed by the following vote:

AYES—Senators Anderson, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Regan, Rush, Sanford, Thompson, Tyrrell, and Wright—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying procedure for levying a tax for the purposes of the Act and for disbursing the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1463 passed by the following vote:

AYES—Senators Anderson, Felan, Birdsall, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cartwright, Cogswell, Gates, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Regan, Rush, Sanford, Thompson, Tyrrell, and Wright—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1758—An act to amend an act entitled "An act for the establishment of land titles and the simplification of the transfer of real estate," approved March 27, 1907.

Read third time.

The question being on the passage of the bill.

The bill was ordered, and Assembly Bill No. 1758 ordered passed by the following vote:

[illegible]

Assembly Bill No. 1758—An act to amend Section 1222 of the Political Code of the State of California, relating to the appointment of election boards.

Read third time.

The question being on the passage of the bill.

The bill was ordered, and Assembly Bill No. 1758 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1835—An act appropriating money to pay the claim of Joseph Sullivan against the State of California.

Read third time.

The question being on the passage of the bill.

The bill was ordered, and Assembly Bill No. 1835 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1836—An act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of surveying the channel of Cache Slough, in Yolo County, and improving the navigability of said channel in said county and for repairing levee for protection thereof from overflow.

Read third time.

The question being on the passage of the bill.

The bill was ordered, and Assembly Bill No. 1836 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2012 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Brown, Carpenter, Carr, Cohn, Finn, Gates, Grant, Hayes, Jones, Juilliard, Kehoe, Leeds, Leon, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1554—An Act to add a new section to the Civil Code, to be numbered Section 617, relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1554 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Brown, Butler, Cannetto, Cohn, Leon, Flint, Gates, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Mott, Regan, Rush, Sanford, Shanahan, Strobridge, Thompson, Tyrrell, and Wright—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in, and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2068 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Brown, Bryant, Butler, Cannetti, Carr, Cohn, Flint, Gates, Gerdes, Hewitt, Jones, Juilliard, Kehoe, Mott, Sanford, Shanahan, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 957 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Butler, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Kehoe, Regan, Rush, Sanford, Shanahan, Strobridge, and Thompson—21.

NOES—None.

Title read and approved

Bill ordered transmitted to the Assembly.

[illegible] from the Council — List of Lords

My Lords, I beg to move that the following messages from the Assembly of Lords be read:

[illegible] Dec 7, 1951

My Lords, I am directed to inform your Lordships that the Assembly [illegible] and in the [illegible] Session [illegible] has also been [illegible] and revision of parts of [illegible] [illegible] [illegible] and [illegible] to [illegible] and [illegible] [illegible] [illegible]

AMENDMENT No. 3.

On page 1, strike out all of lines 11, 12 and 13.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1396?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1396 by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Brown, Butler, Caminetti, Carr, Cogswell, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Mott, Owens, Shanahan, Strobridge, and Wright—21.
NOES—None.

Senate Bill No. 1396 ordered to enrollment.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. 594

AMENDMENT No. 1.

On page 2, line 14, strike out the word "or" and the comma after the word "or", and insert in lieu thereof the following: "or a superintendent or employee in the employ of a water company; or,".

AMENDMENT No. 2.

On page 2, line 8, strike out the semicolon after the word "toll gate", and insert in lieu thereof the following: "or a superintendent or employee of a gas company;".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 594?"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 594 by the following vote:

AYES—Senators Anderson, Beban, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Juilliard, Mott, Owens, Regan, Shanahan, Strobridge, and Wright—21.
NOES—None.

Senate Bill No. 594 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bill No. 1724 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State and making an appropriation of two thousand dollars for such purpose.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell, drugs or herbs, with intent to cure or mitigate disease and providing a penalty for the violation thereof.

Amend Senate Bill No. 1041, as amended on June 1, 1981, as follows:

In the title, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 1, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 2, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

Amend Senate Bill No. 1041, as amended on June 1, 1981, as follows:

In the title, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 1, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 2, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

Amend Senate Bill No. 1041, as amended on June 1, 1981, as follows:

In the title, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 1, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 2, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

Amend Senate Bill No. 1041, as amended on June 1, 1981, as follows:

In the title, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 1, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

In the first sentence of the first paragraph of Section 2, after "Code," insert "to provide for the appointment of a Commissioner of Agriculture and Horticulture, to prescribe his powers and duties, and to provide for the appointment of certain deputies and assistants;".

Also: Refused to adopt Senate Joint Resolution No. 38. Relative to the use of Yerba Buena Island, in San Francisco Bay, as a Union railway terminal, requesting and directing the State Board of Harbor Commissioners to formulate the undertaking, and petitioning Congress to make the necessary cession thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Joint Resolution No. 35 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1748. An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as Section 349b and Section 349c, relating to false [illegible].

Also: Senate Bill No. 337. An Act to amend Section 2076 of the Political Code of the State of California, relating to the oaths of witnesses and relative to evidence by supervisors of a county when acting as a county board of equalization.

Also: Senate Bill No. 976. An Act to amend Sections 637 and 638 of the Civil Code, relating to building and loan associations.

Also: Senate Bill No. 1239. An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of the prevalence and making an appropriation therefor.

Also: Senate Bill No. 1463. An Act to amend Section 1284 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1748, 337, 976, 1239 and 1463 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1363. An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form.

Also: Senate Bill No. 1731. An Act to establish a preparatory and court school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Also: Senate Bill No. 1782. An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Also: Senate Bill No. 1213. An Act to amend Section 268 of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

Also: Senate Bill No. 813. An Act to regulate the examination of applicants for license, and the practice of those licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and to define their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine in the State of California and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Senate Bills Nos. 1363, 1731, 1782, 1213 and 813 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1283. An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco bay or the construction by the Board of State Harbor Commissioners of wharves, piers, state-owned, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco, to create a sinking fund for the payment of said bonds, to define the duties of state officers in relation thereto, to make an appropriation of five thousand dollars for the expense of creating said bonds; and to provide for the submission of this Act to a vote of the people.

Adopted.

Adopted.

Adopted.

Also: Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and declaring waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Also: Senate Bill No. 1064—An Act to amend Section 1378 of the Code of Civil Procedure of the State of California relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

THIRD READING OF BILLS—RESUMED

Senate Bill No. 1017—An Act to amend Sections 12 and 13 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option, authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1017 passed by the following vote:

AYES—Senators Anderson, Beban, Breed, Brown, Bryant, Butler, Cammetti, Carr, Cogswell, Cohn, Gates, Geddes, Hewitt, Jones, Juilliard, Mott, Owens, Regan, Rush, Shanahan, Strobridge, Thompson, and Wright—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET

On motion of Senator Butler, the consideration of Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery—was made **a special order for eleven o'clock a.m. of this day.**

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Butler, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. PRESIDENT: I am directed by Assembly Committee [illegible] that the Assembly do not [illegible] the report of the Committee on [illegible] Assembly Bill No. 1000, An Act to [illegible] emergency appropriations [illegible] and repeals, to provide for the maintenance and [illegible] thereof, to provide penalties for the violation thereof, to [illegible] the office of [illegible] and making an appropriation therefor.

C. W. [illegible], Chief Clerk of Assembly.
By [illegible], Assistant Chief.

Senate Bill No. [illegible] referred to [illegible]

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1933.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has this day [illegible] the Senate amendments to Assembly Bill No. [illegible] entitled An Act to amend Section [illegible] of the Code of Civil Procedure, relating to the [illegible] of the State of California, and to repeal Section [illegible] of the Code of Civil Procedure, relating to [illegible] and [illegible] thereof.

Also: the Assembly Bill No. [illegible] entitled An Act to amend Section [illegible] of the Penal Code, relating to the [illegible] of the Board of Prison Terms and Paroles, and to repeal Section [illegible] of the Penal Code.

Also: the Assembly Bill No. [illegible] entitled An Act to amend Section [illegible] of the Code of Civil Procedure, relating to [illegible] and to repeal Section [illegible] of the Code of Civil Procedure, relating to [illegible] and [illegible] thereof.

Also: the Assembly Bill No. [illegible] entitled An Act to amend Section [illegible] of the Penal Code of the State of California, relating to the [illegible] and [illegible] of [illegible].

Also: the Assembly Bill No. [illegible] entitled An Act to [illegible] and [illegible] [illegible] [illegible] and [illegible] [illegible] [illegible] [illegible].

Also: the Assembly Bill No. [illegible] entitled An Act to provide for the [illegible] of [illegible] [illegible] [illegible]

proper for said Stockton State Hospital, to pay the cost and expense of said commission, its clerk hire and other expenses, to purchase furniture, batteries, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical installations, poles and wires for transmitting electric current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital, and to build, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 2128—An Act to provide for the levy and collection of $4½ for the support of the state government for the years fifty-first and fifty-second fiscal years.

Also: Assembly Bill No. 2001—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

Also: Assembly Bill No. 1957—An Act to amend Section 1115 of the Political Code relating to blanks of registration.

Also: Assembly Bill No. 1820—An Act to amend Section 1204 of the Political Code of the State of California relating to the manner of voting.

Also: Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

Also: Assembly Bill No. 1907—An Act to add a new section to the Political Code to be numbered Section 1088a, relating to the signing of nomination petitions and nominating papers.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 1936—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

Also: Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code, relating to the consolidation of registrations.

Also: Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

Also: Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the marking thereof on 50 pounds packing or offering the same for sale, appointment and fixing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or part of the provisions," approved March 14, 1911.

Also: Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relative to compensation of officers of counties of the first class, their deputies and assistants.

Also: Assembly Bill No. 991—An Act to amend Section 1955 of the Political Code relating to publication of election proclamations.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendment to Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378c, relating to the transportation of offal, swill, garbage and other refuse from one county or city and county into another county and providing penalties for the same.

Also: Assembly Bill No. 1311—An Act to amend Section 1743 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Also: Assembly Bill No. 1812—An Act to provide for and regulate primary elections and providing a method for choosing the delegates to political conventions to state conventions and for nominations of candidates of Presidential and Vice Presidential electors of the United States and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the "Direct Primary Law."

[illegible]

S. [illegible]

[illegible]

Mr. [illegible]

[illegible]

S. [illegible]

[illegible]

Mr. [illegible]

[illegible]

S. [illegible]

[illegible]

Mr. [illegible]

[illegible]

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Constitutional Amendment No. 19. A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

Also: To Assembly Bill No. 1539—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to benefit assessments.

Also: To Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

L. B. MALLORY, Chief Clerk of Assembly.
By THOMAS G. WALKER, Assistant Clerk.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the department of engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the State, and improving the navigability of such streams and the adjoining land for necessary rights of way.

Also: Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the homestead homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Also: Senate Bill No. 46—An Act to establish a state training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8, and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and postponing the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Also: Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such trees, etc., are to be set.

Also: Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California relating to the county in which all proceedings under title VII of part III of the Code of Civil Procedure may be commenced and tried.

Also: Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465, and 3480, of the Political Code of the State of California, relating to reclamation districts and the assessment and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Also: Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Also: Committee Substitute for Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 21, 22, 23, and adding thereto two new sections to be numbered 23a and 24a, all relating to revenue and taxation.

Also: Senate Bill No. 466—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant,

situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

Also: Senate Bill No. 1216—An Act to amend Section 4239 of the Penal Code of the State of California, relating to officers and salaries, fees and commutation thereof, in counties of the fourth class.

Also: Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or representation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 14, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Also: Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meeks Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe, to McKinneys.

Also: Senate Bill No. 258—An Act to provide for the erection of a memorial monument to Abraham Lincoln, providing a commission therefor and providing an appropriation to carry this Act into effect.

Also: Conference Substitute for Senate Bill No. 1299—An Act relating to real estate brokers in the State of California, creating a board to be known as the state advisory board, providing for the appointment of its members, prescribing their powers and duties, fixing their term of office, creating a state advisory fund; and providing for its collection and expenditure.

Also: Senate Bill No. 530—An Act to give effect to State and for blind wards in certain institutions, and making an appropriation therefor.

Also: Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Also: Senate Bill No. 1586—An Act to amend Section 529 of the Political Code relating to printing.

Also: Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Also: Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of California, to be numbered 1097a, relating to elections and the registration of voters.

Also: Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1871, relating to the testimony of expert witnesses.

Also: Senate Bill No. 987—An Act to amend Section 535 of the Political Code.

Also: Senate Bill No. 666—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Also: Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the dissolution or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Also: Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

Also: Senate Bill No. 143—An Act making an appropriation to repay to L. H. Boggs, moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Also: Senate Bill No. 262—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States.

Also: Senate Bill No. 258—An Act in relation to fences and other structures erected to annoy, and for the abatement of nuisances.

Also: Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California relating to actions brought by the State Commissioner in Lunacy.

Also: Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California.

Also: Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California relating to the regulation of loading and unloading of vessels, to be known as and numbered 368a, of said code.

And reports that the same have been correctly enrolled and presented the same to the Governor on this twenty-first day of May, 1913, at ten o'clock and thirty minutes a.m.

GRANT, Chairman.

RECESS

At ten o'clock and fifty-five minutes a.m., on motion of Senator Wright, the acting President declared the Senate stood at recess until eleven o'clock p.m.

MORNING.

At eleven o'clock a.m., the Senate reconvened.

Hon. A. E. Boynton, President pro tem of the Senate, in the chair.

COMMUNICATION OF SENATE BILL

Assembly Bill No. 1021, "An Act to amend section 4 of an Act entitled, 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners to the control of said regulation,' approved March 14, 1907, as amended by a certain Act approved March 10, 1939, as amended by a certain Act approved May 3, 1943, and amendment relating to requirements of colleges and applicants to practice medicine and surgery.

Read third time.

The question being on the passage of the bill.

The roll was called and favorably acted on, said passage by the following vote:

AYES—Senators Baker, Brott, Burns, Dilweg, Dutton, Finn, Gates, Hatfield, Lelo, and Stanley—10.

NOES—Senators Anderson, Brown, Fitzgerald, Hoover, Chesney, Carr, Cline, Cowan, Flint, Howell, Jones, Jutland, Mott, Owens, Seawright, Thompson, and Wright—17.

RESOLUTIONS.

The following resolutions were introduced:

By Committee on Contingent Expenses:

Resolved, That Warren R. Penn be and he is hereby allowed the sum of $10.00 (fifteen dollars) payable out of the Contingent Fund of the Senate, for services rendered, traveling expenses and mileage in re Senate Bill No. 9, and the Controller of said fund is directed to draw his warrant upon the proper fund or funds of the foregoing amount payable for the aforesaid act, signed by the Senate President Pro Tempore and the Chief Clerk of the Senate.

ADOPTION, Chesney.
4/12/43

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Brown, Burns, Dilweg, Fitzgerald, Hoover, Howell, Jones, Baker, Carr, Chesney, Cline, Flint, Gates, Hatfield, Lelo, Stanley, Jutland, Mott, Owens, Right, Seawright, Thompson, and Wright—28.

NOES—None.

By Senator Boynton:

Resolved, That the report of the joint committee appointed in accordance with Senate Concurrent Resolution No. 10, as such report appears in the Senate Daily Journal of May 10, 1943, be and the same is hereby adopted, and the Secretary of the Senate is hereby instructed to deliver a certified copy of said report and of this resolution to the Attorney General of the State of California.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Boynton, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Mott, Owens, Rush, Strobridge, Thompson, and Wright—24.
NOES—None.

By Committee on Contingent Expenses:

Resolved, That C. J. Sykes be, and he is hereby, allowed the sum of fifty-seven dollars, payable out of the Contingent Fund of the Senate, for services rendered in the capacity of porter, and the Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of the foregoing named person for the amount set opposite his name, and the State Treasurer is hereby directed to pay the same.

GERDES, Chairman.
KEHOE.

The question being on the adoption of the resolution.
The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Carr, Cohn, Finn, Gates, Gerdes, Grant, Jones, Juilliard, Mott, Owens, Rush, Strobridge, and Thompson—21.
NOES—None.

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of W. N. Parrish, Secretary, and the State Controller is hereby directed to pay the same for the sum of one hundred and sixty-two dollars and twenty-eight cents ($162.28), said amount being for the payment of the following bills attached:

Wells Fargo & Company	$8 68
Postal Telegraph-Cable Company	153 60
	$162 28

GERDES, Chairman.
SHANAHAN.
KEHOE.

The question being on the adoption of the resolution.
The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Bryant, Butler, Caminetti, Carr, Cohn, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Owens, Strobridge, and Thompson—23.
NOES—None.

Also:

WHEREAS, The Sergeant-at-Arms of the Senate has submitted to the Senate Committee on Contingent Expenses the various accounts set out herein below for articles purchased for the use of the Senate, and the committee has examined the accounts and found them correct; therefore, be it

Resolved, That the State Controller be, and is hereby, directed to draw separate warrants for the various sums set out herein below in favor of the Sergeant-at-Arms of the Senate, the bills for which are attached hereto, upon the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same:

Capital Box Company	$53 50
Auto hire, D. F. Leetch	52 00
Auto hire, Bradley Carriage, Auto Livery and Taxicab Company	75 10
Expenses, May 11th, food, etc.	78 70
Incidental expenses, fortieth session, Sergeant-at-Arms	16 10
	$275 40
Globe Express Company	1 90
	$277 30

GERDES, Chairman.
KEHOE.
SHANAHAN.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Bates, Benson, Bissell, Boyd, Brown, Bryant, Burke, Chambers, Cole, Cone, Cox, Dale, Dunn, Fowler, Green, Gwinn, Lewis, Lyon, Pettijohn, Rice, Sutton, Swift, Symington and Thompson—24.

Nays—None.

Also;

Resolved, That the Secretary of the Senate be and he is hereby directed to have printing and binding of the Senate Journal for the present session of the Legislature, and that he be and he is hereby authorized to contract with the lowest responsible bidder for the

Also:

Resolved, That [illegible] out of the Contingent Fund of the Sen[illegible] one hundred seventy dollars, or so much thereof as may be needed, for [illegible] purchase of [illegible] and [illegible] for the use of [illegible] belonging to Senators or their guests [illegible] the close of [illegible] session. The Sergeant-at-Arms of the Senate shall cause this work to be done and shall deal with the Controller of the State regarding securing the different [illegible] expenses, whereupon the Controller shall draw his warrant in favor of the Sergeant-at-Arms for the amount necessary to be expended and the Controller is hereby directed to pay the same.

GERDES, Chairman
KEHOE
SHANAHAN.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belcher, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Cobb, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Owens, Rush, Strobridge, Thompson, and Wright—22.

NOES—None.

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of W. N. Parrish, Secretary, for the sum of $357.00 (three hundred and fifty-seven dollars) out of the Contingent Fund of the Senate, and the State Treasurer is hereby directed to pay the same, being in payment of the following bill for rent of typewriting machines during the fortieth session:

The Wholesale Typewriter Company—

Rent of 20 typewriters for 4 months at $3 each per month	$348 00
Rent of 1 typewriter for 1 month at $3 per month	3 00
Rent of 1 typewriter for 2 months at $3 per month	6 00
	$357 00

GERDES, Chairman
KEHOE.
SHANAHAN.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belcher, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Carr, Cobb, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Owens, Rush, Thompson, and Wright—24.

NOES—None.

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of W. N. Parrish, Secretary, and the State Treasurer is hereby directed to pay the same for the sum of four hundred and [illegible] dollars and forty cents ($414.69), said amount being for the payment of the following [illegible]:

Sacramento Electric Mill and Furniture Company	$375 00
The Pacific Telephone and Telegraph Company	39 69
	$414 69

GERDES, Chairman
KEHOE
SHANAHAN.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Belcher, Benson, Birdsall, Breed, Brown, Butler, Caminetti, Carr, Cobb, Finn, Flint, Gates, Gerdes, Grant, Hewitt, Jones, Juilliard, Mott, Owens, Rush, Strobridge, Thompson, and Wright—25.

NOES—None.

By Senator [illegible]:

[illegible] That the Secretary of the Senate be instructed to [illegible] a copy of the [illegible] of the Senate in relation to the [illegible] of the Senate, and the [illegible] of the Senate, and the [illegible] of the Senate, and

[illegible]

Resolution read and adopted.

By Senator Chadwick:

Resolved, That upon the conclusion of the reading of the Journal of the Senate of May 18th, 1911, immediately following the reading of the Journal of the Senate of May 19th, 1911, the President of the Senate shall declare a recess of the Senate, and that thereupon the Senate shall proceed in a body to the Assembly Chamber to receive the address and to hear the address of the Honorable Joseph Choate, and that thereupon the Senate shall return to the Senate Chamber.

Resolution read and adopted.

MESSAGE FROM THE ASSEMBLY.

A message in writing from the Assembly, by Mr. Thompson, Clerk, was delivered to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE CHAMBER, ALBANY, May 18, 1911.

To the Senate:

I am directed to inform your honorable body that the Assembly on this day concurred in the passage of Senate Int. No. 1280—Pr. No. 1418, entitled "An act to add a new section to the Civil Code of California, to be known as Section 1214a, relating to the duties of jurors and compensation in misdemeanor actions and to fix the fees of witnesses."

Also, the Assembly has this date passed Senate Int. No. 1281—Pr. No. 1419, entitled "An act to amend Section 1214 of the Political Code of the State of California, relating to the compensation of grand jurors."

Also, Assembly Int. No. 1282—Pr. No. 1420, entitled "An act to amend Section 1217, 1218, 1219, 1220, 1221 and 1222 of the Political Code of the State of California, relating to the fees, duties and duties of the Board of Supervisors."

Also, Assembly Int. No. 1283—Pr. No. 1421, entitled "An act to amend Section 1213 of the Political Code of the State of California, relating to the compensation of jurors."

Also, Assembly Int. No. 1284—Pr. No. 1422, entitled "An act to amend Section 1214 of the Political Code of the State of California, relating to the compensation of jurors."

Also, Assembly Int. No. 1285—Pr. No. 1423, entitled "An act to amend Section 1215 of the Political Code of the State of California, relating to the compensation of jurors."

Also, Assembly Int. No.

Also: Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code relating to the admission of pupils from other states to the normal schools of this State.

Also: Senate Bill No. 1125—An Act to amend Sections 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Also: Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having an organization of the National Guard located therein, creating a commission therefor, providing for appropriation by the State, and appropriating the sum of fifty thousand dollars therefor.

Also: Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 16 and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property thereon to pay the expense of such improvement," approved March 24, 1903, and to add two new sections to said Act to be numbered Sections 26*a* and 33*a*, relating to reassessments and the form of certain notices, resolutions, orders and determinations.

Also: Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

Also: Senate Bill No. 141—An Act to amend Sections 3, 5*b*, 7, 9, 27, and 66 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, and adding a new section thereto, to be numbered 82*a* relating to reassessment by a court of competent jurisdiction.

Also: Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Also: Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3938 of the Political Code, relating to the county boundary between Tuolumne and Mariposa counties.

Also: Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 532*a*, relating to secret societies, fraternal societies, orders, or organizations.

Also: Senate Bill No. 870—An Act to amend Sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Also: Senate Bill No. 1460—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604*a*, providing for the formation of religious corporations.

Also: Senate Bill No. 810—An Act to amend Section 499*a* of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances and providing a punishment therefor.

Also: Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248*b*, 1248*c*, and 1248*d*, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of referees and exceptions thereto, to the hearing thereof, and to judgments in such proceedings.

Also: Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignment of or orders for wages or salaries.

Also: Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Also: Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof.

Also: Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation, and twisting, and providing a penalty for a violation thereof.

Also: Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Also: Committee Substitute for Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

Also: Committee Substitute for Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts

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equaled in our State, the Legislature and the legislators have been attacked. To-day your answer and that of the administration of California is given to the organized conspiracy of detraction that for the past four months has been endeavoring to poison our people. Today there is presented to California a record of accomplishment by this Legislature which if accomplished in any other state in a decade would be a matter of wonder and pride. A repetition of something of that which you have done is at once your answer to the "special interest" press of the State, your justification to your constituents and your lasting monument as legislators.

You have presented to the people:

1. A comprehensive Workmen's Compensation Act, which embodies the philosophy of humanity that has now taken such deep root in the nation, and under which, without injustice to employers, those who are least able to bear the burden of injury may be fairly compensated. By the insurance clauses of this Act, the cost of the care of the maimed and the injured will rest lightly.

2. The minimum wage law enables us, after appropriate investigation, to give a living wage to those who most require it.

3. You have added to the existing Act providing for orphans and half-orphans so that by co-operation with the counties the State may provide an adequate mother's pension.

4. You have anticipated the problem which will come to us with the opening of the Panama Canal in increased immigration, and, by an immigration law that has met the approval of all familiar with the subject, have afforded us the means to meet that problem and wisely solve it, and to care for those who soon shall come among us, and to prevent their congestion in the centers of population.

5. You have passed many Acts improving the sanitary conditions of those who are compelled to labor, and provided for their safety, their health and their well-being. Space will not permit the enumeration specifically of all of the Acts of this character, but their design is in the line of enlightened legislation, which no longer can be denied.

6. The attempt has been made to conserve the water and the water power of the State in the water commission bill.

7. Henceforth merit alone in the civil service you have preserved by the civil service bill.

8. Investors have been protected and legitimate enterprises fostered by the enactment of a blue sky law.

9. By various Acts you have endeavored to preserve common honesty in weights and in measures, and to require that those who sell shall honestly deliver what they represent they sell.

10. Elections for county officials are taken, so far as law may take them, from the domain of politics, and hereafter, if the design of the bills you have enacted can be carried out, county elections will be non partisan in character.

11. By an appropriation of half a million dollars you have carried out the mandate of our people in reference to free text-books and provided for the distribution of text-books to the pupils of the State free of cost.

12. The abatement and injunction bill is the endeavor of the legislative authority of the State in earnest to suppress the evil at which it is aimed, and it transfers the burden of the social evil from woman to property.

13. You have endeavored to reorganize the State Board of Education, finally, with due and adequate attention to the elementary schools of the State.

14. By various Acts you have sought to ameliorate the conditions of the children who are compelled by dire necessity to toil, or who require the protection of the State. I can not within limited space describe all of the Acts in this regard, but they go forward in behalf of those who most need our nurturing care and protection.

15. You have sanctioned the investigation of the system of rural credits in vogue in European countries and have provided the means for that investigation, so that, if desirable, it may be applied to our State for the benefit of our farmers.

16. By appropriations commensurate with the needs you have made the great University of California the laboratory for all the people. In enlarging the University Farm, enabling the best talent to be obtained and giving the means necessary for the tremendously practical work that is contemplated, you have at last placed the University of California close to the soil of the State, and have conferred invaluable benefits upon the farmers and horticulturists of the State.

Of course, a great constructive work can not be done without great cost. To provide and distribute free text-books will require more than half a million dollars; to put the workmen's compensation law into effective operation means the expenditure of some hundreds of thousands; to erect another hospital for the insane in the south that is considered absolutely essential to the orderly conduct of the State's public affairs there, requires a sum over a million of money. In these three items expenditures run over two million dollars, but all are essential, and the expenditures will readily be acquiesced in by all patriotic citizens.

I have not attempted to set forth a tithe of that which this Legislature has done. Some only of the more important measures in this portray do I call to your attention. If these measures be "freak measures," and those who have enacted them be "freaks," we may well bear all the odium that may come from the application of that

vote. With the exception of "Ayes" and "Noes" no other words than the name of the Senator voting and the word "Excused" shall be recorded.

Sec. 2. This act shall take effect immediately.

WILLIAM M. JOHNSON, Secretary.

INTRODUCTION OF BILLS

Introduction of bills was resumed.

Senator Wright introduced Senate Bill No. 1, which was read by title, and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

The following report of standing committee was received and read:

ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

Mr. President: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 10, a resolution proposing to the people of the State of California an amendment to Section 19 of Article XI of the Constitution of the State of California, relating to the separation of public utilities for assessment purposes, and recommend that the same has been correctly engrossed and recommend the same be filed with the Secretary of State on this twelfth day of May, 1911, as now printed and duly enrolled.

LEWIS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

Mr. President: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 240, an Act to amend Section 539 of the Code of Civil Procedure relating to the issue of commanding certain persons.

Also: Senate Bill No. 241, an Act to amend Section 1274 of the Code of Civil Procedure of the State of California relating to conciliation Court.

Also: Senate Bill No. 1200, an Act to amend an Act entitled "An Act to provide for the appointment and government of indigent children, and to provide for the expenditure of money therefor, and to provide for the punishment of cruelty to indigent children, and also to provide for the punishment of neglect and indigent parents," approved March 17, 1903, as amending Section 14 thereof, relating to the maintenance of indigent insane and chronic.

Also: Senate Bill No. 1201, an Act prohibiting peace officers from the commission of the contract publications, including city books, and the holding of certain local offices and certain peace and the fixing and prescribing for the holding school, and maintaining same, and the Penal Code Relating Thereto.

Also: Senate Bill No. 1202, an Act to amend Section 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of an Act to provide for the protection of unemployed, and for the public work on public improvements pursuant to contracts, and for the establishment of wages, hours thereof, and the enforcement of provisions thereof, by, and the payment of prevailing rates, and the enforcement of penalties for the violation of said Act, and to add a new section thereto, to be numbered 13, relating to the payment of prevailing rates and penalties.

Also: Senate Bill No. 1203, an Act to amend Section 1 of an Act entitled an Act to provide for the appointment of Notaries Public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith, approved March 23, 1911.

Also: Senate Bill No. 1204, an Act to amend Section 1067 of the Political Code of the State of California, so as to define more accurately the boundaries of those portions of the county described in Section 3 County Government Act, and to repeal said Section 1067.

Also: Senate Bill No. 1205, an Act to amend Section 700 of the Political Code relating to the examination of insurance companies and to the duties of the insurance commissioner.

Also: Senate Bill No. 1206, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1207, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1208, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1209, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1210, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1211, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1212, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1213, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1214, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1215, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1216, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1217, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1218, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1219, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1220, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1221, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1222, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1223, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1224, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1225, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1226, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1227, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1228, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1229, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1230, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1231, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1232, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1233, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1234, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1235, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1236, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1237, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1238, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1239, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1240, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1241, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1242, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1243, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1244, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1245, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1246, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1247, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1248, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1249, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1250, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1251, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1252, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1253, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1254, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1255, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1256, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1257, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1258, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1259, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1260, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1261, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1262, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1263, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1264, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1265, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1266, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1267, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1268, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1269, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1270, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1271, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1272, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1273, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1274, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1275, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1276, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1277, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1278, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1279, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1280, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1281, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1282, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1283, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1284, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1285, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1286, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1287, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1288, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1289, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1290, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1291, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1292, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1293, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1294, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1295, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1296, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1297, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1298, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1299, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1300, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1301, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1302, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1303, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1304, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1305, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1306, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1307, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1308, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1309, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1310, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1311, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1312, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1313, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1314, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1315, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1316, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1317, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1318, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1319, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1320, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1321, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1322, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1323, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1324, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1325, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1326, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1327, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1328, an Act to amend Section 1 of an Act entitled "An Act to provide for the appointment of notaries public in the several counties and cities and counties of the State, and to prescribe their duties, powers and qualifications, and to repeal all Acts and parts of Acts inconsistent herewith," approved March 23, 1911.

Also: Senate Bill No. 1329, an Act to amend

Also: Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Also: Senate Bill No. 155—An Act to amend section 531 of the Political Code relating to the duties of the Superintendent of State Printing.

Also: Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

Also: Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California relating to what must appear before property can be taken under Title VII or Part III of the Code of Civil Procedure.

Also: Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home of convicts in the state prisons, and of idiots, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children and of convicts in the state prisons," approved April 26, 1909.

Also: Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

Also: Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII, of Title II, of Part IV, of Division First, of said Civil Code, relating to mortgage insurance companies.

Also: Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized.

Also: Senate Bill No. 747—An Act to amend Section 667 of the Penal Code of the State of California.

Also: Senate Bill No. 788—An Act to provide for the indicating of the net quantity of food stuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Also: Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II of Title II of Part IV, of Division First of said Civil Code, and to amend Sections 421 and 429, of said Civil Code, and to repeal Section 432 of said Civil Code forming part of said Chapter II, and to add to said Civil Code a new chapter to be known as Chapter VII, of Title II, of Part VI, of Division First of said Civil Code relating to title insurance companies.

Also: Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of State prisons.

Also: Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Also: Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Also: Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Also: Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Also: Senate Bill No. 346—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed, and providing a penalty for the violation thereof.

Also: Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California relating to appeals to Superior Courts.

Also: Senate Bill No. 389—An Act to amend an Act entitled, "An Act to regulate the building and occupancy of tenement houses in incorporated towns, unincorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled, 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, unincorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

Sen. Senate Constitutional Amendment No. 14—A constitutional amendment to add Section 22 to Article XX, relating to the Commission on the Status of Women.

Sen. Senate Joint Resolution No. 24—Relative to the Commission on the Status of Women.

Sen. Senate Bill No. 1—An act to amend Section 1048 of the Penal Code, relating to criminal procedure.

Sen. Senate Bill No. 2—An act to amend Section 1048 of the Political Code of the State of California, relating to the assistant chief of division, and acts of a chief deputy.

Sen. Senate Bill No. 3—An act to appropriate funds to be loaned and paid to municipalities which participate in the work program now existing under the Act of the 1971 Regular Session of the Legislature of said municipalities having taken the approval of said municipalities having taken the approval of the Director of Industrial Relations.

Sen. Senate Bill No. 4—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 5—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 6—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 7—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 8—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 9—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 10—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 11—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 12—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 13—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 14—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 15—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 16—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 17—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 18—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 19—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 20—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 21—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 22—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 23—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 24—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 25—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 26—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 27—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 28—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 29—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 30—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 31—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 32—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 33—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 34—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 35—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 36—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 37—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 38—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 39—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 40—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 41—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 42—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 43—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 44—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 45—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 46—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

Sen. Senate Bill No. 47—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

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Sen. Senate Bill No. 100—An act to amend Section 1048 of the Penal Code of the State of California, relating to the duties of the Attorney General, and to provide that the Attorney General shall assist in the prosecution of certain felonies committed by persons while confined in correctional facilities.

operate and extend public drydocks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Also: Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto Title *Va*, Part III, relating to the support of bastards, and proceedings therefor.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, approved May 1, 1911," by adding a new section thereto to be known as Section 14*a*.

Also: Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8, and 9 thereof, and by adding a new section thereto to be known as Section 9*a* thereof relating to the consolidation of other county and municipal offices in counties organized under a charter framed under the provisions of Section 7½ of Article XI of the Constitution.

Also: Senate Joint Resolution No. 18—Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California, for investigations and surveys by the California Débris Commission under the provisions of an Act of Congress, approved March 1, 1893, to aid in the preparation and making of a report on a project for the relief from floods in the San Joaquin Valley and the delta of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

Also: Senate Joint Resolution No. 34—Relative to the amendment of the postal laws of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

Also: Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

Also: Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

Also: Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the reports of referees.

Also: Senate Bill No. 256—An Act to amend Section 751¼ of the Political Code of the State of California, relating to the salary of the stenographer of the Supreme Court.

Also: Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Also: Committee Substitute for Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered Sections 1625, 1626, 1627, 1628, 1629 and 1630, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

Also: Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Also: Senate Bill No. 591—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 149, relating to the creating of a lien during the pendency of actions for divorce by filing a notice of *lis pendens*, and providing methods for the release thereof.

Also: Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Also: Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to amend an Act entitled, "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners," approved March 23, 1893.

Also: Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Also: Senate Bill No. 704—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

Also: Senate Bill No. 358—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

AN ACT [H. B. 1067.] AN ACT appropriating and authorizing the payment of the Governor of Colorado to purchase certain books, which may have value for the use of said University.

AN ACT [H. B. 1068.] TO AMEND SECTION 1372 OF THE CIVIL CODE OF THE STATE OF COLORADO, RELATIVE TO HOMESTEAD RIGHTS.

AN ACT [H. B. 1069.] TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE SALE OF SECURITIES, PROVIDING FOR THE REGISTRATION OF DEALERS IN SECURITIES AND FOR THE ESTABLISHMENT OF CERTAIN OFFENSES," APPROVED MARCH 30, 1907, TO DEFINE CERTAIN TERMS AND PROVIDE FOR THE REGISTRATION OF SALESMEN.

AN ACT [H. B. 1070.] TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE PROTECTION OF GAME AND FISH IN THE STATE OF COLORADO, AND PROVIDING FOR THE ENFORCEMENT OF SAID PROVISIONS, AND PROVIDING FOR THE PUNISHMENT OF VIOLATIONS THEREOF," APPROVED APRIL 17, 1903, TO DEFINE CERTAIN TERMS USED IN SAID ACT, AND PROVIDING FOR THE ISSUANCE AND PURCHASE OF NON-RESIDENT HUNTERS' LICENSES, AND PROVIDING FOR THE DISPOSITION OF MONEY RECEIVED FROM THE SALE OF SUCH LICENSES, AND PROVIDING FOR THE PURCHASE AND DISTRIBUTION OF GAME BIRDS AND ANIMALS, AND PROVIDING FOR THE PURCHASE AND DISTRIBUTION OF FISH, AND PROVIDING FOR THE PROTECTION OF GAME AND FISH, AND PROVIDING FOR THE ISSUANCE OF PERMITS TO TAKE GAME AND FISH FOR SCIENTIFIC PURPOSES, AND PROVIDING FOR THE PROTECTION OF GAME AND FISH IN THE PUBLIC WATERS OF THE STATE, AND PROVIDING FOR THE APPOINTMENT OF DEPUTY GAME AND FISH WARDENS, AND PROVIDING FOR THE PAYMENT OF SALARIES AND EXPENSES OF SAID DEPUTIES, AND PROVIDING FOR THE DISPOSITION OF FINES COLLECTED FOR VIOLATIONS OF SAID ACT, AND PROVIDING FOR THE PAYMENT OF SALARIES AND EXPENSES OF THE GAME AND FISH COMMISSIONER, AND PROVIDING FOR THE PAYMENT OF SALARIES AND EXPENSES OF THE ASSISTANT GAME AND FISH COMMISSIONER, AND PROVIDING FOR THE PAYMENT OF SALARIES AND EXPENSES OF THE CLERK OF THE GAME AND FISH COMMISSION, AND PROVIDING FOR THE PAYMENT OF SALARIES AND EXPENSES OF THE GAME AND FISH WARDENS, AND PROVIDING FOR THE PAYMENT OF SALARIES AND EXPENSES OF THE DEPUTY GAME AND FISH WARDENS

tion of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885," to repeal Sections 13 and 24 of said Act; also to amend Sections 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also to amend Section 21½ of said Act as added thereto by said Act approved March 20, 1903; and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907; all relating to the Board of Dental Examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909.

Also: Senate Bill No. 395—An Act to amend Section 4085½ of the Political Code of the State of California, authorizing the boards of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

Also: Senate Bill No. 1757—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California and to add four new sections thereto, to be numbered 1334, 1335, 1336 and 1337, relating to the election of Senators in Congress, and to repeal an Act entitled "An Act providing for placing the names of candidates for United States Senator in Congress upon the official ballot at general elections, for counting, canvassing and making returns of the votes therefor, providing the method of notifying the Legislature of the results of such election, and defining the duties of certain officers in relation thereto," approved April 7, 1911.

Also: Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Also: Senate Bill No. 291—An Act to amend Sections 276, 277, and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counselors at law, and to add three sections to said code, to be known as Sections 276*a*, 276*b*, and 276*c*, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

Also: Senate Bill No. 983—An Act to amend Section 103 of the Code of Civil Procedure, relating to justices of the peace.

Also: Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

Also: Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Also: Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Also: Senate Bill No. 337—An Act to amend Section 3676 of the Political Code of the State of California, relating to the subpœna of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Also: Senate Bill No. 1748—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349*b* and Section 349*c*, relating to labor unions.

And report that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1913, at ten o'clock and thirty minutes a.m.

GRANT, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Senator Grant:

Resolved, That the State Printer be and he is hereby instructed to print, in addition to the number required by law, five thousand (5,000) copies of Senate Bill No. 389, in chapter form, together with an index and marginal index prepared by the author of the bill, submitted herewith.

This bill is commonly known as the State Tenement House Act, and is not only a health regulation, but is also a building code, and there is a great demand for the bill. The bills when printed shall be delivered by the State Printer to the State Board of Health for distribution by it to the various cities throughout the State affected by the Act, there being more than one hundred such cities, thirty of which have populations of 5,000 or more.

Resolution read and adopted.

Also:

Resolved, That the Senate Finance bill shall be heard at ascertained and announced by order to Senator Senate Rule, Assembly Judiciary, Senate Rule, Assembly Judiciary, Senate Rule, Assembly Judiciary,

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 1385—An Act relating to fire insurance companies doing business in the State of California, and to whom was also referred Senate Bill No. 1477—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts.

Also: Senate Bill No. 1477—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts.

Also: Senate Bill No. 1677—An Act to amend Section 426 of the Civil Code of the State of California, relating to fire, tornado, and fire insurance companies.

Also: Senate Bill No. 1678—An Act to amend Section 440 of the Civil Code of the State of California, relating to marine, life, health, and accident insurance companies.

Also: Senate Bill No. 1679—An Act to amend Section 452a of the Civil Code of the State of California, relating to marine insurance and the same.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BRYANT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 1686—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amount of policies or certificates of insurance issued payable to

Also: Senate Bill No. 1708—An Act to amend an Act entitled "An Act to establish a standard form of fire insurance policy and to prescribe conditions therefor, exempting the policy certain stated conditions and restrictions," approved March 18, 1909, by adding thereto a new section, to be known as Section 12½.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BRYANT, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1101—An Act relating to the compensation of injured workmen and the compensation to their dependents where such injuries result in death, creating an industrial commission, defining workmen and employments coming under the provisions of this act, providing for the creation of an industrial accident fund, providing for the payment of compensation for injuries and death, providing for the collection of contributions to said fund, providing for the creation of an industrial accident board, defining its powers and duties, providing for the appointment of referees, prescribing their powers and duties, providing for the appointment of physicians

Adm. Senate Bill No. 871—An Act to amend Section 30 of an Act entitled "An Act relating to the duties of executive officers in their relations to local governmental agencies, the compensation for the additional services of supervisors, county auditors and assessors, county boards, county and municipal officers, and the powers and practices of a county civil service board," approved March 23, 1911.

Does not involve money appropriation, and respectfully report the same back without recommendation.

[1/10] Chairman.

Adm.

Assembly Chamber, Sacramento, May 13, 1943.

Mr. President: Your Committee on Rules and Printing to whom was referred Senate Bill No. 1040, An Act to amend Section 12 of an Act entitled "An Act relating to the duties of executive officers in their relations to local governmental agencies, the compensation for the additional services of supervisors, county auditors and assessors, county boards, county and municipal officers, and the powers and practices of a county civil service board," approved March 23, 1911, and Acts supplementary thereof.

Does not involve money appropriation, and respectfully report the same back without recommendation.

[1/10] Chairman.

Adm.

Assembly Chamber, Sacramento, May 13, 1943.

Mr. President: Your Committee on Rules and Printing to whom was referred Senate Bill No. 1470, An Act to amend Section 12 of an Act entitled "An Act relating to the duties of executive officers in their relations to local governmental agencies, the compensation for the additional services of supervisors, county auditors and assessors, county boards, county and municipal officers, and the powers and practices of a county civil service board," approved March 23, 1911, and Acts supplementary thereof.

Does not involve money appropriation, and respectfully report the same back without recommendation.

[1/10] Chairman.

Adm.

Assembly Chamber, Sacramento, May 13, 1943.

Mr. President: Your Committee on Rules and Printing to whom was referred Senate Bill No. 1479, An Act to amend Section 12 of an Act entitled "An Act relating to the duties of executive officers in their relations to local governmental agencies, the compensation for the additional services of supervisors, county auditors and assessors, county boards, county and municipal officers, and the powers and practices of a county civil service board," approved March 23, 1911, and Acts supplementary thereof.

Does not involve money appropriation, and respectfully report the same back without recommendation.

[1/10] Chairman.

Adm.

Assembly Chamber, Sacramento, May 13, 1943.

Mr. President: Your Committee on Rules and Printing to whom was referred Senate Bill No. 1480, An Act to amend Section 12 of an Act entitled "An Act relating to the duties of executive officers in their relations to local governmental agencies, the compensation for the additional services of supervisors, county auditors and assessors, county boards, county and municipal officers, and the powers and practices of a county civil service board," approved March 23, 1911, and Acts supplementary thereof.

Does not involve money appropriation, and respectfully report the same back without recommendation.

[1/10] Chairman.

fornia, providing for the protection of employees on buildings and of an Act to establish and support the bureau of labor statistics, approved March 3, 1883, and the several Acts amendatory, to provide for all scaffolding and staging swung or suspended from an overhead support on any house, building or structure more than twenty feet in height from the ground or floor.

Also: Senate Bill No. 135—An Act authorizing and directing the Commissioner of the Bureau of Labor Statistics to appoint an assistant deputy to perform the duties imposed upon said commissioner under Section 12 of an Act entitled "An Act to establish and support the bureau of labor statistics," approved March 3, 1883, and the several Acts amendatory thereof; prescribing his duties; providing for his compensation, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, without recommendation.

LYON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1281—An Act to amend an Act entitled "An Act relating to the liability of employers for injuries or death sustained by their employees, providing for the compensation for the accidental injury of employees, establishing an industrial accident board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911.

Also: Senate Bill No. 1306—An Act relating to the liability of employers for injuries or death sustained by their employees, providing for compensation for accidental injury of employees, establishing an industrial accident board, making an appropriation therefor, defining its powers, providing for a review of its awards and providing for the collection, administration and disbursement by the Insurance Commissioner of an accident fund.

Also: Senate Bill No. 1314—An Act to amend Sections 1 and 7 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto, to be numbered 3½, relating to the duties and powers of the commissioner and his appointees.

Also: Senate Bill No. 1382—An Act to regulate the wages paid to minors, providing for a minimum rate of wages, and prescribing penalties for violations thereof.

Have had the same under consideration, and respectfully report the same back, without recommendation.

LYON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 298—An Act to provide for the appointment of policemen to serve upon the premises, cars or boats of railroads and steamship companies, prescribing their qualifications for appointment, and powers of such policemen, and a penalty for the violation of their authority.

Also: Assembly Bill No. 88—An Act to amend Section 1 of an Act entitled "An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this State," approved March 23, 1901, relating to the employment of citizens of the United States.

Also: Assembly Bill No. 1656—An Act to amend Sections 4 and 11 of an Act entitled "An Act to regulate and license the conducting and operating of employment agencies, and to provide a revenue therefrom, for the enforcement of the provisions of this Act and other Acts relating to employment agents and employment agencies," approved March 6, 1909.

Have had the same under consideration, and respectfully report the same back, without recommendation.

LYON, Chairman.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Bill No. 253—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title to said Act and by amending Sections 1, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes; and to add a new section to be known as Section 1104.

Also: Senate Bill No. 606—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said

resolutions and the several State offices of economic opportunity, providing for the coordination of the tasks with such organizations; providing that nothing herein shall take away powers of counties and of the Bolton Water Conservation District; providing for the review of all policies recommended and programs undertaken hereunder; providing for appropriations and for the payment of expenses; providing for the adoption of rules and regulations; providing that nothing herein shall be construed as authorizing the pledging of the credit of the State or any political subdivision thereof; providing for the issuance of State bonds to implement water conservation and development projects; providing for the issuance of State bonds and refunding bonds; providing for the payment of bonds; providing for the disposition of the proceeds of the sale of bonds; providing that the provisions of this Act shall be liberally construed; providing that the provisions of this Act shall be severable; providing that the powers granted by this Act shall be in addition to all other powers; providing that this Act shall take effect immediately; declaring an emergency; providing that this Act shall not become effective unless certain conditions are met; providing for the submission of this Act to the electors of the State of California at the general election to be held on November 3, 1970; providing for the manner of voting for or against this Act; providing for the canvass of the returns of such election; providing for the proclamation of the Governor of the vote cast for or against this Act; providing that this Act shall become operative only if a majority of the votes cast at such election are cast in favor of this Act; providing that this Act shall become operative only if the Legislature shall have appropriated the sum of $1,000,000 to the Department of Water Resources for the purpose of carrying out the provisions

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Bill No. 1338—An Act to authorize the State of California to issue its bonds and to exchange the same for bonds of irrigation districts, reclamation districts and drainage districts, and providing ways and means, exclusive of loans, for the payment of the interest on said state bonds as it falls due and also to pay and discharge the principal of said state bonds, and providing for the submission of this Act to the people at a general election.

Also: Senate Bill No. 1360—An Act to amend Section 678 of the Political Code, relating to notices of the issuance and sale of bonds.

Also: Senate Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Article XIV thereof, relating to water and water rights.

Have had the same under consideration, and respectfully report the same back, without recommendation.

MOTT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13 of Article XI, relating to supervision, regulation and conduct of the affairs of reclamation and drainage districts.

Also: Senate Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XX thereof to be numbered Section 22, relating to the issuance of state bonds to create a fund for the purchase of the bonds of irrigation, reclamation and drainage districts.

Have had the same under consideration, and respectfully report the same back, without recommendation.

MOTT, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 327—An Act to repeal Section 812 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class governed by charter wherein no provision is made for a judicial system and to fix their jurisdiction.

Also: Assembly Bill No. 657—An Act to amend Section 883 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 1950—An Act conferring police power upon cities fronting or bordering on state tide lands, for purposes of sanitation.

Also: Assembly Concurrent Resolution No. 9—Relative to approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

Have had the same under consideration, and respectfully report the same back, without recommendation.

CARR, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bills Nos. 29, 40, 146, 147, 423, 428, 442, 471, 520, 648, 663, 680, 744, 792, 795, 918, 941, 1047, 1051, 1052, 1054, 1055, 1056, 1057, 1058, 1086, 1107, 1217, 1278, 1284, 1401, 1402, 1403, 1526, 1545, 1561, 1572, 1578, 1582, 1667, and 1747.

Also: Senate Constitutional Amendments Nos. 28, 49, 61, and 63.

Also: Senate Concurrent Resolutions Nos. 21 and 24.

Have had the same under consideration, and respectfully report the same back, without recommendation.

CARR, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bills Nos. 294, 344, 345, 356, 447, 543, 567, 635, 636, 712, 714, 799, 800, 814, 932, 960, 999, 1021, 1174, 1175, 1176, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429,

[illegible] have had the same under consideration, and respectfully report the same back without recommendation.

ELLIS, Chairman.

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

MR. PRESIDENT: Your Committee on Privileges and Elections, to which was referred Senate Bills Nos. [illegible] have had the same under consideration, and respectfully report the same back without recommendation.

DUNNIGAN, Chairman.

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bills Nos. [illegible] have had the same under consideration, and respectfully report the same back without recommendation.

BOYNTON, Chairman.

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bills Nos. [illegible] have had the same under consideration, and respectfully report the same back without recommendation.

BOYNTON, Chairman.

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

MR. PRESIDENT: Your Committee on Privileges and Elections, to which was referred Senate Bill No. [illegible] have had the same under consideration, and respectfully report the same back without recommendation.

SHARKEY, Chairman.

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

MR. PRESIDENT: Your Committee on Privileges and Elections, to which was referred Senate Bill No. [illegible] have had the same under consideration, and respectfully report the same back without recommendation.

SHARKEY, Chairman.

SENATE CHAMBER, SACRAMENTO, May 12, 1911.

MR. PRESIDENT: Your Committee on Privileges and Elections, to which was referred Senate Bill No. [illegible] have had the same under consideration, and respectfully report the same back without recommendation.

SHARKEY, Chairman.

questions, propositions, and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board—have had the same under consideration, and respectfully report the same back, without recommendation.

HEWITT, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 275—An Act regulating the payment of wages of persons employed in public or private employment, and providing a penalty for the violation thereof.

Also: Senate Bill No. 373—An Act to promote safety for laborers and the traveling public, and to provide a penalty for its violation.

Also: Senate Bill No. 465—An Act directing the Bureau of Vital Statistics, to collect and compile certain statistics relating to marriage and divorce; and repealing an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

Also: Senate Bill No. 566—An Act to regulate the practice of steam engineering, the registering and licensing of persons to carry on such practice and to insure the better education and to promote competency and skill among steam engineers in the State of California.

Also: Senate Bill No. 931—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of employment in underground mines and in smelting and reduction works," approved March 10, 1909.

Have had the same under consideration, and respectfully report the same back, without recommendation.

LYON, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 1286—An Act to provide for an experiment station to determine proper methods of sewage disposal and water purification; defining the duties of the State Board of Health in relation thereto; and making an appropriation therefor.

Also: Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 73—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also: Assembly Bill No. 192—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Also: Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Also: Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Assembly Bill No. 136—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

Also: Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Assembly Bill No. 302—An Act appropriating money for building, equipping and furnishing a nursery for children at Sonoma State Home.

Also: Senate Bill No. 1559—An Act regulating the hours of employment of females in all departments, institutions, establishments and employments of any kind whatever under the management, control or supervision of, or receiving aid from, the state, or any county, city and county, city, district, or public corporation of any kind; and providing penalties for the violation thereof.

Also: Assembly Bill No. 385—An Act providing for the purchase, for the use of the department of agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Also: Assembly Bill No. 406—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Assembly Bill No. 1607—An act appropriating money for building work necessary for the erection of the Centennial Tablet at Mussel Slough for the 1961-63 biennium.

Assembly Bill No. 1608—An act providing for the construction and improvement of a headworks, intake and distributing canal facilities for the use of the Department of Fish and Game in connection with the Feather River Fish Hatchery, and providing for the acquisition of lands and rights of way therefor by the Department of Fish and Game, and providing for the payment of the cost thereof from the Fish and Game Preservation Fund, and making an appropriation therefor.

Assembly Bill No. 1609—An act appropriating money for the construction and improvement of Mono Basin Fish Hatchery facilities.

Assembly Bill No. 1610—An act appropriating money for the construction of new powerhouse, intake and fishing and transportation facilities at the Mount Shasta Hatchery.

Assembly Bill No. 1611—An act appropriating money for building and improving a hatchery for inland rearing and work in Antelope Valley Region.

Assembly Bill No. 1612—An act providing for the control, distribution and enjoyment of the waters of the Colorado River and of all rights therein and possessed by the State of California and the Department of Water and Power of the City of Los Angeles, and providing for the construction, operation and maintenance by the Department of Water and Power of the City of Los Angeles of the Parker Dam Power Project, and providing for the acquisition of rights of way therefor, and providing for the payment of the cost thereof from the Department of Water and Power Fund, and providing for the repayment to the Department of Water and Power of the City of Los Angeles of the cost of said project, and providing for the disposition of the revenues derived from said project, and providing for the payment of the cost of operation, maintenance, repair, renewals and replacements of said project, and providing for the payment of the cost of the Metropolitan Water District of Southern California's participation in said project, and providing for the payment of the cost of the Imperial Irrigation District's participation in said project, and providing for the payment of the cost of the Coachella Valley County Water District's participation in said project, and providing for the payment of the cost of the Palo Verde Irrigation District's participation in said project, and providing for the payment of the cost of the Yuma Project—Reservation Division's participation in said project, and providing for the payment of the cost of the Yuma County Water Users' Association's participation in said project, and providing for the payment of the cost of the Citrus Water Conservation District's participation in said project, and providing for the payment of the cost of the Palo Verde Irrigation District—Gila Gravity Main Canal's participation in said project, and providing for the payment of the cost of the Imperial Irrigation District and

Also: Assembly Bill No. 1948—An Act appropriating money for building and furnishing an observatory at San Francisco.

Also: Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

Also: Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Also: Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

Also: Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Also: Assembly Bill No. 2094—An Act to amend Sections 2521, 2522 and 2552 of the Political Code of the State of California, relating to the Board of State Harbor Commissioners, and employees and their duties and salaries.

Also: Assembly Bill No. 2048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Also: Assembly Bill No. 2057—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Assembly Bill No. 1482—An Act to provide through the State Board of Charities and Corrections for the investigation of the conditions and causes of insanity, vice and crime in this State, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals, and making an appropriation therefor.

Also: Assembly Bill No. 2102—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor," approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County and running thence across the summit of the Sierra Nevada Mountains to Bridgeport in Mono County, a state highway;" which became a law under constitutional provision without the Governor's approval, March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley turnpike," to a point on the wagon road near the junction of Silver Creek near the east fork of Carson River, said highway to be named the Alpine-Inyo state highway; and making an appropriation therefor.

Also: Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape in certain buildings, to provide for enforcing this Act; to provide an appropriation for the same covering certain state buildings, and providing penalties for the violation thereof.

Also: Assembly Bill No. 2069—An Act making an appropriation to pay special premiums on live stock and poultry owned in California and exhibited at the Panama Pacific International Exposition in the year 1915.

Have had the same under consideration, and respectfully report the same back, without recommendation.

STROBRIDGE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 4—An Act appropriating money for building an assembly hall at San Jose State Normal School.

Also: Senate Bill No. 16—An Act to provide for the survey, location and construction of a state highway from the town of Mariposa through Bear Creek, Mariposa County, and Savage's Creek to the Yosemite Valley Railroad at Bear Creek station in Mariposa County, California, and making an appropriation therefor.

Also: Senate Bill No. 33—An Act appropriating two hundred thousand dollars to complete the construction of the exposition building of the State of California at the Panama-California Exposition to be held in San Diego, California, during the year 1915.

Also: Senate Bill No. 58—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill, and repealing an Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Sen. Bennett [D-5] Nov. 4th--Add bill to provide for the recovery of a documentary tax levied on Joseph Christopher, determined by the Supreme Court to be unconstitutional, and providing an appropriation for money paid into the State Treasury.

Sen. Bennett [D-5] Nov. 5th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Nov. 12th--Add bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Nov. 19th--Add bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Nov. 26th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 3rd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 10th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 17th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 24th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 31st--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 7th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 14th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 21st--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 28th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 4th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 11th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 18th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 25th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 4th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 11th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 18th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 25th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 1st--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 8th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 15th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 22nd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 29th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] May 6th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] May 13th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] May 20th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] May 27th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] June 3rd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] June 10th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] June 17th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] June 24th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] July 1st--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] July 8th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] July 15th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] July 22nd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] July 29th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Aug. 5th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Aug. 12th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Aug. 19th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Aug. 26th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Sept. 2nd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Sept. 9th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Sept. 16th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Sept. 23rd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Sept. 30th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Oct. 7th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Oct. 14th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Oct. 21st--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Oct. 28th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Nov. 4th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Nov. 11th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Nov. 18th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Nov. 25th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 2nd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 9th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 16th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 23rd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Dec. 30th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 6th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 13th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 20th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Jan. 27th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 3rd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 10th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 17th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Feb. 24th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 3rd--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 10th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 17th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 24th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Mar. 31st--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 7th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 14th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 21st--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] Apr. 28th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] May 5th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Sen. Bennett [D-5] May 12th--Introduce bill appropriating money for the purchase of 111 acres more or less in the Cuyahoga Valley National Monument.

Also: Senate Bill No. 171—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a state highway, and making an appropriation for the improvement thereof.

Also: Senate Bill No. 185—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants, making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the State Hygienic Laboratory.

Also: Senate Bill No. 188—An Act to provide an appropriation for the purpose of equipping a machinery building for the use of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 190—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 403—An Act providing for the extension of the manufacturers' building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 437—An Act making an appropriation for the purpose of constructing the California state reformatory for first offenders.

Also: Senate Bill No. 435—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Also: Senate Bill No. 460—An Act providing for the placing of a bust or statue of Thomas Starr King in the National Capitol at Washington, D. C., and appointing a commission therefor, and providing an appropriation to carry this Act into effect.

Also: Senate Bill No. 469—An Act appropriating money to pay the claim of Riverside County against the State of California.

Also: Senate Bill No. 390—An Act to repeal an Act entitled "An Act to provide for the issuance and sale of state bonds, to create a fund for the construction by the Board of State Harbor Commissioners for the bay of San Diego of harbor improvements consisting of a seawall, wharves, piers, state railroad, spurs, betterments and appurtenances in the county of San Diego; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of one thousand five hundred dollars for the expense of printing said bonds and to provide for the submission of this Act to a vote of the people."

Also: Senate Bill No. 535—An Act to amend Section 3075 of the Political Code relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks, and assistants and their compensation.

Also: Senate Bill No. 574—An Act to amend Section 534 of the Political Code of the State of California.

Also: Senate Bill No. 545—An Act making an appropriation to pay the expenses of the State Banking Department.

Also: Senate Bill No. 456—An Act to amend Section 443 of the Political Code, relating to the State School Fund.

Also: Senate Bill No. 889—An Act to appropriate fifteen hundred dollars for the payment of the claim of the Humboldt and Trinity Toll Road Company, a corporation.

Also: Senate Bill No. 945—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending Section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," approved December 23, 1911, by amending Section 10 thereof.

Also: Senate Bill No. 607—An Act creating a state board of forestry, prescribing its powers and duties, creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between

Also: Senate Bill No. 869—An Act to establish two correctional institutions, one north of the second standard parallel south of Mount Diablo base line and one south of such parallel, to be known as the northern state farm and the southern state farm, providing for the confinement and care of certain prisoners therein and for the government thereof, and making an appropriation therefor.

Also: Senate Bill No. 978—An Act appropriating additional money for a dairy building and equipment at Whittier State School.

Also: Senate Bill No. 1010—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Also: Senate Bill No. 1012—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Also: Senate Bill No. 1020—An Act to provide for the accomplishment of the work of constructing a breakwater in Port San Luis, California, and making an appropriation for such work.

Also: Senate Bill No. 1022—An Act making an appropriation to make general plans for the improvement of the State Fair grounds at Agricultural Park in the city of Sacramento and to make drawings, specifications and estimates therefor under the direction of the State Department of Engineering.

Also: Senate Bill No. 1083—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in state prisons in this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, so as to provide for pecuniary assistance to prisoners and their families and providing for the payment of the same.

Also: Senate Bill No. 1097—An Act providing for an investigation of the prevalence of venereal diseases in the State of California and making an appropriation therefor.

Also: Senate Bill No. 1109—An Act to amend Section 718 and 719 of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and providing for their vacations, appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Also: Senate Bill No. 1100—An Act appropriating money for the purchase and installation of electric generators and connections and equipment therefor at the Stockton State Hospital.

Also: Senate Bill No. 1110—An Act appropriating money for the purchase and installation of electric units and distributing lines for a lighting system at the Southern California State Hospital.

Also: Senate Bill No. 1170—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act and making an appropriation therefor.

Also: Senate Bill No. 1200—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Also: Senate Bill No. 1203—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

Also Senate Bill No. 1226—An Act appropriating money for completing the grading of the school grounds and for laying concrete walks at San Jose State Normal School.

Also: Senate Bill No. 1227—An Act appropriating money for repairing the old manual training buildings at San Jose State Normal School.

Also: Senate Bill No. 1228—An Act appropriating money for repairing the old training school building at San Jose State Normal School.

Also: Senate Bill No. 1248—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit Station.

Also: Senate Bill No. 1250—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Also: Senate Bill No. 1261—An Act to create the office of registrar of teachers, and to define the powers and duties thereof.

Assembly Bill No. 1750—An Act to appropriate the sum of eight thousand [illegible] dollars and accompanying [illegible] out of the general fund to the state treasurer to pay the compensation fixed by the duly and regularly appointed [illegible] of the State of California for their respective services.

Assembly Bill No. 1846—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of optometry in the State of California," approved March 27, 1907.

Assembly Bill No. 1864—An Act to prevent the extension of corporations or subdivisions thereof into the State of California to prevent the removal or part of such corporations into other states without the consent of the State, and providing [illegible] for the same and penalties.

Assembly Bill No. 1868—An Act appropriating money for printing for the Industrial Board of California for the [illegible] year.

Assembly Bill No. 1869—An Act appropriating money for the salaries of officers and employees of the Industrial Board of California for the [illegible] year.

Assembly Bill No. 1870—An Act appropriating money for the support of the Industrial Board of California during the [illegible] year.

Assembly Bill No. 1871—An Act appropriating money for printing for the Railroad Commission for the fiscal year [illegible].

Assembly Bill No. 1872—An Act appropriating money for the salaries of officers and employees of the Railroad Commission for the fiscal year [illegible].

Assembly Bill No. 1873—An Act appropriating money for the support of the Railroad Commission during the fiscal year [illegible].

Assembly Bill No. 1874—An Act to appropriate money for the dredging of [illegible] channel in front of [illegible] in the County of [illegible] in the county [illegible] and for the widening of [illegible] channel and the [illegible] thereof.

Assembly Bill No. 1875—An Act to authorize and empower the Board of Regents of [illegible] State Library to sell and convey all or any part of the [illegible] and buildings of said library and [illegible] thereof, and to purchase and [illegible] other lands and buildings in the city of Sacramento, and to erect thereon [illegible] and buildings for the use of said library, and to provide for the purchase of [illegible] thereof and appropriate the [illegible] thereof.

Assembly Bill No. 1876—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of providing for the disposal of the San Antonio Street and Alameda sewerage area requiring [illegible] and regulating the [illegible] and for providing [illegible] thereof.

Assembly Bill No. 1877—An Act providing for the [illegible] of the Alameda County Fish [illegible] and [illegible] thereof, to be [illegible] of [illegible] and [illegible] to [illegible] thereof, to be held [illegible] in Washington [illegible] of Alameda, appointing a [illegible] thereof, and [illegible] to carry the [illegible] into effect.

Assembly Bill No. 1878—An Act to provide for an additional building to [illegible] County, and the use of all the counties of [illegible] for the purpose of [illegible] permanent [illegible] thereof, the management of [illegible] exhibits, and to [illegible] for the construction of said buildings, and for the management of the same.

Senate Bill No. 1879—An Act to provide for the purchase or lease of [illegible] and buildings in Alameda County [illegible] and a [illegible] thereof, and [illegible] thereof, and to [illegible] thereof, and [illegible] thereof, and [illegible] thereof, and

construction, repair and maintenance and to make appropriation therefor"; approved March 15, 1911, repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Lee's Barn in Tuolumne County and running thence across the summit of the Sierra Nevada Mountains to Bridgeport in Mono County, a state highway", which became a law under constitutional provision without the Governor's approval, March 12, 1901, providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley turnpike" to a point on the wagon road near the junction of Silver Creek near the East Fork of Carson River, said highway to be named the Alpine-Inyo state highway; and making an appropriation therefor.

Also: Senate Bill No. 1633—An Act establishing a memorial school and home for orphans and crippled children at the city of Orange, county of Orange, State of California, and making an appropriation for purchasing ground therefor.

Also: Senate Concurrent Resolution No. 30—Relating to the publication and distribution of a supplement to the Blue Book, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, without recommendation.

STROBRIDGE, Chairman.

RECESS.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Finn, the acting President declared the Senate at recess until eleven o'clock and forty minutes a.m.

RECONVENED.

At eleven o'clock and forty minutes a.m., the Senate reconvened, Senator Thompson, of the Thirty-fifth District, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 1291—An Act to amend an Act entitled, "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections to be numbered 10 to 13 inclusive.

Also: Senate Bill No. 422—An Act to provide for and regulate primary elections and the nomination of candidates for public office and the election of delegates to party conventions and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911, and all Acts amendatory thereof and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Also: Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

Also: Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California relating to holidays.

Also: Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Also: Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Also: Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered 636½, to prevent the use or possession of lompara nets, paranzella nets, trawl or drag nets, and providing the penalty therefor.

An Act to amend Section 1071 of the Civil Code relating to criminal trials.

An Act to add a new section to the Penal Code of the State of California, and one to the Political Code, and one section to the Government Code, all relating to the State Printing Department, and providing for the payment of fees and compensation.

An Act to add a new section to the Political Code of the State of California, relating to the appointment of officers connected with the Supreme Court.

An Act to amend Section 1000 of the Penal Code of the State of California, relating to trials, and to repeal Section 1000 of the Penal Code of the State of California, relating to the same subject

of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Also: Senate Bill No. 160—An Act to prevent the introduction and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purposes.

Also: Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons, providing for the establishment of psychopathic wards in county hospitals, and for the appointment of physicians and nurses in connection therewith, and making an appropriation therefor.

Also: Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

Also: Senate Bill No. 581—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Also: Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

Also: Senate Bill No. 752—An Act to make an appropriation of money for the general maintenance and extension of the Lake Tahoe wagon road a state highway.

Also: Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Also: Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Also: Senate Bill No. 1467—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

Also: Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships having a population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1410—An Act consolidating Reclamation District No. 742 and Reclamation District No. 900, and providing for their liquidation and payment of the outstanding indebtedness.

Also: Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3158, relating to the precautions to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

Also: Senate Bill No. 379—An Act to amend Section 858 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Also: Senate Bill No. 533—An Act to amend Section 3819 of the Political Code, relating to payment of taxes under protest.

Also: Senate Bill No. 265—An Act to amend Section 974 of the Code of Civil Procedure of the State of California and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Also: Senate Bill No. 154—An Act to amend Section 601 of the Penal Code, relating to the malicious use of explosives and providing penalties therefor.

Also: Senate Bill No. 721—An Act to amend Sections 1246, 1247, 1247a and 1247c of the Penal Code of the State of California, relating to the duty of the clerk upon appeal and to the preparing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Courts of Appeal in criminal cases.

And reported that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1913, at ten o'clock and thirty minutes a.m.

GRANT, Chairman.

RESOLUTION.

The following resolution was introduced:

By Senator Grant:

Resolved, That the Senate Printer be, and he is hereby, directed to print 2500 copies of Senate Bill No. 847 for distribution to persons desiring copies thereof.

Resolution read and adopted.

Message from the President of the United States, transmitting a report and recommendation of the Secretary of Commerce and Labor relative to the establishment of a fish-cultural station in Montana.

To the Senate and House of Representatives: May 12, 1911.

I am transmitting herewith, for the consideration of the Congress, a report and recommendation of the Secretary of Commerce and Labor relative to the establishment of a fish-cultural station in Montana.

WILLIAM H. TAFT.

CHAP. 199.—An Act Making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes, namely:

For the payment of the postmaster at Washington, District of Columbia, his assistants, clerks, and employees, as follows: For compensation of postmaster, one thousand dollars; for compensation of assistant postmaster, one thousand dollars; for compensation of chief clerk, one thousand dollars; for compensation of superintendent of mails, one thousand dollars; for compensation of superintendent of money-order system, one thousand dollars; for compensation of superintendent of division of dead-letter office, one thousand dollars; for compensation of superintendent of division of inquiries, one thousand dollars; for compensation of superintendent of division of registered mail, one thousand dollars; for compensation of superintendent of division of stamps, one thousand dollars; for compensation of superintendent of division of supplies, one thousand dollars; for compensation of superintendent of division of topographers, one thousand dollars; for compensation of superintendent of building, one thousand dollars; for compensation of superintendent of the Washington City post office, one thousand dollars; for compensation of superintendent of the Washington City station, one thousand dollars; for compensation of superintendent of the Washington City railway post office, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown station, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown delivery, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown collection, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown registry, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown money-order division, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown special-delivery division, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown stamp division, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown supply division, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown vehicle service, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown mail-messenger service, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown mail-equipment shop, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown garage, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown inspection division, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown post-office building, one thousand dollars; for compensation of superintendent of the Washington City and Georgetown post-office annex

ment of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1909.

Also: Senate Bill No. 1751—An Act to amend Section 5 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State."

Also: Senate Bill No. 976—An Act to amend Sections 637 and 638 of the Civil Code, relative to building and loan associations.

Also: Senate Bill No. 813—An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a board of medical examiners to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act.

Also: Senate Bill No. 1782—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Also: Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Also: Senate Bill No. 977—An Act to amend Section 633 of the Civil Code relating to building and loan associations.

Also: Senate Bill No. 1337—An Act to regulate and license the vocation of hunting wild game birds and animals and to provide therefrom revenue for game protection and restocking.

Also: Senate Bill No. 1776—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Also: Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad tracks, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

Also: Senate Bill No. 1090—An Act providing for the creation of the State workmen's compensation insurance rating bureau, defining its powers and duties and the means and methods to be used in making rates, making provision for the payment of its expense and making an appropriation therefor.

Also: Senate Bill No. 938—An Act to amend Section 863 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Also: Senate Bill No. 664—An Act to provide indemnity to persons erroneously convicted of felonies in the State of California.

Also: Senate Bill No. 172—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

Also: Senate Bill No. 1461—An Act to amend Section 4056b of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of counties and of supervisorial districts.

Also: Senate Joint Resolution No. 40—Relative to setting apart a district of land in Butte County, State of California, as a national park, and memorializing the Congress of the United States to create such national park.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1913, at ten o'clock and thirty minutes a.m.

GRANT, Chairman.

Adjourn

Returned Following Resolution, May 16 1911

Mr. Blackwell: I move Committee on Resolutions have Resolution 1911, relative to Tax Rebates.

Senator Hill: Mr. President will Gentleman kindly for benefit and information, inform the Senate relating matters of Assembly Bills Committee.

Mr. Johnson: Will the Chair rule out of order Section 1 of an Act entitled "An Act to provide for the completion of canal deepening and improvement of Erie and Oswego Harbor and Terminus of the Canal System" relative to Appointment Power Canal Commissioners to Superintendent Division Canals" approved March 20, 1911.

The Chair: Will the Gentleman from Erie kindly state the point of order?

Mr. Wright: Will the Chair rule that Constitution requires Canal Commissioners and Superintendent of Canals to be appointed by Governor with Consent of Senate and that Section 1 of the Act referred to does not provide for such appointment?

The Chair: Will the Gentleman from Erie kindly read the Section and the Chair will rule?

Mr. Wright: Section 1 of the Act provides that Governor shall appoint Superintendent of Canals.

The Chair: Will the Gentleman from Erie kindly point out the section of the Constitution upon which he relies?

Mr. Wright: Section 9 of Article V.

The Chair: Will the Gentleman from Erie kindly read Section 9 of Article V?

Mr. Wright: Section 9 of Article V provides that Governor shall appoint with Consent of Senate all officers whose offices are established by this Constitution or whose appointments are not otherwise provided for.

The Chair: Will the Gentleman from Erie kindly point out the section of the Constitution which establishes the office of Superintendent of Canals?

Mr. Wright: Section 7 of Article V.

The Chair: Will the Gentleman from Erie kindly read Section 7?

Mr. Wright: Section 7 of Article V provides that Canal Commissioners shall have charge of Canals and Canal Interests under such regulations as shall be prescribed by Law.

The Chair: Will the Gentleman from Erie kindly point out the section of the Constitution which establishes the office of Superintendent of Canals?

Mr. Wright: The Constitution does not establish the office of Superintendent of Canals.

The Chair: Will the Gentleman from Erie kindly point out the section of the Constitution which establishes the office of Canal Commissioners?

Mr. Wright: Section 7 of Article V.

The Chair: Will the Gentleman from Erie kindly read Section 7?

Mr. Wright: Section 7 of Article V provides that Canal Commissioners shall have charge of Canals and Canal Interests under such regulations as shall be prescribed by Law

such commitment and release thereform, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911, by amending the title and Sections 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10k, 10l, 10m, 10n, 10o, 10p, 10q, 10r, and 10s.

Also: Senate Bill No. 297. An Act to regulate the practice of optometry, to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this Act.

Also: Senate Bill No. 514. An Act to amend Section 1395a of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Also: Senate Bill No. 587. An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered 550a, relating to the furnishing of water for family use.

And report that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of May, 1913, at ten o'clock and thirty minutes a. m.

GRANT, Chairman.

COMMUNICATION FROM THE ASSEMBLY.

An Assembly committee, Messrs. W. C. Clark, Finnegan and Bagby, appeared at the bar of the Senate, and announced that the Assembly had no further communications to transmit to the Senate and was now prepared for final adjournment.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Caminetti:

Resolved, That the subjects treated in Senate Bills Nos. HSS 1596, 1597, 1643, and 874, be considered by the Senate Committee on Elections, with instructions to report thereon to the forty-first session of the Legislature.

Resolution read and adopted.

Also:

Resolved, That the subjects treated in Senate Bills Nos. 966, 968, and 1606, be considered by the Senate Committee on County Government with instructions to report thereon to the forty-first session of the Legislature.

Resolution read and adopted.

By Senator Hans:

Resolved, That one thousand copies each of Senate bills numbered, respectively, 11, 873, 1695, and 1705 and Senate Joint Resolution No. 20, be printed by the Superintendent of State Printing and distributed as follows: One hundred copies of each to Senator Caminetti and the remainder of each to the State Superintendent of Public Instruction.

Resolution read and adopted.

By Senator Boynton:

Resolved, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn *sine die* and ask if he has any further communication to transmit to the Senate.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the acting President appointed Senators Boynton, Hewitt, and Caminetti a committee to notify

the Senate and the House jointly assemble, in order to adjourn sine die and agree on a proper time for further communication, if he has any, before an adjourning

REPORT OF SENATE COMMITTEE.

Senators Haywood, Hirsch and Kimball, the committee appointed to wait upon the Governor to inform him of the Senate's readiness to adjourn, reported that the Governor had informed the committee that he had no further communications to present to the Senate.

RESOLUTION.

The following resolution was introduced:

By Senator Hirsch:

Resolved, That a committee of three be appointed to wait upon the Governor and inform him that the Senate is ready to adjourn sine die if he has no further communications to present to the Senate.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the acting President appointed Senators Hirsch, Whitehead and Clements, a committee to wait upon the Governor of the readiness of the Senate to adjourn sine die.

REPORT OF SPECIAL COMMITTEE.

Senators Hirsch, Whitehead and Clements, the special committee appointed to notify the Assembly that the Senate was ready to adjourn sine die, reported that they had performed the duties assigned them.

APPOINTMENT OF COMMITTEES.

The acting President announced the appointment of the following committees:

Senators Brown, Davis, and Hirsch as members of the committee to be appointed in accordance with Assembly Concurrent Resolution No. 14, relative to the appointment of a committee to consider the advisability and to suggest plans for the erection of a state industrial home for girls; and

Senators Kimball, Andrews, and Hoffman as members of the committee to be appointed in accordance with Senate Concurrent Resolution No. 20, relative to the appointment of a committee of the Legislature in regard to State Normal and State Agricultural Schools, which committee shall have power to appoint an advisory committee of architects, engineers and painters, to consider a commission, with a view of adopting in the interior style and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county school and municipal buildings, grounds, and public works throughout the State.

Senators Wood, Muir and Cunningham, as members of the committee to be appointed in accordance with Assembly Concurrent Resolution No. 38, relative to salaries paid by the State to the employees in various institutions.

Senators Cogswell and Rush, as members of the committee to be appointed in accordance with Assembly Concurrent Resolution No. 31, relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads.

Senator Jones as a member of the committee to be appointed in accordance with Senate Concurrent Resolution No. 29, relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

Senator Avey as a member of the committee to be appointed in accordance with Assembly Concurrent Resolution No. 38, relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to effect, and the need, if any, of amending the juvenile court law.

APPOINTMENT OF SENATORS TO PREPARE ARGUMENTS.

The acting President announced the following appointments of Senators to prepare arguments for and against constitutional amendments:

To prepare the argument for Senate Constitutional Amendment No. 12, Senator Boynton, author, and Senator Kehoe, for majority. There being no minority vote, no appointment is made to prepare an argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 13, Senator Hewitt, author, and Senator Benson, for majority. There being no minority vote, no appointment is made to prepare an argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 15, Senator Gates, author, and Senator Campbell for majority. There being no minority vote, no appointment is made to prepare the argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 16, Senator Hewitt, author, and Senator Jones for majority. There being no minority vote, no appointment is made to prepare the argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 17, Senator Hewitt, author, and Senator Finn for majority. There being no minority vote, no appointment is made to prepare the argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 34, Senator Tyrrell, author, and Senator Hans for majority. There being no minority vote, no appointment is made to prepare the argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 53, Senator Hewitt, author, and Senator Breed for majority. There being no minority vote, no appointment is made to prepare the argument against said amendment.

APPROVAL OF JOURNALS

The Journals of Monday, May 1, 1911; Tuesday, May 2, 1911; Wednesday, May 3, 1911; Thursday, May 4, 1911; Friday, May 5, 1911; Saturday, May 6, 1911; Monday, May 8, 1911; Tuesday, May 9, 1911, were approved.

FINAL ADJOURNMENT

Whereupon, at twelve o'clock m., in accordance with the provisions of Senate Concurrent Resolution No. 11, the acting President declared the Interim powers of the Senate, of the State of California, adjourned sine die.

ALBERT A. WALLACE,
President of the Senate.

ALBERT E. WHITTIER,
President pro tem. of the Senate.

WALTER T. PARRETT,
Secretary of the Senate.

J. W. KAVANAGH,
Enrolling Clerk of the Senate.

CLIFTON B. SHARER,
Journal Clerk of the Senate.

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